

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRTY-SECOND LEGISLATURE
FIRST SPECIAL SESSION
30th Legislative Day
Thursday, June 12, 2025

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

Prayer by Honorable Ann Higgins Matlack, St. George.

National Anthem by Roxanne Althouse, Woolwich.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 793)

JOINT RESOLUTION RECOGNIZING NATIONAL HOSPITAL WEEK AND THE EXEMPLARY CARDIAC CARE TEAM AT NORTHERN LIGHT EASTERN MAINE MEDICAL CENTER

WHEREAS, the 2nd week of May is National Hospital Week, a time to celebrate and recognize the dedication and hard work of doctors, nurses and healthcare professionals across the State who selflessly care for patients and enhance the health and well-being of the community; and

WHEREAS, Northern Light Eastern Maine Medical Center is a vital tertiary care hospital serving the northern 2/3 of the State and providing comprehensive medical services to the residents of this vast region; and

WHEREAS, cardiovascular disease remains a significant health concern in Maine, contributing to over 25,000 deaths in the past decade. While rates of cardiovascular disease are generally below the national average, the recent increase in related deaths is alarming. Furthermore, cardiovascular diseases are exacerbated by other health issues such as high blood pressure, diabetes and obesity, which compound the risks for many Mainers; and

WHEREAS, Northern Light Eastern Maine Medical Center has been a leader in cardiovascular care for over 40 years, offering advanced medical treatment and technologies to ensure the heart health of the people of Maine. Their team of highly skilled cardiovascular physicians and dedicated healthcare professionals has been at the forefront of providing innovative heart care solutions, using state-of-the-art equipment and procedures to deliver the best possible outcomes for patients; and

WHEREAS, the heart care team at Northern Light Eastern Maine Medical Center, led by Dr. Darryl Hoffman, a distinguished surgeon in the field of cardiothoracic surgery, is committed to the highest standards of care, saving lives and making a lasting difference in the lives of countless patients throughout the region; 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 recognize National Hospital Week and Dr. Darryl Hoffman and the entire Northern Light Eastern Maine Medical Center Cardiology team for their exceptional care, skill and dedication to saving lives every day, and we extend our deepest appreciation for their ongoing contribution to the health and well-being of the people of Maine; and be it further

RESOLVED: that a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to Dr. Darryl Hoffman and the entire cardiology team at Northern Light Eastern Maine Medical Center, with our heartfelt gratitude and recognition of their outstanding work in advancing heart health care in Maine.

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

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

COMMUNICATIONS

The Following Communication: (S.C. 526)

**MAINE SENATE
132ND LEGISLATURE
OFFICE OF THE SECRETARY**

June 11, 2025

Honorable Ryan Fecteau

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Fecteau:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 132nd Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Education and Cultural Affairs:

- Jasmine Sanders of Augusta for appointment, to the Maine Community College System, Board of Trustees,
- Alicia Jalbert of Portland for appointment, to the Maine School of Science and Mathematics, Board of Trustees,
- Brad Choyt of South Thomaston for appointment, to the Maine School of Science and Mathematics, Board of Trustees,
- Heather Finnemore Johnson of Norridgewock for appointment, to the University of Maine System, Board of Trustees.

Best Regards,
S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 532)

**MAINE SENATE
132ND LEGISLATURE
OFFICE OF THE SECRETARY**

June 11, 2025

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today adhered to its previous action whereby it Enacted Bill "An Act to Provide for the Direct Shipment of Spirits to Consumers" (H.P. 1172) (L.D. 1754) in non-concurrence.

Best Regards,
S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (S.C. 533)

**MAINE SENATE
132ND LEGISLATURE
OFFICE OF THE SECRETARY**

June 11, 2025

Honorable Robert B. Hunt
Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Housing and Economic Development on Bill "An Act to Ensure Accountability for Repairs Conducted by Independent Repair Facilities on Motor Vehicles Under Warranty" (H.P. 959) (L.D. 1467) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 534)

**MAINE SENATE
132ND LEGISLATURE
OFFICE OF THE SECRETARY**

June 11, 2025

Honorable Robert B. Hunt
Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Inland Fisheries and Wildlife on Resolve, Authorizing a Study on the Impacts and Risks of Lead-based Ammunition (H.P. 887) (L.D. 1364) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 535)

**MAINE SENATE
132ND LEGISLATURE
OFFICE OF THE SECRETARY**

June 11, 2025

Honorable Robert B. Hunt
Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Education and Cultural Affairs on Bill "An Act to Make Student Transfer Agreements Renew Automatically Except in Certain Circumstances" (H.P. 141) (L.D. 218) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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:

In Memory of:

Mary Sweeney Underwood, of Gray. Mrs. Underwood was a tireless and inspiring volunteer across many committees, events and community groups. She was perhaps best known for being "the Woman Who Walks," as her passion for Nordic walking led her to establish a popular walking club in Gray. Over time, she became the face of Nordic walking in communities other than Gray. She was also a member of the Community Television Advisory Committee and helped produce several videos touching upon various aspects of the Gray community. Mrs. Underwood will be long remembered and sadly missed by her family, friends and community;

(HLS 382)

Presented by Representative GRAHAM of North Yarmouth.

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

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

READ

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

Representative **GRAHAM**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mary was an extraordinary woman. One would call her the salt of the Earth.

Mary grew up in Presque Isle, married her husband there, they moved to Boothbay and she was widowed and she moved to Gray. Mary persevered with cancer for a long period of time, but she never, ever complained. Mary touched many, many people's lives. She built birdhouses that are all around the town of Gray now, and so, whenever I see them, I will think of Mary. I hope that when I approach the end of my life, I can be like Mary: live with grace and kindness. She will be truly missed. Thank you, Mr. Speaker.

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

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Rotary Club of Brunswick

(HLS 378)

TABLED - June 11, 2025 (Till Later Today) by Representative ARFORD of Brunswick.

PENDING - PASSAGE.

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

Representative **ARFORD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As both a Member of this Body and the Rotary Club of Brunswick, I rise today to recognize and celebrate the club's 100th anniversary.

A hundred years ago, on May 19, 1925, the Rotary Club of Brunswick was established and granted its charter. As Rotarians, members were then, now and will always be committed to service above self. As a club member, I know how

significantly the club serves our Greater Brunswick community through annual events, such as the much-loved Brunswick Bike Rodeo and Family Safety Day, where free bike helmets are given to all in need, the always-appreciated beach cleanups and good-will-building Games on the Mall every Fourth of July. The club loves serving our veterans and supporting higher education for local students, along with many more community-building services.

When members are asked what the most significant contribution the Rotary Club has made during its 100-year history, the most frequent answer is the Androscoggin River Bike and Pedestrian Path. If you have not yet enjoyed a bike or walk on this beautiful path, please check it out the next time you are in Brunswick. And while you are enjoying yourself on the path, please take a moment to appreciate Brunswick Rotary for their \$50,000 donation to the Town of Brunswick to use as seed money for construction of the path.

Today, Rotary stands ready to accept requests for assistance. In fact, one current request is supported by a bill we just Enacted on June 3rd, LD 1179, An Act to Establish Minimum Safety Standards for the Construction and Use of Temporary Emergency Shelters. This new law, if signed by the Chief Executive, or passed, will clear the path for the hosting of temporary housing for homeless veterans at the Brunswick Legion Post through the Vans for Vets program. In response to a request for funding, a much-needed electricity line for the vans, Brunswick Rotary stepped forward and paid the bill. Thank you, Brunswick Rotary, for your contribution to housing men and women who have served our country and now are in dire need of our support.

I will close with the following words, which are stated in unison at the close of every Brunswick Rotary Meeting: "In all we do personally and professionally, we ask: Is it the truth? Is it fair to all concerned? Will it build good will and better friendships? Will it be beneficial to all concerned? And is it fun and sustainable?" Congratulations, Brunswick Rotary, on 100 years of serving Maine people.

Subsequently, this Expression of Legislative Sentiment was **PASSED** 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 **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-308)** on Bill "An Act to Prohibit Ticket Sellers from Prohibiting the Transfer of Tickets to Third Parties"

(S.P. 403) (L.D. 913)

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

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-308)**.

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, LD 913 changes the laws governing the resale of tickets in the State. It regulates price disclosures and refund policies, additionally contains consumer protections in regard to speculative ticket sales and bots and duplicate websites that circumvent online sale limitations and places a cap on the resale cost of tickets as well. Enforcement is done by the AG's office.

Now, Mr. Speaker, if this sounds familiar, it's because both Bodies have already passed LD 414, and the bill is on the Chief Executive's desk for signature. Unlike LD 414, which aligned Maine's laws with the federal deceptive pricing laws, this goes a step further and makes it challenging for our smaller venues. It also charges the AG's office with enforcement, an office that is already stretched so thin that they are telling us they can't go after every complaint brought before them before their Consumer Protection Division for items like contractors walking off jobsites. If this passes, they will also be required to police deceptive websites and bots for ticket sales online. It also requires a venue to provide the contact information to the AG's office if they purchase a duplicate or fraudulent ticket.

Additionally, it requires that a venue lists every single itemized fee, which could be easy for big ticket sales places like TicketMaster, but for our smaller venues, trying to figure out, well, what does that mean by everything? Does that mean the electricity cost that goes into producing the show? Does that mean the cost of all of the, you know, the percentage of the cost that goes into hiring all of the actors or performers? So, there's a lot of unknowns with this, and I fear unintended consequences that could have devastating impacts on our smaller venues in the State of Maine.

It's also unclear whether this is only for tickets purchased by Mainers in Maine, or if it's for anybody outside of Maine that purchases in the State of Maine or if it's Mainers purchasing outside of the State of Maine. What was great about the last bill that we did pass was that it aligned us with federal, so, there was none of those questions.

So, with that in mind, Mr. Speaker, I ask that you please vote Ought Not to Pass.

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

Representative **GERE**: Thank you, Mr. Speaker. I'm guessing that many people in this Chamber have had the experience of buying tickets online, only to find out when arriving that the tickets are fake or are not honorable. Or you've gone online to buy tickets and realize that, only after a few seconds of the sale starting, all the tickets have been scooped up. This bill is designed to target these practices directly. And specifically, with regard to some of the comments we just heard, LD 414 does not address some of the bot purchasing challenges that are endemic in this industry.

In Committee, we in fact heard from many small venues, and the small venues all around Maine were very active in developing this bill to address the specific challenges that they face in combating these practices. And it will be strengthened, because it will be enforceable by the Office of the Attorney General, which supports this bill. So, I encourage everyone to vote in support of the bill. Thank you very much, 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. 450

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Eder, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Milliken, Mingo, Mitchell, Montell, 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, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Mastraccio, McIntyre, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Mr. Speaker.

ABSENT - Moonen, Woodsome.

Yes, 76; No, 71; Absent, 2; Vacant, 0; Excused, 2.

76 having voted in the affirmative and 71 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (S-308) 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-308)** in concurrence.

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

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (S-158)** - Minority (2) **Ought Not to Pass** - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Protect the Right to Harvest Wildlife"

(S.P. 559) (L.D. 1343)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-158) AS AMENDED BY SENATE AMENDMENT "A" (S-184)** thereto.

TABLED - June 3, 2025 (Till Later Today) by Representative ROBERTS of South Berwick.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Representative ROBERTS of South Berwick moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. It's my understanding that there's a problem with the Senate Amendment that was added onto this and that the intention here is to move this back to the Other Body, so that they can Recede and remove the Senate Amendment and pass the bill back to us. So, I'm not going to Roll Call on that, although this is a very good bill and look forward to passing it when it comes back without the Senate Amendment.

Representative MORRIS of Turner **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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 Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 451

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, 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, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Adams, 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, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, Warren, White J, White R, Wood P, Wood S.

ABSENT - Woodsome.

Yes, 75; No, 73; Absent, 1; Vacant, 0; Excused, 2.

75 having voted in the affirmative and 73 voted in the negative, with 1 being absent and 2 excused, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

An Act Regarding the Management of Wastewater Treatment Plant Sludge at the State-owned Landfill (EMERGENCY)

(H.P. 197) (L.D. 297)

(C. "A" H-537)

- In House, **FAILED OF PASSAGE TO BE ENACTED** on June 11, 2025.

TABLED - June 11, 2025 (Till Later Today) by Representative FAULKINGHAM of Winter Harbor.

PENDING - Motion of same Representative to **RECONSIDER**.

Subsequently, with unanimous consent of the House, Representative FAULKINGHAM of Winter Harbor **WITHDREW** his motion to **RECONSIDER** whereby the Bill **FAILED PASSAGE TO BE ENACTED**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-393)** - Minority (5) **Ought Not to Pass** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Create Economic Opportunity for the Wabanaki Nations Through Internet Gaming" (H.P. 769) (L.D. 1164)

TABLED - June 4, 2025 (Till Later Today) by Representative SUPICA of Bangor.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

READ.

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

Representative BOYER of Poland **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 Poland, Representative Boyer.

Representative **BOYER**: Thank you, Mr. Speaker. Mr. Speaker, we voted against this Report for a couple reasons, folks in our caucus.

We all come from different backgrounds and different lives. Some of us had real concerns about making gambling accessible 24/7, wherever you are, on your phone. One of our Members had some real family issues growing up with gambling addiction, and it was personal for them. Other folks are concerned with how this will affect the revenue and the cascades from the brick-and-mortar casinos in Bangor and Oxford. That's more my concern, personally. It's a lot of jobs and tax revenue for our State from these casinos, and there really is not one Maine job that's going to be provided by this bill. It'll bring some revenue into the State, there's no doubt about that, but there's no brick-and-mortar jobs from offering an app on a phone. There's no Maine jobs here.

And so, I know Members in our caucus would be supportive of a brick-and-mortar casino in the County that would comply with the 100-mile statutory radius requirement, but this, we don't; I don't think we're ready for this. There's concerns about the public health, about the revenue and for those reasons, I hope folks follow my light. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from the Passamaquoddy Tribe, Representative Dana.

Representative **DANA**: [*Greeting in Passamaquoddy.*] Thank you, Mr. Speaker and Members of the House of Representatives. I rise today in strong support of LD 1164 and urge my colleagues to stand with me in passing this historical, significant legislation.

This bill is "An Act to Create Economic Opportunity for the Wabanaki Nations Through Internet Gaming." It represents a moment of forward progress in a time when much of the economic news feels grim. It offers hope and opportunity not just for the tribal communities, but also for rural Maine in counties like Washington and Aroostook.

The bill is about more than business. It's about fairness, dignity and long-overdue economic inclusion, especially for rural Maine. It may not bring brick-and-mortar jobs, but it brings jobs to the surrounding areas near our communities. For too long, out-of-state corporations have profited off Maine while rural and tribal communities have been left behind. These companies, many based out of states like Nevada and Kentucky, have built empires from our land and our labor, sending their profits elsewhere and keeping control over the economic opportunities that should have belonged to the Maine people all along.

It's time that that has changed. As the elected Representative of the Passamaquoddy people from Sipayik (Pleasant Point) and my hometown Motahkomikuk (Indian Township) in Washington County, I speak not only for our communities, but I also speak in solidarity with our fellow Wabanaki Nations; the Maliseet, the Mi'kmaq and the Penobscot in Washington, Aroostook and Penobscot County. When you visit our counties, do you see the same thriving economies as you do in southern Maine? No, you see communities that have been systematically left behind, Mr. Speaker. This is not just a modern-day reality; it's a generational burden. Per capita income in our communities average around \$14,000, while the State averages more than double that, Mr. Speaker. Child poverty in our tribal communities reach as high as 77%, compared to 15% statewide. Let that sink in just for a moment. These statistics should trouble all of us. They are not just numbers, they represent people, they represent children, families and futures stifled by exclusion from economic opportunity.

Historically, Maine's economy was built on natural resources on Wabanaki lands. Our woods, our waters, our fish, and while those resources generated wealth, that wealth rarely stayed within the State of Maine. It was extracted, exported and used to build fortunes elsewhere. We are not trying to get rich, we are only trying to survive, Mr. Speaker.

In the 1970s, tribes across the U.S. began using gaming as a tool for self-reliance and recovery. But while other states embraced tribal gaming as a means of building stronger Native communities and regional prosperity, Maine shut us out, even as it welcomed non-tribal casinos here in the State of Maine that send a majority of the profits out of state. Only in recent years has Maine begun to recognize the economic potential of tribally led sports betting, and we've risen to that moment with strong partnerships, rigorous regulations and the revenue to support our elders, social services and our government's work. LD 1164 would allow us to build on that success. It would expand mobile gaming options already authorized by this Legislature to include activities currently offered by Hollywood and Oxford Casinos. But more importantly, Mr. Speaker, it would do so legally, in a market where illegal online operations are already profiting unregulated and untaxed.

A public statement was written by Milton Champion, the Director of the Maine State Gaming Commission, expressing his concerns about the black-market online gaming being exercised already here within the State. This bill doesn't invent something new; it responsibly brings existing, widespread online gaming into a legal, regulated and Maine-owned system. One where revenue stays in our tribes and Maine communities. One where tribal governments, held to the highest federal audited standards, use their funds for housing infrastructure and our essential needs. And for the State of Maine, LD 1164 would generate millions annually in revenue. Money that can be supported to addiction, recovery, rehabilitation, homelessness prevention, school construction and even bolster Maine's farmers.

Mr. Speaker and Members of this House, this bill is a turning point. It is a moment for Maine to embrace equity, common sense and a shared prosperity. I urge all of you to support LD 1164 for tribal and rural opportunity for a stronger and fairer Maine economy. *Komac Woliwon*. Thank you.

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

Representative **RANA**: Thank you, Mr. Speaker. Mr. Speaker, Fellow Members of the House, I rise today in support of LD 1164.

If passed, LD 1164 would help to correct a historic and ongoing wrong. Until recently, with the approval of sports betting, this Legislature has time and time again placed the interests of out-of-state gaming corporations and operations over most of our constituents and the Wabanaki Nations. We cannot tolerate this any longer.

By now, the statistics from the Harvard Kennedy School study of the economic impacts of our policies on the Wabanaki Nations should be well known. From the Houlton Band of Maliseet and Mi'kmaq Nation in Aroostook County to the Passamaquoddy Tribe in Washington County and the Penobscot Nation in Penobscot County, Wabanaki people have worse economic health and educational outcomes than other Mainers. But we know that these worse outcomes extend further. We know that in rural areas in our state, nontribal members are also less likely to have access to well-paying jobs, to health care, to education and to housing stability. LD 1164 is an opportunity to improve these outcomes for all Mainers, regardless of whether they are tribal citizens or not, or whether they live in urban or rural communities. This bill would put the Wabanaki Nations in the lead on I-gaming and would allow for revenue benefits for us all.

First, I-gaming would generate revenue for the Wabanaki Nations and for Maine. We have already seen it with sports betting, which brought nearly five million dollars in tax revenue to Maine just last year. At a time when federal funding is under threat and we must find ways to sustainability manage our budgets, this could not be more important. In addition to the revenues the Wabanaki Nation's mobile gaming has already brought to Maine's economy, LD 1164 would deliver millions annually to help with key issues, including gambling and opioid addiction, housing instability, school construction and our struggling dairy farmers. We need more funding to address these issues and this bill offers a big step in the right direction.

Second, unlike the brick-and-mortar gaming operations that ship most of their revenue out of state, the revenues going to the Wabanaki Nations through I-gaming will stay right here. This means more housing, better education, better health care and better jobs right here in Maine, and not just for Wabanaki Nations. While other tribes have experienced 61% growth in per capita income since 1989, the Wabanaki Nations have only seen a 9% growth. Because they have not enjoyed anywhere near the level of economic growth as the other tribes in this country, they continue to face an ongoing economic crisis. Each Wabanaki Nation is a major employee in its region and would only be better economic engines, supporting Mainers from Downeast to the western Maine mountains if this legislation passes.

While the title of this bill focuses on the economic opportunity it will bring to the Wabanaki Nations, which is without a doubt a crucial need, I want to emphasize today that this bill is about creating economic opportunity for all Mainers. I grew up in Brewer, which is unceded Penobscot territory, and I am now a proud resident of Bangor and a Representative of House District 21, where Hollywood Slots, now Hollywood Casino, looms large over the Bangor skyline and the Penobscot River. You may hear in opposition to LD 1164 that the out-of-state owned brick-and-mortar gaming operations in Maine, like Hollywood Slots, are threatened by this bill. This is nothing more than the same tired framework that has been used by opponents of tribal sovereignty and economic development since this Body was first created. It is the wrong framework. Our obligation to engage in a government-to-government relationship with the Wabanaki Nations and to support all Mainers regardless of ZIP Code and socioeconomic status is not zero-sum. And we know

from other states that have adopted similar legislation that these claims are not true. The Maine market can support both.

This bill is about justice and economic security for Wabanaki Nations and for the people of Maine. It is about promoting economic security for all of our constituents, our neighbors, our friends, our families and our State. It is long past due. I hope that you will join me in voting in support of LD 1164. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from the Houlton Band of Maliseets, Representative Reynolds.

Representative **REYNOLDS**: Thank you, Mr. Speaker and Esteemed Members of the House. I stand today to urge you to support LD 1164.

Many of you know me as the new voice in this Chamber for the Houlton Band of Maliseet Indians, but I've been around these halls for over 20 years, not always as a Representative, but often as someone testifying on bills, asking lawmakers to see our communities not as a footnote, but as full partners of Maine's future. Today, I'm here to talk about an opportunity, one that the Legislature has the power to unlock and one that the tribes in Maine are ready to handle with professionalism, accountability and a commitment to shared success.

The proposal to authorize I-gaming for Maine's tribes is more than a revenue conversation. It's about laying a foundation for self-reliance through modern tools. This is a chance for us to meet economic needs without waiting on federal grants or new appropriations. It allows us to stand on our own through a legal, regulated system that's already functioning throughout the United States of America. We know how to do this the right way. We've seen how the regulation of sports wagering has worked in Maine quietly, efficiently, with no disruption to local communities. I-gaming will be no different. We're asking for a chance to build.

Let me speak plainly to concerns I've heard: No, this will not undermine existing casinos. The audience for I-gaming is distinct, it's online, it's remote and it's already active. What this bill does is bring the activity under the law, so we can create rules and keep dollars here in Maine instead of flowing out to offshore websites.

I want to address another concern: responsible gaming. Regulating I-gaming gives us the tools to enforce safeguards like age verification, betting limits and addiction resources that the offshore platforms ignore. Bringing this market under Maine's laws, we're not only protecting the Maine gaming market, we're protecting people.

My community in Houlton isn't unlike many rural towns represented in this Chamber. We've got small businesses trying to hang on, a shrinking tax base and too many young people who leave because they don't see a future. I-gaming won't fix all of that, but it can help. It can mean IT training programs, new tribal jobs. We employ 140 people and it's almost a 50/50 split between tribal members and non-tribal members. It can be a base of revenue that helps fund housing, broadband and addiction recovery, without waiting on D.C.

You've heard a lot about tribal-state relations in recent years. I believe this is one of those moments where we can show what collaboration looks like, not just in principle, but in practice. Let's move forward together. Thank you, Mr. Speaker.

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

Representative **LANIGAN**: Thank you, Mr. Speaker, and Members of the House. I didn't plan on standing today, but I did support this bill last time through the House.

Mr. Speaker, I will be voting in favor of this bill because I cannot be an ostrich. I'm not going to stick my head in the sand and act like this does not occur around us every single day. It just happens with no resources going back to our State.

I live on a border town down in Southern Maine where you have Rochester, Dover and Seabrook, all having full casinos where people can go, brick and mortar. Well, I'd rather my Maine money staying in Maine. I don't care about their brick and mortar down there. I'd like that revenue to come to our State. I know plenty of people that will travel across the border and they will gamble there. I can imagine a person coming from New York that might like to partake in maybe a little gambling versus maybe drinking alcohol or smoking some pot, wanting to sit home on the beach one night in Rockland, overlooking the water, and jump on his phone and play Blackjack for a couple minutes. He's not going to get in his car and drive to Bangor or Oxford. He's not going to abandon his family. They're on a family vacation.

This is revenue for the State. This is revenue for the indigenous people of Maine. This is a win-win. There's no losing here. The only thing that we lose is revenue, and we all know that we like to spend in this House. So, I encourage you to really; don't do this because ew, gambling. I mean, we've had gambling now for how many years and Rome isn't burning, right? So, we are fine. Sportsbook betting is more popular than the table game type of betting.

I personally do not like gambling. It does nothing for me; it's not a thing I choose to do. But, you know, will I partake in a nice scotch? Yeah, I will. That's regulated. We have things that are vices in this state that are regulated for a reason, so we can put resources to them. Raising the cigarette tax \$1.50 more, why? To put money toward people not smoking. Why do we put money into taxing alcohol, liquor? To make people prevent; if they need help with their alcoholism or prevent; for safety and teaching education such as MADD and stuff for youth not to drink and drive. We thought pot was going to be a big deal. We're making tons of money, hand over fist. That money was being made before it was legal in Maine. It was just staying underground.

So, you can vote no today, and that's your prerogative. I know I'm going to vote yes, but I'm just not going to give up this chance for a win for the Wabanaki, the Indigenous people of Maine, a win for taxpayers of Maine and a win for people that are coming to visit our State that do want to partake in gambling, because that's what they enjoy to do with their \$50 or \$100, whatever they do spend. It's just another thing people enjoy, and I think that it's their right to do that and living in America, I think that's a choice that you can make responsibly. Thank you so much, Mr. Speaker.

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

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I stand in strong support of the pending motion. It is time to allow the Wabanaki Nations to raise funds to support their people through internet gaming. For too long, as a State, we have denied the Wabanaki people this right. No other group of Mainers have been denied the opportunity to earn funds to support their families and communities the way the Wabanaki have. No other tribal nations in the country have been denied this right.

I was a member of the *omicron* class of the Maine Development Foundation's Leadership Maine program in 2007, when we visited the Passamaquoddy people. I remember touring the reservation and listening to the Honorable Donald Soctomah, former Member of this Body. He shared with us the

struggles of his tribe as they tried to meet the needs of their community, including infrastructure and public health and safety. At that time, voters in the entire State of Maine were going to vote on whether there could be a casino run by the Wabanaki people. It made no sense to me and my classmates that the decision about whether the Wabanaki people could have a casino was to be decided by a statewide referendum. For me, it wasn't about gambling; it was about sovereignty. It was about the right of the Wabanaki people to have economic self-determination in order to better care for the people of their nations.

As a nurse practitioner who has vast experience in public health and prevention, one might wonder why I would support internet gaming. I don't gamble and I probably never will. I have never bought a lottery ticket, mainly because my spouse reminds me of the odds of winning. I recognize that gambling can pose a public health threat. I realize that I am at odds with the Maine CDC, which I agree with the vast majority of the time. But I think this situation is different. Unfortunately, I-gaming is happening illegally now. I believe the, quote, 'horse is out of the barn,' unquote, and regulating I-gaming is the smart thing to do.

In Committee, I pressed the Tribal Representatives about safety, particularly as it pertains to youth gaming. They shared with me that there are safeguards in place to help prohibit youth gambling. They fully recognize the issue of problem gambling, and a portion of proceeds will go to the Gambling Addiction Prevention and Treatment Fund.

Mr. Speaker, I encourage the Body to review the Committee Amendment that clearly demonstrates the Tribe's commitment, not just to the people of their Nations, but to the entire State of Maine. The Committee asked that there be support to help with the concerns that gambling causes, but also issues that affect all Mainers, including opioid abuse, housing and infrastructure needs. Sixteen percent of funds generated will become part of the State's budget cascade. It includes the Gaming Addiction Prevention and Treatment Fund, the Opioid Use Prevention and Treatment Fund, the Emergency Housing Relief Fund, the Maine Veteran Home Stabilization Fund, the Dairy Stabilization Fund, the Fund for Healthy Maine and the School Revolving Renovation Fund.

Our VLA Committee worked very closely with the tribes in this legislation. I don't believe that any other gambling organization that is currently operating in Maine would have put in the same effort. Mr. Speaker, I truly wish that I-gaming was not here, but it is, and I believe we should regulate it. More than that, I believe that the Wabanaki Nation deserves to utilize I-gaming to help further their own economic self-determination. Please join me in supporting the pending motion.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Mingo.

Representative **MINGO**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of a proposal that will allow Maine's federally recognized tribes to operate I-gaming platforms, and I ask you to consider not just the policy, but the people that it impacts.

In District 9, I represent both the Pleasant Point Indian Township, Passamaquoddy communities, in addition to the Downeast centers, Calais, Eastport and Baileyville. We are rural and we are knit tight. We are used to working together to make the most of limited opportunities. Allowing I-gaming will give the tribes in my district the tools to build something for themselves, modern economic development, grounded in self-governance and technological innovation. It doesn't require State funding, it doesn't increase anyone's taxes. It simply gives our tribal neighbors the ability to participate in a legal, highly regulated

industry that we know is providing much needed revenue in other states. Why not Maine? As in other states, it will help drive out the illegal sites currently offering I-gaming in Maine. These sites offer none of the safeguards that the legal industries do, including age and identity verification, keeping kids and prohibited players off the platforms and certainly that will get paid out when you win. Not to mention the importance that legal I-gaming places on responsible gaming, offering tools like time and deposit limits.

And let's be honest, this is long overdue. For decades, Maine's tribes have been left out of opportunities available to others. I would know, I was on the City Council in Calais in the early '90s when Calais fought vigorously alongside the Passamaquoddy people to bring a casino to our community, because we knew the economic benefits that it would bring for decades. It would have given all our people an opportunity to realize a dream, whether in employment alone or creating small businesses. I-gaming is a chance to begin correcting that in a way that is fully within our control and with the benefits that ripple out to surrounding towns and communities.

Another belief that people in my district and both tribes realize, we are in this together. As someone who has built businesses from the ground up and served 18 years on the City Council, including years as Mayor, I know a good opportunity when I see it, and I-gaming is an excellent opportunity for rural Maine, not just the big cities. Let's not leave our corner of the State behind. I believe in the people of my district, I believe in the leaders of the tribes in my district. Let's say yes to progress; let's say yes to local control.

And I'd like to add also that in some of the testimony on both sides of the aisle, a few things that we do know for sure, I-gaming is already here that is not regulated and we have an opportunity to have I-gaming here, regulated and the money stays here in Maine. And I can honestly vouch for the leaders of both the tribes that I represent. I've known most of these people for more than four decades as personal friends, that they are honest and they care about the people that they represent. Thank you, Mr. Speaker.

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

Representative **CARLOW**: Thank you, Mr. Speaker. Mr. Speaker, the notion that we ought to take this unprecedented step simply because black-market racketeers have proliferated an illegal gaming economy here in the State of Maine is a fallacy which I would urge the House to dismiss categorically.

And it's a grave mistake to frame this matter as a simple matter of commerce. Rather, it's a great moral question. I-gaming preys on our poorest and most vulnerable people. It's an addictive way, way more addictive than casino gambling. People, particularly young men, are signing away their financial health, freedom and future, and it's wrong for this Body to exploit them for money, regardless of the proposed investment and the public services previously mentioned.

We are also contemplating usurping the will of the people, which have time and again defeated legal expansions to Maine's existing gambling industry. And for these reasons, I oppose the motion. I urge the Body to defeat it. Thank you, Mr. Speaker.

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

Representative **BLIER**: Well, thank you, Mr. Speaker. After that, long words that I can barely understand and a great speech, I appreciate that, but I'm going to be opposing my good friend from the other part of Buxton, because I'm in favor of this.

And my neighbor in crime here mentioned that this is a bill that will take away bricks-and-mortar taxation and revenue to our State, and I don't disagree. But the truth is, the Wabanaki Nation, they're our neighbors, they're our friends and they're part of our community. They buy groceries, they buy gas, they buy construction materials from everybody that's in this Chamber here today. They are part of our community. So, the bricks and mortar, the profits that are no longer given to the State of Maine is taken outside of our State while the Wabanaki Nation is right here in our State, spending their resources right here in our State.

I hate gambling, but it's here. Let's give them the opportunity. Let's help our neighbors. Let's help the Wabanaki Nation, part of our community, do something that they feel could be an incentive to all of us here in this Chamber. I stand in favor of this motion. Thank you.

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

Representative **CARLOW**: Thank you, Mr. Speaker. I can maybe count on one hand the number of times I've stood up twice on the same motion in my five-year career in the House. You know, the young men and women in my district are part of our community also. And in respect to my friend and colleague from down the road, I think it's wrong to take advantage of them so that we can benefit other people. Thank you, Mr. Speaker.

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

Representative **ROEDER**: Thank you, Mr. Speaker. Mr. Speaker, I rise as a Representative of a community with one of those brick-and-mortar casinos and as a Hollywood Casino Players Club cardholder. I am gratified also to be joining the bipartisan voices calling for this bill's passage.

What I know about a brick-and-mortar casino is that it has a draw beyond the gaming that it offers. People go there to sit in community. Every time I have been there, the poker room is full all night long, because people want to sit in community and enjoy gambling together. However you feel about gambling, some people do it responsibly, some people do it irresponsibly, but the brick-and-mortars will not suffer, because they offer something that I-gaming does not.

I also want to doubly highlight the fact that the brick-and-mortar casinos are part of out-of-state companies and, again, I think we all in this Body want to see Maine money stay in Maine and benefit Maine communities. This is an excellent way to have that happen. And while I think it's tempting for us to want to pass laws to try to legislate morality, that's not our job. It's our job outside of this Chamber to talk to our families, to talk to our children about why we don't become addicted to gambling, why we shouldn't drink to excess, but that's not our job to legislate in here.

In addition to all of the concerns of justice that have been mentioned before, I just want to again say that I think the brick-and-mortar casinos will be just fine. 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. 452

YEA - Adams, Albert, Ankeles, Archer, Ardell, Arford, Beck, Bell, Blier, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Cooper, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Ducharme, Eder, Faircloth, Farrin, Faulkingham, Flynn, Fredericks, Fredette, Friedmann, Frost, Gattine, Geiger, Gere, Graham, Gramlich, Guerrette, Hall, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lanigan, Lee, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Milliken, Mingo, Mitchell, Montell, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Sinclair, Skold, Stover, Supica, Terry, Tuell, Warren, Yusuf, Zager, Mr. Speaker.

NAY - Arata, Babin, Bagshaw, Bishop, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cray, Daigle, Drinkwater, Foley, Foster, Gifford, Greenwood, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Lyman, Mason, Mastraccio, McIntyre, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rollins, Rudnicki, Schmursal-Burgess, Shagoury, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Wadsworth, Walker, Webb, White J, White R, Wood P, Wood S.

ABSENT - Abdi, Golek, Moonen, O'Halloran, Woodsome.
Yes, 85; No, 59; Absent, 5; Vacant, 0; Excused, 2.

85 having voted in the affirmative and 59 voted in the negative, with 5 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-393)** 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-393)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Resolve, Directing the Department of Economic and Community Development to Convene a Working Group to Review the Process of Setting Impact Fees (EMERGENCY)

(H.P. 821) (L.D. 1246)

(C. "A" H-392)

TABLED - June 3, 2025 (Till Later Today) by Representative GERE of Kennebunkport.

PENDING - **FINAL PASSAGE**.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 103 voted in favor of the same and 35 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-657)** on Bill "An Act to Amend the Law Governing the Disposition of Forfeited Firearms"

(H.P. 265) (L.D. 411)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

LEE of Auburn

PUGH of Portland

SATO of Gorham

SINCLAIR of Bath

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-658)** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

O'HALLORAN of Brewer

POIRIER of Skowhegan

READ.

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

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

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

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

Representative **POIRIER**: Thank you very much, Mr. Speaker. I urge you to oppose this pending motion.

There's a better option on the table here that, instead of stopping auctions of forfeited firearms, why not use the money that comes in from that to fund things like the Safer Homes Program that actually promotes safe storage of firearms and prescription medications in our State that is underfunded and needs that money to be more successful. Most of the firearms that come up in these auctions are related to penalties through IFW, and when a person purchases at an auction, it goes through the background check process. So, why not utilize the opportunities that we have to promote safety? Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker, Members of the House. LD 411 requires that any firearm forfeited under the Maine Criminal Code or the Maine Juvenile Code be destroyed. The Majority Report amends the bill to exempt forfeited firearms in connection with IF&W enforcement,

so that they can continue to receive those funds through their auction.

Under current law, forfeited firearms that are used in a murder or homicide must be destroyed. For other recovered firearms, law enforcement agencies may auction the firearms to federally licensed firearm dealers or to the public, use the firearms and ammunition for training purposes or destroy them. This bill would extend the requirement to all forfeited firearms. Other states and federal regulations similarly prevent forfeited firearms from being sold out of concern that they will be resold and used in crimes. So, this legislation would bring State law in alignment with the federal regulations.

It would also, as I said, prevent crime guns from being resold at low cost and in ways that circumvent Maine's background check requirements, such as in kits that are currently sold online, a practice that allows for the proliferation of 'ghost guns.' This has happened here in Maine. The Cumberland County Sheriff's Office, for example, has disposed of guns by sending them to a company called GunBusters in Missouri, are headquartered in Missouri, which offers a quote, "safe, simple and secure firearms destruction program free of charge for law enforcement agencies." The *New York Times* just last December revealed that these guns sent to GunBusters are not actually fully destroyed. Instead, the company disassembles them, destroys the frame or receiver, which is the only part of the gun that contains a serial number, and then sells the rest of the components as a gun kit. Because the kits don't contain a frame in the case of a handgun, or a receiver in the case of a rifle or shotgun; the main structural element of a gun; they're not considered complete firearms under federal rules and do not require a background check. These can easily be combined with a gun kit to create an untraceable weapon known as a 'ghost gun.'

As you'll hear in subsequent bill today, Maine law enforcement considered unserialized ghost guns to be a serious threat to public safety here in Maine, and this bill is addressing a serious problem in terms of our State public safety. So, I would urge this Body to support the pending motion.

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. 453

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

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

ABSENT - Ducharme, Gattine, Woodsome.

Yes, 68; No, 78; Absent, 3; Vacant, 0; Excused, 2.

68 having voted in the affirmative and 78 voted in the negative, with 3 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. **Committee Amendment "B" (H-658)** 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 "B" (H-658)** and sent for 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 **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Concerning the Concealed Carrying of a Handgun by an Individual Who Is 18 Years of Age but Under 21 Years of Age"

(H.P. 278) (L.D. 424)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

LEE of Auburn

O'HALLORAN of Brewer

PUGH of Portland

SATO of Gorham

SINCLAIR of Bath

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-656)** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

POIRIER of Skowhegan

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative POIRIER of Skowhegan **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 Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. I just wanted to speak briefly to clarify that current law allows a person who's not otherwise prohibited to carry a concealed handgun if they are 21 years or older or if they're 18 and on active duty. This bill removes that exemption, so that anyone 18 years or older can carry a concealed weapon.

All 50 states require people to be at least 21 years old to purchase alcohol, in part due to the known ongoing brain development of young adults, which impacts their capacity for decision making and impulse control and, in fact, individuals age 18 to 20 commit homicides at three times the rate of older Americans. They also experience violent crime at a much higher rate than any other age group. Passing a bill that would allow concealed carry for people under 21 who are statistically more likely to commit and experience violent crime is irresponsible, and I would ask Members to support the pending motion.

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. 454

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, 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 - Adams, Albert, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S.

ABSENT - Arata, Ducharme, Gattine, Woodsome.

Yes, 75; No, 70; Absent, 4; Vacant, 0; Excused, 2.

75 having voted in the affirmative and 70 voted in the negative, with 4 being absent and 2 excused, 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** with the exception of matters being held.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Regarding an Employer's Authority to Prohibit an Employee from Storing a Firearm in the Employee's Vehicle"

(H.P. 645) (L.D. 998)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

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

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

CARUSO of Caratunk
POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative POIRIER of Skowhegan **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 Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you. I just want to briefly specify what this bill does. Under current law, an employer is not permitted to prohibit an employee from storing a firearm in the employee's vehicle, so long as the employee has a valid permit to carry a concealed firearm, the vehicle is locked and the firearm is kept out of sight. This would remove the requirement of having a concealed carry permit.

The business community uniformly testified in opposition to this bill. They said that removing the requirement for a permit significantly broadens access without any form of training, vetting or oversight. This change opens the door to increased liability and potential safety risks, particularly for business in sensitive industries or high-conflict environments. So, I encourage the Body to follow the pending motion.

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. 455

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Henderson, 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, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

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

ABSENT - Arata, Ducharme, Gattine, Rielly, Woodsome.

Yes, 75; No, 69; Absent, 5; Vacant, 0; Excused, 2.

75 having voted in the affirmative and 69 voted in the negative, with 5 being absent and 2 excused, 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** with the exception of matters being held.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Eliminate Background Checks for Private Sales of Firearms"

(H.P. 691) (L.D. 1062)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth
LEE of Auburn
O'HALLORAN of Brewer
PUGH of Portland
SATO of Gorham
SINCLAIR of Bath

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield
CARUSO of Caratunk
HENDERSON of Rumford
POIRIER of Skowhegan

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative POIRIER of Skowhegan **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.

ROLL CALL NO. 456

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, 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 - Adams, 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, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmiersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S.

ABSENT - Woodsome.

Yes, 76; No, 72; Absent, 1; Vacant, 0; Excused, 2.

76 having voted in the affirmative and 72 voted in the negative, with 1 being absent and 2 excused, 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** with the exception of matters being held.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-655)** on Bill "An Act to Promote the Secure Storage of Firearms"

(H.P. 739) (L.D. 1120)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth
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:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield
CARUSO of Caratunk
HENDERSON of Rumford
LEE of Auburn
POIRIER of Skowhegan

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. Easy access to unsecured and unsafely stored firearms is a significant factor in teen suicide and school shootings. Between 70% and 90% of firearms used by minors in suicides and school shootings are found in the child's home or the home of a relative, having been left easily accessible to those young people.

Unsecured firearms also put children and teens at risk of accidental shootings. Tragically, we were recently reminded of this risk when a preschooler; a four-year-old; in Lewiston, sadly passed away from what appears to have been an unsecured loaded firearm.

Finally, unsecured firearms are at risk of being stolen by individuals who might use them in crimes. For example, in 2023, a man in Bowdoin with an extensive violent history was able to gain access to unsecured arms just days after release and went on to kill four people before shooting randomly at cars on I-295.

It is for all of these reasons that more than half of the states have adopted safe storage laws. The data show that in states with safe storage or child access prevention laws, unintentional firearm deaths and suicides among children and teens are significantly lower. This bill presents a complete safe storage law that ensures that firearms are not accessible by folks who shouldn't have them.

This bill is focused on prevention to help keep our children and our communities safe by ensuring that easy access to firearms is not possible for people who should not have that access, and I urge Members to support the Report.

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

Representative **ARDELL**: Thank you, Mr. Speaker. I understand this bill is very well meaning, and I support the safe storage of all dangerous items in the home, particularly with children present. However, in 2008, U.S. Supreme Court *D.C. v. Heller*, the Court ruled in an often-overlooked element of that case that the rendering of a firearm in a home for immediate self-defense; for the rendering of a firearm in the home to be unavailable for immediate self-defense is unconstitutional. As a result, this bill is inconsistent with that ruling as it forces Mainers to make arms unavailable for immediate use. I ask this Body keeps their oath of office we took and comply with the civil rights of the people and oppose this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Sayre.

Representative **SAYRE**: Thank you, Mr. Speaker. As I look past you into the beautiful day outside, I'd like to start with a confession that I wish I were at my neighbor's swimming pool right now. The only thing better than having a swimming pool is having a neighbor with a swimming pool, because you're not responsible for the care and heating and expense. You're also not responsible for complying with State law that requires a fence around that swimming pool. Because that swimming pool is something called an 'attractive nuisance,' which is something my wife sometimes calls me. She sometimes leaves out attractive. But the principle is, if you have something harmful, you have a duty to lock it up. And firearms fall into that category.

Firearms are also a danger to children and all of us if they fall into the hands of untrained or malicious actors. It is a fact that firearms are the leading cause of death for youth in the United States. There's a direct correlation between firearm mortality and State regulation of firearms. Researchers from Massachusetts General Brigham investigated whether firearm mortality rates among U.S. children aged zero to 17 changed in the last 13 years following a 2010 Supreme Court ruling that applied the Second Amendment to state and local governments. And they found and they published just last week that in states with the most permissive firearms laws, they found evidence of thousands more pediatric deaths due to firearms than would have been expected based on the existing demographic trends. Rates remained unchanged or decreased in states with more strict laws.

The results were just published in the *Journal of the American Medical Association Pediatrics Journal*. To quote the first author of that paper, Dr. Jeremy Faust, an emergency physician at Brigham and Women's Hospital, "we saw over 7,400 more pediatric deaths due to firearms than would have been expected. And when checked against other causes of death, including homicides and suicides not involving firearms, there were not similar changes. This shows that differences in firearm laws matter." The U.S. CDC estimates that 4.6 million children live in homes with at least one unlocked, loaded firearm. Firearms have been the leading cause of death among Americans aged one to 17 for the past four years. In 2023, 2,600 American children and teens died by firearm. And I know that we in this Body are united in our concern for the safety and the lives of children.

We've had a number of incidents here in Maine in which children or persons legally prohibited from possessing a firearm were able to obtain one in the home of a family member and tragedy ensued. In over 70% of school shootings, firearms were obtained from the shooter's home or the home of someone close to them. And that's the crux of the problem: too many firearm owners do not take the basic precaution of locking up their firearms when they are not home or when the firearms are not under their personal control. And that speaks directly to the concern for my good friend, the Representative from Monticello. This does not infringe on your constitutional rights, this has to do with how you care for your firearm when you are not bearing it, not when you are.

Researchers at Johns Hopkins have estimated that more than half of all gun owners do not lock their firearms securely. Their research also indicates that when guns are stored locked and unloaded, the risk of unintentional injury or death among children drops significantly. So, that is the behavior this bill seeks to target, not by treating firearms like swimming pools and require that they are always fenced off, but by first increasing awareness of the need to securely store your firearms, and

there's a notice provision in the law, and by increasing the scope of the penalty if an owner does not and; and this is and is the important part; and a tragedy ensues. This bill creates a greater incentive for gun owners to do what organizations like the ATF, the FBI, the NRA and SAM here in Maine all say that responsible gun owners should do, secure their firearms with a trigger lock, in a gun safe or in a similar manner that prevents unauthorized use. And that includes creating a penalty for those who are negligent with their firearms and those firearms are used by a child or prohibited person to cause harm.

So, what is negligent storage? It means the person acting with criminal negligence, which is defined in Statute, stores or leaves on their premises that are under their control a firearm in a manner that allows a minor or prohibited to gain access to that firearm, and said minor or prohibited person accesses that firearm and the minor or prohibited person uses the firearm during the commission of a crime or discharges the firearm. All three of those conditions have to be met. The bill makes that a Class D crime, which is comparable to domestic violence assault, simple assault, unauthorized use of a vehicle or a first or second offense of operating under the influence.

The bill contains several protections for gun owners that are affirmative defenses against prosecution: if the firearm was being carried or under control of the owner; which speaks directly to the constitutional concern that was just mentioned; if the firearm was obtained as the result of illegal entry, if the firearm was accessed or used by the minor or prohibited person in a lawful act of self defense or defense of another person and if the firearm was stored or kept in a locked container or equipped with a tamper-resistant mechanical lock or other safety device. If you lock it up and someone defeats that lock, you are not liable.

So, that's it. If you're keeping your arms in a gun safe, secured with a trigger lock or similar means of secure storage as recommended by our friends at SAM, the NRA, the FBI and the ATF, you are in the clear. 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. 457

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

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

ABSENT - Woodsome.

Yes, 67; No, 81; Absent, 1; Vacant, 0; Excused, 2.

67 having voted in the affirmative and 81 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative KUHN of Falmouth, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for 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 **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Eliminate the Duty to Inform a Law Enforcement Officer When Carrying a Concealed Handgun Without a Permit"

(H.P. 678) (L.D. 1049)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-659)** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representative:

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative POIRIER of Skowhegan **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 Monticello, Representative Ardell.

Representative **ARDELL**: Thank you, Mr. Speaker. I'll be very brief.

As a retired law enforcement officer, I often conducted traffic stops. The interesting part of this situation with the duty of a constitutional carry Mainer to report to a law enforcement officer during a traffic stop that they have a firearm on board is really kind of unnecessary, because law enforcement officers are not concerned about the ones that tell you they have a gun. We essentially assume that everyone has a gun and, you know, treat the stop accordingly out of safety and, well, an abundance

of safety. I think this provision is absolutely unnecessary and I'd like to oppose it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. I just wanted to clarify that Maine law enforcement testified in strong opposition to this bill. They said that eliminating the notice requirement introduces safety concerns for both the officer and the occupant. They said the moments approaching a motor vehicle on a routine traffic stop are some of the most dangerous situations an officer can face. Our concern is that the individual who is stopped under stress already from the encounter will open their glovebox or center console to get their paperwork and forget they have a firearm in the vehicle. This could cause an alarm from the law enforcement officer and create a confrontation that is unnecessary.

Second, law enforcement recognized the value of the carry permit requirements. Those who undergo the application process to obtain a concealed carry permit have undergone a background investigation, are required to have completed a handgun safety course. Law enforcement stated that keeping this notification currently written in the law is the safest and best-case scenario, and I ask the Body to support the motion.

The SPEAKER: The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Thank you, Mr. Speaker. I just wonder if letting a law enforcement officer know that you have a firearm as they pull you over helps or hurts the situation. I wonder how, if a person of color was, you know, exclaimed and was told that they had a firearm with them, how they would be treated, if they would be treated differently, and I think it needlessly escalates the encounter with law enforcement. Thank you, Mr. Speaker.

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

Representative **LEE**: Thank you, Mr. Speaker. Just briefly, I wanted to stress again that all of the testimony that we heard from law enforcement was supportive of the Ought Not to Pass in this bill and that the current law as it exists is the product of a compromise that brought us constitutional carry in the State of Maine. I think eliminating the Statute as it is would disrupt the balance that was established by constitutional carry.

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. 458

YEA - Abdi, Ankeles, Archer, Arford, Babin, Beck, Bell, Bishop, Boyer M, Brennan, Bridgeo, Bunker, Carlow, Cloutier, Cluchey, Cooper, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Drinkwater, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Henderson, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Parry, Pluecker, 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 - Adams, Albert, Ardell, Bagshaw, Blier, Boyer D, Campbell, Chapman, Cimino, Collamore, Collins, Cray, Daigle, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S.

ABSENT - Arata, Caruso, Lanigan, Woodsome.

Yes, 85; No, 60; Absent, 4; Vacant, 0; Excused, 2.

85 having voted in the affirmative and 60 voted in the negative, with 4 being absent and 2 excused, 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** with the exception of matters being held.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-660)** on Bill "An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms"

(H.P. 745) (L.D. 1126)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

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:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

POIRIER of Skowhegan

READ.

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

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

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

The **SPEAKER**: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. This bill would make it a Class C crime to manufacture, sell or transfer an undetectable firearm, and a Class D crime to intentionally or knowingly possess an undetectable firearm. It requires serial numbers on certain firearms and frames and receivers and

includes a delayed implementation date of January 1, 2027, so that Maine FFLs can get established on how to perform this practice.

It's important to know that since 1968, federal law has required serial numbers on firearms. However, advances in do-it-yourself kits and 3D printing now allow individuals to create unserialized and untraceable firearms at home. The prevalence of these weapons is on the rise and they're increasingly used in crimes, posing serious challenges for law enforcement who uniformly support this bill. According to the Cumberland County District Attorney, serial numbers on firearms are crucial in law enforcement investigations and successful prosecution of criminal cases. This is why 15 states have now passed these laws.

I just want to say quickly from the testimony of the police chief in my community who submitted testimony, said that the serialization of firearms is critical for public safety and the safety of law enforcement officers in the State of Maine. With serialization, law enforcement is able to conduct thorough and timely investigations, tracing legal ownership, enforcement of gun laws and determining accountability. Non-serialized firearms are desirable for those that want no connection or responsibility to the firearm, making criminal investigations into the history and origins virtually impossible and allowing those producing the firearms immunity from criminal prosecution.

In Committee, we did spend some time exploring the implementation of this law and whether Maine FFLs will be able to perform this task and whether they can do it at a reasonable cost. Under current law, as type one licensees, all licensed firearm dealers in Maine can offer gunsmithing services, which includes serialization of privately made firearms. In practice, both providing and receiving firearm serialization services is simple, affordable and accessible, as demonstrated with folks in other states, and with a delayed implementation date, we believe that they can establish these practices here in Maine.

I'm just going to finish with my testimony from the Cumberland County District Attorney, who stated that "while those with something to hide are highly motivated to possess and use firearms without serialization, law abiding citizens have no reason to fear a requirement to serialize firearms." I urge the Members to support the pending motion.

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

Representative **WHITE**: Thank you, Mr. Speaker. You know, there's a lot of really cool TV shows on right now, and they wrap them up in about 42 minutes. It used to be a half hour but, you know, a good *CSI* episode goes about 42 minutes. In that time, they can just pull up a serial number and track down a firearm. It really doesn't work that way.

I've been in the industry for 35 years now and, you know, firearms have been around for a long time. I have firearms that were made as, you know, in 1916 that are every bit as modern and equal to a firearm that I manufactured just a couple of years ago. The tracking of a firearm in a perfect scenario, when law enforcement finds a firearm and reaches out to the tracing center, goes through a process. It goes to the manufacturer, the manufacturer releases those records to the FBI, the FBI then goes to the distributor where the firearm was sold, they release the information, then the FBI goes to the dealer that sold that firearm in its first release to the public and so on. Once that firearm was sold to someone in the public and then it's sold to another shop, there is no tracing of those firearms beyond that point. It's logged in and logged out of the next dealer and it's in their book; however, the FBI needs to trace to the individual that first bought the firearm, and if they're still alive and still cognitive

and they happen to have maintained a receipt or a record from the firearm they purchased 20, 30, 50 years ago, they then give it to law enforcement and they go to the shop. If the shop is still in business, or the private individual they sold it to is still alive, the process continues. It's not unheard of for these traces to take several years and then come up cold, because they hit someone that was deceased or a tornado wiped out the gun shop in Kansas where it was last purchased or sold. We've been selling firearms in this country since its inception and many of the firearms in the last 120 years are the same ones we're selling today as brand-new firearms.

So, the 42-minute episode of *CSI* isn't what reality looks like. As far as protecting someone, first off, you have to have the firearm in your hand to do the background trace. Generally, once law enforcement has that firearm in their hand, it's probably in a pretty safe spot and the crime is already long in the past. So, there is no protection given by serializing a firearm. All it is, is a method to assist law enforcement in tracing the history of that firearm. And it's not a given that they will have an outcome other than a dead end. There's more dead ends in these firearm traces than there are actual success.

So, the idea of we're going to force someone that builds a firearm at home to put a serial number on it and that somehow is going to protect us is a fallacy, and I hope that that helped a little bit in your decision. Thank you.

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

Representative **PERKINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to echo a little, or reiterate a little of what my good friend from Guilford said.

Despite what's being said out there, there has never been a time in this nation's history where all firearms have to have serial numbers. It's never happened. Even after the control of the National Firearms Act and the 1968 Gun Control Act, there were requirements for manufacturers, licensed manufacturers to have serial numbers and for licensed dealers after '68 to have a serial number when transferring it. But a private citizen in this country, and it's always been this way since our inception, it is this way today, has the right to go out into their shop, into their basement or even using a 3D printer now, according to the ATF, they have a constitutional right to create a firearm and they are not required to put a serial number on it.

And just to stress my point, Mr. Speaker, this is the current guidance that's listed on the ATF webpage: "Individuals who make their own firearms may use a 3D printing process or any other process, as long as the firearm is 'detectable' as defined in the Gun Control Act. You do not have to add a serial number or register the privately manufactured firearm if you are not engaged in the business of making firearms for livelihood or profit."

So, I just want to set the record straight, Mr. Speaker, and make it clear that there is not a federal requirement to put a serial number on all firearms, and I have bought legally firearms that were antiques that do not have serial numbers on it. And just so people know, when we put this kind of requirement on somebody who's invested money in maybe a valuable firearm that has historic value, you are diminishing or possibly even destroying the value of that firearm as a collector's piece. So, thank you, Mr. Speaker.

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

Representative **ZAGER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of LD 1126 and the pending resolution, "An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms."

There's sort of two elements of this, and I'm going to talk about them separately. This legislation is crucial for enhancing public safety, equipping law enforcement with the necessary tools to trace firearms used in criminal activities and bringing critical accountability to the rapidly growing issue of untraceable weapons, all while respecting our constitutional rights.

Let's begin with a stark reality: Firearms are the number one cause of death of children and youth in this country. And overall, all ages, every day in this country, about 130 people die from firearm violence. That's roughly the first; any six rows in this room every single day, dying from gun violence. Not long ago, a 16-year-old in Waldo County tragically shot and killed a man using an unserialized firearm assembled from parts ordered anonymously online, without a background check, for about \$600. This devastating incident underscores the urgent need for this bill.

Since the passage of the Gun Control Act in 1968, which has been alluded to so far in the debate, serial numbers have been a mandatory requirement on the frame or receiver, the critical component of a firearm made by licensed manufacturers, the industrial manufacturers of firearms. Serialization has become a critical tool for law enforcement, not a perfect tool. Law enforcement is used to working in the practical world, not in a perfect world. Helping investigators determine the origins of firearms recovered from crime scenes across the country and right here in Maine. In fact, in 2023 alone, Maine law enforcement worked with the ATF to perform 597 crime gun traces of firearms. That's more than one a day. And each time a law enforcement officer in this State and anywhere in this country performs a trace, they're essentially attesting to the notion that serialization aids in their investigation. So, that's not me saying it, that's a law enforcement officer saying, you know, it'd be helpful to know, even if it's not a perfect tool, it's a useful tool.

However, recent advances in technology and materials has created a dangerous loophole and Maine law enforcement agencies are contending with an increasing prevalence of unserialized firearms like the one that the 16-year-old used in this State to kill another person, assembled by individuals at home, not licensed manufacturers. These firearms, often referred to as 'ghost guns,' are typically assembled from parts and kits ordered online anonymously, again, without a background check or compliance with other laws. These 80% complete kits, as they're sometimes called, can be ordered through the mail, online, can be shipped to anyone, including prohibited persons like unsupervised minors, domestic violence perpetrators and other felons. They can be made fully functional and deadly in as little as 20 minutes. And the recent Supreme Court case emphasized this point, that it is really not that difficult to go from something that is technically not a firearm to something that is fully functional and lethal. Similarly, 3D printing technology now enables individuals to create all parts of a fully functional firearm completely separate from the federally licensed firearm dealer, importer or manufacturer system that has served us for decades. These lethal weapons have proliferated. In Maine, the annualized rate of ghost guns recovered at crime scenes has recently tripled. This problem is growing, so, law enforcement is asking us to act.

The Good Representative from Falmouth has pointed out how the Chief of Police in her community has asked for this, and there are many law enforcement officers that have. The Attorney General affirmed that serial numbers are critical in allowing law enforcement agencies and prosecutors to identify and trace guns used in crimes and to help prevent illegal gun trafficking. The International Association of Chiefs of Police, a

very large association of law enforcement leadership, adopted a formal resolution in 2018, seven years ago, recognizing the importance of such bills as this. They said that unserialized firearms, quote, 'threaten to undermine state and federal gun laws and endanger public safety and national security.' They strongly support legislation to address this by subjecting them to the same laws and regulations as firearms defined under the Gun Control Act of 1968, which is exactly what LD 1126 does.

The National Sheriffs' Association last year at their annual conference included a seminar on how these guns are readily available, are appearing at crime scenes regularly and are, quote, 'an emerging threat.' Sheriffs all across the country are concerned, including many in this State. A memo from the Joint Counterterrorism Assessment Team described how unserialized firearms are being used with increasing frequency by domestic terrorist and arms traffickers, largely because they're untraceable and can be acquired with no background check.

Mr. Speaker, before I had a calling to become a physician, I was an intelligence officer, and I served on a major joint terrorism task force. Such a memo from the counterterrorism assessment team intended for their law enforcement and national security partners is compelling evidence of how important serialization is for public safety. Huge numbers of sworn law enforcement officers at all levels are asking for this sort of bill.

Now, guarantees about firearm rights are as much a part of the U.S. and the Maine Constitution as other components, and I believe that this bill brings home finished kits and 3D printed firearms out of the shadows. It affirms the rights of a Mainer who chooses to craft and possess their own firearms, provided (1) that they can be detected by scanners like we have in this building and at airports and concert venues, and (2) as long as they have serial numbers.

This bill is a State-level update of, and part of the Undetectable Firearms Act of 1988 as well as the 1968 Act that has been previously referenced. Firearms in that Act must be detectable by those scanners, and that law as passed by the U.S. House by 413-to-four vote and passed the U.S. Senate by voice assent unanimously. President Reagan then signed it. This is not a radical concept. President Reagan acknowledged that it's a reasonable regulation, and this bill ensures that State police, sheriffs and their deputies and the municipal police can enforce it for homemade and home-finished firearms.

Mr. Speaker, I appreciate your indulgence. The requirement of serialization does have a long history, I won't go through the whole history, but I have to mention the 1963 assassination of President John F. Kennedy, which prompted Congress to start working on this. While Congress was working on it, in the committee work, the University of Texas suffered a horrendous mass shooting. It was the worst mass shooting to date at that point. The assailant at that time took a position in a tower, armed with seven firearms and shot at unarmed civilians on campus. Then, in April of that year, the Rev. Dr. Martin Luther King was assassinated, and two months after that, leading presidential candidate, Senator Robert F. Kennedy, was assassinated. None of these weapons had to be serialized. That's what brings us to LD 1126, Mr. Speaker. Congress at that point had enough and passed that 1968 law, which is the cornerstone of the 'reasonable regulation' architecture that we have in this country. One of the key provisions was serialization.

In the decades since then, the question has certainly been asked, is this constitutional. Reviewing decades of those laws, the Supreme Court in 2008 did not strike them down, and his majority opinion in the *Heller* case, Conservative Justice Antonin

Scalia asserted, quote, "the rights secured by the Second Amendment is not unlimited ... the right was not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose." The Justice continued, 'nothing in our opinion should be taken to cast doubt on longstanding prohibitions on possession of firearms by felons and the mentally ill.' In other words, background checks.

So, the provisions in the 1968 law that are echoed in our State law, envisioned by LD 1126, say detectability? Yes, sensible and reasonable. Serialization? Sensible and reasonable. Background checks? Sensible and reasonable. Furthermore, there are tremendous health benefits. A large 2017 study, which is a predecessor of a study that my Good Friend from Kennebunk has brought up on previous discussions, but this 2017 study published in *JAMA Internal Medicine* found that such approaches and policies that I've been describing, especially background checks, were associated with decreased rates of firearm homicides. Decreased rates of firearm homicide by having such an architecture, even after adjusting for demographic and social factors. They work. These policies and regulations work, fewer people die.

This bill, LD 1126, simply says that if detectability, serialization and background checks are sensible and reasonable for an industrially produced firearm, then it is equally so for a home-finished firearm made from a kit or with a 3D printer. It simply brings parity. This bill also respects the rights of Mainers who still wish to build their own arms. They would still be allowed to. And they can either purchase a serialized frame or receiver or they can simply get those firearms serialized when they're complete. And presumably, if they are manufacturing or completing it, they would know when it's going to be complete.

There are roughly 500 FFLs, federally firearm licensees in this State currently already authorized to do what this bill would require. Firearm serialization can be performed with an automated engraving tool, which allows firearm dealers to serialize a firearm in a matter of minutes. This has been done in other states where similar bills have already passed. In states, for instance, in Oregon, serialization is available to consumers and the service typically costs around \$50. Under this bill, FFLs offering serialization services do not take on any additional liabilities, and any FFL not wishing to offer the service is not required to do so. Other FFLs, though, will see a market opportunity to bring a customer through the door and build customer business relationships. This is a great place for the free market, Mr. Speaker, as has been demonstrated in other states.

The serial numbers would be identifiable to the FFL, and the Good Representative from Guilford has pointed out how this process works. There is no centralized national registry in this bill, and it does not contribute to such. In other words, in order to return; but then, in order to return a firearm or a frame to a person, the FFL would conduct a background check, and that is what brings those health benefits, the safety benefits, the law enforcement benefits that I've described. It simply brings fairness and parity to the marketplace.

Fifteen states including our New England neighbor Vermont have passed similar laws and I urge this Body to join them. Passing LD 1126 will ensure that our law enforcement agencies are fully equipped to investigate and trace guns found at crime scenes while upholding the constitutional rights of all Mainers. This bill, Mr. Speaker, is sensible, reasonable and a necessary step forward for the safety of Maine. I urge everyone to vote Ought to Pass on LD 1126. Thank you.

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

Representative **WHITE**: Thank you, Mr. Speaker, and I will try not to belabor this point. However, there are some issues that I must rebut here. And I'll start from the most current.

For me, as a licensed manufacturer, to put a serial number on a firearm, I must also put my name on the firearm, because that's federal requirement when I mark a firearm. I have to put the town that my shop is in, my business name and the serial number. Mr. Speaker, if you build a firearm and bring it to my shop, chances are I'm not going to put the name of my shop and a serial number on your firearm, because that would jeopardize the quality control standards that I have developed over the last 35 years. I won't put my name on someone else's work, and I believe that that's consistent with most industries. If I build a car at home and drive it to the dealership, you know, Henry Ford isn't going to come out and put a Ford sticker on the front. It's just not going to happen.

Secondly, you know, if we skip the federal requirement and we just pretend that it's just some numbers, and I put 702 on the firearm as the number or a 15-digit code, and the guy down the street that has a manufacturing license does the same, you wouldn't know whose is whose. So, you must put that name on it.

The good doctor spoke to nontraceable firearms. Those have been outlawed; nondetectable firearms, I'm sorry; those have been outlawed federally for years, and we've blurred the line here by saying that you must have serialization. You can't have a nontraceable firearm, it's a federal law. Serialization for a homemade firearm isn't a thing, having a dealer put numbers on your firearm when some other dealer is putting numbers on someone else's firearm without the idea of having the name of the dealer on there does nothing. The individual building the firearm could stamp numbers there and when law enforcement interact with them, they wouldn't know if it was me that put the numbers on the gun or they put the numbers on the gun.

So, this is a fallacy. This is a feel-good fallacy, it doesn't work. When we look into the history of tracing firearms, the good doctor spoke about task forces. Well, we had some task force work done back around 2010, it was called 'Fast and Furious,' where a number of firearms that weren't only regulated under the 1968 Gun Control Act, however, they were also regulated under the machine gun laws, were sold to individuals illicitly from gun shops that were put in place by Alcohol, Tobacco and Firearms intentionally to funnel these firearms to Mexican drug cartels, and we lost some federal agents to the hand of those cartels with those firearms. So, yeah, this has been used before. It hasn't been very successful.

He also spoke about the tragic shootings in Texas, the assassinations in the end of the '60s. And there was a little bait-and-switch going on there. The firearms didn't have to be serialized; however, being a student of history and firearms, I looked into all those cases, and every one of those firearms were serialized. The manufacturers had serialized them for a long time before the 1968 Gun Control Act; not all firearms, but many; and the rifles used in the tower that day were serialized.

So, there's been a lot of things being spread around here on the floor, and I'm okay with debate, but one topic that did come up earlier today, Mr. Speaker, that I would propose that you not allow to continue happen was the tragic death in Lewiston of a child recently. That death is still under investigation, and we know that the fact that DHHS was involved in that family and several other issues were involved in that situation, there is a large investigation going on and I would hate to see that investigation hampered by anything said or done on

this floor. So, if we could kindly let law enforcement do their job without exploiting the death of a four-year-old, I would appreciate that. So, thank you, Mr. Speaker.

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

Representative **SINCLAIR**: Thank you, Mr. Speaker. I rise just to quickly address a concern raised by the Good Representative from Dover-Foxcroft about potentially destroying value in older weapons by noting that the amended bill specifically excludes from the serialization requirement curios, relics, antiques and, just to make sure we belt-and-suspenders the whole darn thing, anything manufactured before 1968.

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

Representative **ARDELL**: Thank you, Mr. Speaker. Along with some of the other debate heard today, this legislation has a critical flaw that no one seems to have observed.

Black powder muzzleloaders in Maine are considered firearms under State law, under 17-A, the definition of firearms. However, federally, they are not. They are not considered firearms under federal law. Black powder muzzleloaders are not required to be serialized as a result federally and most often are not. This bill would require those black powder muzzleloaders owned by Mainers to be serialized by a federally licensed dealer. So, that process, as a former federal firearms licensee of 18 years, it would involve the licensee taking in the muzzleloader, putting it on the acquisition side of his acquisition and disposition book, somehow serializing it, which would be difficult, if not impossible, for most FFLs, but then the disposition side of the book becomes a problem, because to dispose of that firearm to the owner by giving the owner back his/her property would involve an ATF Form 4473 and a NICS background check, a federal process. The problem is, is that a muzzleloader, a black powder rifle, is not a firearm under federal law, and in the NICS system, there's no classification the dealer can tell the NICS system what this item is that the NICS system will accept. As a result, the NICS system will not conduct the background check, and the customer or the owner of this black powder firearm can't get their gun back and the dealer is sitting with a non-firearm on their acquisition and disposition book that they can't dispose of within the State. The bill has no provision to address this sort of one foot in State law and one foot in federal law, and as a result would cause a very, very serious problem and criminalize Mainers with black powder arms. They either would have to give them to a dealer and not get them back or keep them unserialized and risk a criminal offense.

That's really all I have to say about this particular bill, but it is a very important sort of nuts-and-bolts mechanism consideration that I'd like this Body to consider. We would be creating essentially an unsolvable and unenforceable system. 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. 459

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, 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, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Woodsome.

Yes, 77; No, 70; Absent, 2; Vacant, 0; Excused, 2.

77 having voted in the affirmative and 70 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-660)** 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-660)** and sent for 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 **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Allow Gun Shops to Hold Firearms for Veterans of the United States Armed Forces and First Responders"

(H.P. 779) (L.D. 1174)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

HENDERSON of Rumford

O'HALLORAN of Brewer

PUGH of Portland

SATO of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-661)** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

LEE of Auburn

POIRIER of Skowhegan

SINCLAIR of Bath

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative POIRIER of Skowhegan **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 Greene, Representative Wood.

Representative **WOOD**: Mr. Speaker, Ladies and Gentlemen of the House, this is my bill. Let me give you a little history on this law. This law started in Montana. It has now passed in three other states and it's going through legislation in five other states right now.

We've talked on this floor about reducing firearm and the use of firearms in suicide and domestic violence. Well, this bill will do that. It's proven in Montana. Montana says it's reduced the use of firearms in suicide and domestic violence by almost 20%.

So, it's not mandatory, gun shops do not have to do this. When a veteran or first responder has finished their crisis, they can go back to the gun shop and receive their guns back from the gun shop. If they do commit suicide or they die during the timeframe that the gun shop has their gun, they have a designee to go pick up the guns and they would have to fill out a 4473 to get the guns. So, and they would have to pass that in order to get the guns. But this is a really good bill, and I hope that you vote for it.

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

Representative **LAJOIE**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I'm a sponsor on that bill, and once I signed onto the bill, I asked some of the first responders that I've worked with over a number of years and some that are there now, as well as police officers and military individuals and so on. And their view of being able to do that was quite positive. I don't know, I may have hit one or two that still had questions with regards as how it would work, and I told them I didn't know the mechanics of it at the time; however, they said, 'you know, maybe once we see the mechanics of the situation, we would feel more comfortable. We do like the idea.' And I think it's because of their backgrounds, when you come down to it. They feel more comfortable going to a gun dealer, if you will, that many of them had frequent quite often.

So, I just come up and, you know, say a few words on that. I understand in caucus this morning there's a few questions that came up which are valuable. However, I think in the long run, things can be worked out properly that this should be a good area to go into and allow first responders and others as such to be able to do that. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. Just briefly. First, I wanted to clarify that the original bill did apply only to veterans and first responders. The amended bill applies to any member of the public, so, it's a much broader application than what was initially proposed.

And I just wanted to clarify, I do really appreciate the intent of the bill, but the majority of the Committee rejected it for two reasons. The first is that it provides complete immunity for the gun shop owner for the return of a firearm no matter what the circumstances are of the return, and even if it's made in conflict with warning signs or even common sense, the gun shop enjoys complete immunity.

Second, there was concern in the Committee that the opportunity for voluntary surrender would create a workaround for Maine's yellow flag law, because it could provide false assurance to individuals who are concerned about their own or a loved one's safety, but without any of the parameters that are involved in the yellow flag. So, imagine, for example, in a domestic violence situation where one person is considering pursuing a protection from abuse order with a firearms restriction, and then, they are persuaded that, 'oh, there's no need to do that, because I'm going to go voluntarily surrender these myself.' Even if they follow through with that promise, there's no parameters on how soon they can get them back, under what circumstances they can get back and so on.

So, the bill appears to be a pathway for safekeeping and maybe in some small circumstances it would work in that manner, but the lack of guardrails around the transfer, coupled with total immunity from liability, created too large of a risk for the majority of the Committee. So, thank you.

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

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, I just wanted to rise very quickly and briefly and say that I was supportive of the concept of this bill, and in fact, I put in a similar bill to this that did include all members of the public. I think that maybe the two bills were kind of melded into this one.

I understand the concerns of the Committee around the yellow flag. I was thinking of this in a different way for folks who perhaps have visiting grandchildren or are listing their home for sale and just wanted a safe place where they could securely store their guns. You know, I am in support of this concept, but I'm going to trust the will of the majority of the Committee and I will be voting the Ought Not to Pass. However, you know, I'm thankful to the good work on the other side on this, because I think it is something that in the future we ought to think about. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Lee.

Representative **LEE**: Thank you, Mr. Speaker. I'm going to be voting against the Ought Not to Pass Report. I support this bill. I think it's a good bipartisan solution for folks who are in crisis and want to temporarily relinquish their firearms, but don't want to do so by court order, and I think we should give every opportunity for those folks in crisis to avoid the potential devastating outcome of remaining with those firearms.

The **SPEAKER**: The Chair recognizes the Representative from Saco, Representative Archer.

Representative **ARCHER**: Yes, thank you, Mr. Speaker. I'm in support of this bill, and I'll tell you why, is that it gives me the ability to deposit my weapons outside of my house. It allows me to have access to keep my weapon, but also allows the safety parameters of not having that weapon within my house. I

have two children, a nine-year-old and a three-year-old daughter, and I see this as a mechanism in order to create a little extra safety among weapons and families that have weapons in their household and children at the same time. Thank you very much, Mr. Speaker.

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

Representative **ARATA**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I Co-sponsored a similar bill to this one, and I rise in opposition to the Ought Not to Pass Report.

I became interested in this issue after I attended the open casket funeral of a young man who lives around the; or lived around the corner from me and he had taken his own life and I, after some time went by, I spoke to his parents and I, you know, wanted to know if there's anything I could do. And they said that he had been in a deep depression, but when he was on medication, he was doing well. But then he stopped his medication. And perhaps when he had moments of clarity, when he was getting treatment, perhaps he would've taken the option of giving his firearm to somebody else to hold, somebody who was safe. So, that's why I support this bill. Thank you.

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

Representative **WHITE**: Thank you, Mr. Speaker. Once again, I've been in this industry for 35 years. I have personally done this as an individual, I have taken firearms and stored them in my home for people that I knew that came to me and said that they were in crisis, and it worked very well. The crisis was resolved and several months later, I returned the firearms to the individual. And you might ask, well, why didn't they just sell them or why, as a gun dealer, didn't you just purchase them or whatever? Several of the firearms were very sentimental to the individual. They were family heirlooms, the firearm that his grandfather had given him.

I don't want to get too deep into the story, but no, there was never a suicide or a tragedy that ensued afterwards. The situation was resolved, the individual got help and then several months later had their firearms back. The option for that person to do that was kind of cloudy. It was an individual transaction between an individual two people that lived in Maine. I helped out a friend. I think that the idea of doing this in my gun shop; I would hope that it wouldn't be a major staple of my business; however, it would be really hard for me to say no to someone who came in and said, 'look, I'm really going through a rough time, this is a contentious divorce,' or, you know, 'I'm having some real problems dealing with some situations that I've experienced, but I don't want to get rid of my grandfather's gun here, can you take it for me.' To be quite honest, there would probably be a workaround, if necessary, but I would certainly not let the person leave with that firearm. It may come in and be logged in for repair and then logged back out after I 'fixed it' a year later.

That sounds terrible, but this is a good bill, and I think the opportunity here to get ahead of those times. We're worried about, you know, a yellow flag law not being instituted or, you know, if some other law might not be instituted, you have the opportunity to prevent something. You know, I testified a little while ago about why another issue wouldn't've prevented something, but this most certainly will, and I know because I've witnessed it. So, please don't make this a partisan thing, let's help people. If we do anything this Session, this is an opportunity. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Sato.

Representative **SATO**: Thank you, Mr. Speaker. I'll just add to the conversation. I'm in favor of the pending motion because right now, there's nothing in the law that actually prohibits gun shop owners from entering into these agreements or for any gun owner going into an FFL and asking to enter into an agreement that we are currently discussing right now. The main difference right now is that there isn't any liability protections for gun shop owners to enter into those agreements, but there is for those who are experiencing mental distress, who would like to show their homes and would like to put their, you know, have their gun safely stored elsewhere, they are still able to do that under current law. Thank you.

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

Representative **O'HALLORAN**: Hi, Mr. Speaker. I wasn't planning on speaking today, but this issue is actually important to me.

You can currently take all of your guns to an FFL for any reason under law. I mean, they have, you know, you can do it for any reason that you may have. But giving full immunity to an FFL shop, in my opinion, is absolutely irresponsible. You can have a domestic violence situation that goes downhill, and they can go back and get their guns. Or they may not give them all their guns, and the law enforcement person may pull them over and find that they have a gun and they may be on their way to commit a crime. And they have no way of knowing that they were in crisis, so, they don't know to stop them or to take their guns. I mean, they have no information. We're taking a tool away from law enforcement which, to me, I find reprehensible and very, very irresponsible.

And the other thing is, is that they are not referred to services. They're going there in crisis, they're not mandatory reporters, there's not even a social worker or anybody else there to help them and they have no obligation or duty or any information on where to send these people in crisis. And I think people really ought to take a long, hard look at this, because this could be setting us all up for a very bad situation. This is definitely a runaround the yellow flag law and a lot of innocent people can be hurt by this, and it's another tool that is being taken away from law enforcement of having the ability to control a situation. Because when law enforcement takes your guns, they are obligated to ask you, do you have any more guns? And then you sign paperwork attesting to the facts of that situation, so that if they do find that you have another gun, you're in trouble. And this way, you're in a system, so, not only are you getting help, but people know to look out for you, that you are in crisis, and I would just say that this should not happen and the Ought Not to Pass should move forward. 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. 460

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Friedmann, Gattine, Geiger, Gere, Graham, Gramlich, Henderson, Julia, Kessler, Kuhn, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pugh, Rana, Rielly, Roberts, Roeder, Rollins, Sachs, Salisbury, Sato, Skold, Stover, Supica, Terry, Warren, Yusuf, Zager.

NAY - Adams, Albert, Arata, Archer, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Bridgeo, Campbell, Carlow, Caruso, Chapman, Cimino, Cluchey, Collamore, Collins, Cooper, Cray, Daigle, Dill, Drinkwater, Ducharme, Eder, Faircloth, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Golek, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Hepler, Hymes, Jackson, Javner, Lajoie, Lance, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Mastraccio, McIntyre, Milliken, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Ray, Rudnicki, Runte, Sargent, Sayre, Schmorsal-Burgess, Shagoury, Simmons, Sinclair, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, Webb, White J, White R, Wood P, Wood S, Mr. Speaker.

ABSENT - Woodsome.

Yes, 55; No, 93; Absent, 1; Vacant, 0; Excused, 2.

55 having voted in the affirmative and 93 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. Committee Amendment "A" (H-661) 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-661)** and sent for 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 **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Allow Municipalities to Prohibit Firearms Within Their Municipal Buildings and Voting Places and at Their Municipal Public Proceedings"

(H.P. 1161) (L.D. 1743)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth
LEE of Auburn
PUGH of Portland
SATO of Gorham
SINCLAIR of Bath

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield
CARUSO of Caratunk
ENDERSON of Rumford
O'HALLORAN of Brewer
POIRIER of Skowhegan

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative POIRIER of Skowhegan **REQUESTED** a roll call on the 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 Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. I just wanted to clarify we did a lot of work on this bill in Committee, and I do think it's important. It gives municipalities the option; not a requirement, but an option; to restrict weapons at municipal buildings, voting places and municipal public proceedings, with certain exceptions to account for law enforcement and weapons locked in vehicles. Having served at the municipal level, I can recall many times when we were in very contentious issues, emotions run really high and in some communities, they might want to be able to have this kind of prohibition, so, they give authority to law enforcement to prevent something tragic from happening. We did hear from the Secretary of State that there are increasing use of weapons to intimidate and threaten voters at polling places in our State and felt that that was posing a serious threat to democracy and this would allow communities to deal with that if they'd like to.

I just want to say it was clear from our public hearing that this would not be the right solution for every community. In some, they might want to pursue it and in others, it's the last thing they would want to do. But what this does is reinforce Home Rule and give municipalities the option to make ordinances that fits with their community. Thank you.

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

Representative **ARFORD**: Mr. Speaker, Ladies and Gentlemen of the House, I stand in very strong support of the bill before us, LD 1743.

Brunswick, my municipality, and others, including Auburn, Bangor, Sanford, Biddeford, South Portland, Lewiston, Waterville, Westbrook, Rockland, Saco, Bangor and Portland testified in favor of LD 1743. They asked us, their legislators, for the authority to prohibit firearms in their municipal buildings, proceedings and voting places. This is a very simple bill. Our local officials who testified were clear --

The **SPEAKER**: The Member will defer. The Chair will just remind the Member to direct her comments through the Chair.

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

The **SPEAKER**: The Member may proceed.

Representative **ARFORD**: Excuse me. Our local officials who testified were clear in their reason for asking for this, Mr. Speaker. They are feeling increasingly unsafe and more intimidated in the face of verbal abuse, threats and displays of firearms at their municipal meetings and proceedings, which include voting.

Mr. Speaker, the City of Lewiston; I grew up in Auburn, so, it's always had a special place in my heart, but now more than ever, the City of Lewiston has a special place in my heart. Many of my colleagues have shared the same sentiment. Lewiston municipal officials are asking for this bill to pass. We heard in testimony that this winter, a local man who attended Lewiston City Council meetings threatened a city councilor by messaging him on Facebook, saying 'I hope that a random bullet does not find you when you cross the street.' We know from recent heart-wrenching tragedies, including the mass shooting in Lewiston

and the recent murders in Sabattus this year, that our Maine communities are not immune to devastating firearm violence.

Men and Women of the House, we have before us the opportunity to do a very good thing for our own and each other's municipality. And I want to emphasize the 'each other,' because this bill is unique in that, although a municipality may desperately want to do to prohibit firearms in one of these three places, unless we vote today as a group, majority Ought to Pass, they will not be able to, because as you've heard, the State preempts all firearm law except for where a gun could be discharged.

So, this is a bill for our own and for each other's municipality. For Maine people, the need is real. Your Ought to Pass as Amended vote is respectfully asked for. Thank you, Mr. Speaker.

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

Representative **ROLLINS**: Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in support of this bill.

For the few months that I've been here as a newcomer to the House of Representatives, I've heard all kinds of objection to bills on the basis of Home Rule and control by the individual towns and cities. And I come to work here every day, and we go through the security checks, and we know we're going to address the Cross Office Building. For some reason, we don't think we should afford that same safety precaution to our municipal buildings.

So, I will share with you my experience in leading the Augusta City Council and gaveling in our City Council meetings. We had a particular disturbed young man in the community. He had to; compelled to go onto Facebook, multiple videos, multiple statements, threats, showing how proficient he is with his gun and showing up week after week with open carry and sitting there in front of us.

And people I hear testify, gun enthusiasts, that I feel safer with my gun. So, I'm a gun owner, I'm not anti-gun, but I sit there and I ask you to sit there in your mind, and I've got a person that seems to be unstable in front of me, openly carrying a gun. We have a police officer at a different angle of the room with a gun. We have a public official that's so concerned that under his desk, he's got a gun. And I ask you, should I feel more safe? Well, I will tell you I did not, and neither did my Council.

So, I ask you to support this on behalf of fellow elected officials, on behalf of the municipalities of Maine, that we go overboard with the concept of Home Rule and give us the right to write ordinances to help protect our people. Thank you.

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

Representative **WHITE**: Thank you, Mr. Speaker. Mr. Speaker, I'd love to live in a perfect world. I'd love to live in a world where those stickers on the front doors of schools around the country actually do something other than prevent the good guy from being there when the need arises.

Yeah, we see examples of mentally unstable individuals. If there's a truly mentally unstable individual, that's a different issue. But the basic, unalienable right of an individual to protect themselves, to defend themselves in this country has long since been established. The Supreme Court's visited it recently. The example that I've used on the floor before is pretty obvious, and you can say that it's anecdotal if you wish. However, just two months after the horrific events of the Pulse Nightclub in Florida, another nightclub that was demographically almost identical in size and time of day and geographic location was attacked by an individual with a firearm in very much the same way as the nightclub in Florida. The only difference was there was an

armed good guy in the crowd, and only a couple of people got hurt and the bad guy was neutralized immediately.

And I will bring back to your remembrance that the only testimony last Session from an individual that was actually in one of the locations in Lewiston, the young lady testified that she didn't agree with any of the current laws being passed, and it was her opinion that the only thing that could have lessened the carnage in Lewiston would've been to peel that sticker off the front door and have an armed good guy. Now, that was a paraphrase; however, I think you can go back and look at the recordings of that testimony and correct me if you think I'm wrong, but that was the gist of what she said.

Mr. Speaker, I disagree with this bill, and I hope that you'll follow my light.

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

Representative **UNDERWOOD**: Thank you, Mr. Speaker. If you city slickers, if you need any lessons in gun safety and how to handle guns, go to one of your rural brethren or you can always go to any house or any homeowner in Aroostook County, and they could teach you how to handle guns.

We have a Second Amendment in our federal Constitution and that would supersede anything that this Legislature would do. So, leave it to the Second Amendment and there is a reason why that Second Amendment was put in our Constitution, a pretty darn good reason. So, again, I'd like to say we need less regulations, not more regulations for the guns. 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 Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 461

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

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

ABSENT - Arata, Lanigan, Woodsome.

Yes, 69; No, 77; Absent, 3; Vacant, 0; Excused, 2.

69 having voted in the affirmative and 77 voted in the negative, with 3 being absent and 2 excused, and accordingly the Majority **Ought to Pass** Report was **NOT ACCEPTED**.

Subsequently, Representative KUHN of Falmouth moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Representative **RUDNICKI**: Thank you, Mr. Speaker. Here we go again, passing a Minority Report when the Majority Report; okay, never mind, they're telling me I'm wrong.

The SPEAKER: The Chair would inform the Member that the House just defeated the Majority Report. The only option at this point is the Minority Report.

Subsequently, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Seven Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Reduce Gun Violence Casualties in Maine by Prohibiting the Possession of Large-capacity Ammunition Feeding Devices"

(H.P. 728) (L.D. 1109)

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

LEE of Auburn

O'HALLORAN of Brewer

POIRIER of Skowhegan

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-662)** on same Bill.

Signed:

Senator:

CARNEY of Cumberland

Representatives:

KUHN of Falmouth

SATO of Gorham

Three Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-663)** on same Bill.

Signed:

Senator:

TALBOT ROSS of Cumberland

Representatives:

PUGH of Portland

SINCLAIR of Bath

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought Not to Pass**.

READ.

Representative KUHN of Falmouth moved that the House **ACCEPT** Report "A" **Ought Not to Pass**.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Mr. Speaker. I moved the Majority Report, but I am going to vote against it.

Back in 1994, Congress adopted a federal law prohibiting the sale or possession of large capacity magazines. Due to a sunset, it went away 10 years later, but that 10 year period gave us a window into what the impact would be on having such a law, and during that time period, mass shooting fatalities were

70% less likely to occur compared to periods before and after the ban. So far, 14 states have adopted large capacity magazine bans and the results are very material: 48% fewer mass shootings and 61% fewer domestic violence related mass shootings compared to states without such laws.

So, I moved the Majority Report, but encourage folks to vote against it.

Representative SATO of Gorham **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought Not to Pass**.

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 Report "A" Ought Not to Pass. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 462

YEA - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cluchey, Collamore, Collins, Cooper, Cray, Daigle, Dill, Drinkwater, Ducharme, Eder, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Julia, Kessler, Lajoie, Lance, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, McIntyre, Milliken, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Roberts, Rollins, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, Webb, White J, White R, Wood P, Wood S, Mr. Speaker.

NAY - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Kuhn, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pugh, Rana, Ray, Rielly, Roeder, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Supica, Terry, Warren, Yusuf, Zager.

ABSENT - Lanigan, Woodsome.

Yes, 88; No, 59; Absent, 2; Vacant, 0; Excused, 2.

88 having voted in the affirmative and 59 voted in the negative, with 2 being absent and 2 excused, and accordingly Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for 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 **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-357)** on Bill "An Act Regarding the Energy Policy of the State"

(S.P. 694) (L.D. 1792)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock
HARRINGTON of York

Representatives:

FOSTER of Dexter
GEIGER of Rockland
KESSLER of South Portland
MCINTYRE of Lowell
PAUL of Winterport
WADSWORTH of Hiram
WARREN of Scarborough
WEBB of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-358)** on same Bill.

Signed:

Representatives:

SACHS of Freeport
RUNTE of York

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-357)**.

READ.

Representative SACHS of Freeport 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 York, Representative Runte.

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

LD 1792 represents bad policy and poor legislative practice. The bill puts the Legislature in the position of second-guessing regulatory decisions by directly intervening in rate design to benefit a special interest group, large energy customers. Rate design is very complex and results from lengthy adjudicatory proceedings conducted by the PUC. The bill intervenes on behalf of large --

The SPEAKER: The Member will defer. The Member may proceed.

Representative **RUNTE**: The bill intervenes on behalf of large energy users to the detriment of the majority of other customers by requiring the PUC to enact their allocation solution; allocation of net energy billing cost, referred to as the 'stipulation agreement,' which disproportionately favors these users. It attempts to fix a rate design problem that was created when a previous Legislature engaged in rate design, by engaging in rate design.

Over the last few years, the PUC considered different allocation methods. Because there's no perfect solution, these methods caused inequities, especially for some large users. Consequently, the large users sought to create their own allocation method and formula by shifting cost to all other users,

including adding more stranded costs to residential customers. It is their method that LD 1792 attempts to impose on the PUC.

LD 1792 shifts costs from large to small commercial and residential customers and will increase electricity costs for nearly 300 small- and medium-sized businesses by up to 66%. It's also important to note that many of these large users also participate and benefit from the NEB program, including eight of CMP's top 10 users. So, for example, CMP's largest user would receive a two million dollar reduction in stranded cost recovery under LD 1792, but will get a two million dollar benefit in NEB tariff credits.

So, why are we here? The PUC rejected the stipulation agreement and developed a more balanced hybrid plan that would be effective in July. And they nearly got it right. The order they intend to enact in July is fairer to most rate classes and does not shift added costs to residential. But it's not perfect, and it would result in some very glaringly large increases to a handful of very large customers.

The Minority Report offers a better solution. It sends the issue back to the PUC to develop a rate allocation methodology by reworking their July order and resolving the large user problem. It also eliminates the original constraint that was put on the PUC by an earlier Legislature on how these costs get distributed to utilities, allowing the PUC to treat all customers collectively, regardless of service territory. LD 1792 does not lift this constraint.

I urge the Body to vote Ought Not to Pass. Thank you, Mr. Speaker.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, I stand in strong support of this bill, LD 1792, that came out of the EUT Committee 11-2 Ought to Pass.

Mr. Speaker, net energy billing stranded costs are now estimated to reach \$240 million this year. As this Legislature, and as was just mentioned by the previous speaker, had deemed to get involved with ratemaking back in 2019 with LD 1711. These costs are necessary to achieve; they also deemed that they are necessary to achieve Maine's green energy goals. To me, this is a social issue for all Maine residents to bear. Under the current rate structure implemented on July 1, 2024, and ending this June 30th, Maine ratepayers from residential to large industrial consumers are paying their stranded costs unequally, depending on the utility or district they are in. Because of the new PUC rate structure taking effect on July 1st, which was just mentioned, this disparity will be even more exaggerated, thus the need for the emergency amendment on this bill.

LD 1792 seeks to address this disparity by more equally disbursing these NEB costs across the State. By combining ratepayers in the different usage classes and different districts, this will reduce the burden of extra cost to ratepayers in Versant territories by sharing some of the cost with the much larger number of ratepayers in the rest of the State.

Mr. Speaker, I'm sure all of us here have heard of the high cost the current rate structure has placed on some of our largest employers, from Texas Instruments in South Portland to McCrum's potato processor in the County, Wyman's Blueberry processors Downeast and so on. LD 1792 will reduce the cost of NEB to their businesses and help keep the thousands of workers these large electricity users employ employed and contributing to the fabric of Maine. And I would remind folks here that before our Committee, we had several large unions represented in favor of this bill.

Mr. Speaker, until we are able to reduce the cost of net energy billing to Maine ratepayers or find a different funding method, LD 1792 is our best option to more fairly distribute the cost to all Maine ratepayers. Please join me in supporting it as Amended to allow it to take effect before July 1st. Thank you, Mr. Speaker.

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

Representative **GEIGER**: Thank you, Mr. Speaker. I rise in strong support of 1792.

As my colleague, Representative Foster said, we had to act here. Unfortunately, the \$185 million of stranded costs this year were going to be apportioned by utility, even though they are statewide costs. Because Northern Maine has so few large commercial companies, they were looking at those companies carrying a huge portion of that \$185 million. Just to give you an example, the McCrum french fry factory currently carries more than their share of stranded costs, to the tune of \$690,000. And as of July 1, that cost was going to go up to \$1.3 million, because there are only a few large commercial operators in Northern Maine. That didn't make sense, it wasn't fair.

We brought the PUC in as part of our public hearing, they told us it wasn't their job to look at economic consequences. So, we had to act. Is this perfect? No, it's not, which is why we said it will only last three years and directed the PUC to find a better and fairer way to go forward with NEB cost. This is a time-limited change of three years. It allows the PUC to shift costs of 10% to everyone else but the large commercial; that will raise their cost by tiny amounts, while making a huge differences to places like the McCrum factory.

We were looking at the loss of every large commercial operator in Northern Maine if we did not fix this. My colleagues would like; on the Minority Report; would like us to have the PUC make this change, and they will, but if we know anything about the PUC, we know they are not fast and they are not nimble. By the time they are done with the judiciary proceeding over two years, it will be too late for most of these companies. This is a short-term fix while they do their job. Thank you.

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

Representative **WARREN**: Thank you, Mr. Speaker. I'm rising in support of this bill.

I think it's not an easy decision. I think finding a way to fairly spread these costs is no easy matter. Broadly speaking, in considering this vote, I was thinking about the history of manufacturing in our State and the way that some of these large consumers are part of a very long story of survival and a fear that I think is fair that we're dealing with deaths of a thousand small cuts and a question of will this be a final one. And I couldn't take that risk.

I think the proposal that we have brought to this Body is a reasonable, fair way forward. I think it's really important that we act, that we do something, and I also think we've got to be mindful of the reality that this is an emergency for a reason, and it's one that we have been able to agree on in a bipartisan, nonpartisan way. Folks that have very different views and very different experiences across our State were able to come together and say we do need to do something, we do value spreading these costs, 10%, in a reasonable way, to move forward. And without that, the types of bills that we're talking about are four times over from one year to the next. I think it's reasonable to say that some of these costs will be part of that death by a thousand. And I feel I couldn't be responsible for that, and that's one piece of what motivates my vote. Just like all of these costs, and as they rise, our social policies, our public

policy costs, any manufacturer that we lose, not only will there be consequences to working families, to our Northern Maine economy which are very real and I don't mean to put that aside at all and; so, in addition; all of the costs, the stranded costs, will then be borne by a smaller subset, without that additional large user taking on those big costs amongst the \$220, now \$235, soon to be \$240 million per year. And that's another piece of this, it makes it complicated, it makes it difficult, but I think it makes it clear that in a sober and humble way, I feel a responsibility to act, and I hope that others will see and feel that weight and feel that responsibility and join in support of the current motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Sachs.

Representative **SACHS**: Thank you, Mr. Speaker. I rise to strongly oppose the pending motion.

Maine law requires that the Public Utilities Commission; not the Legislature, not private corporations, certainly not lobbyists; after an open and public process administer a formula to allocate the stranded costs for net energy billing. This bill is before us because one group of large industrial users were unhappy about how the PUC allocated their share of net energy billing stranded costs. So, these businesses came together and came up with a solution that shifts 40% of their stranded cost payments onto small businesses, schools and individual ratepayers. The PUC rightly rejected that solution because, as they testified in our Committee, it shifts those costs onto individual ratepayers and on to small and medium businesses. The PUC instead came up with an allocation method after a public, transparent process that actually does cut much of the payments that large corporations would have to make, not all, but for many. But because they were rejected by the PUC, this group decided to come to the Legislature. LD 1792 seeks to overturn the decision from the PUC, and indeed, this bill is even a little bit sweeter of a deal than the one that they gave to the PUC.

I oppose this motion because, after working for months to reduce electricity bills, especially stranded costs for Maine ratepayers, I cannot in good conscience turn around and shift \$13.3 million per year onto our residential ratepayers and small and medium business. There is nothing fair about that. These large industrials came before us and said they are on the brink of going out of business due to this cost. I ask, as the Good Representative from York indicated, how many of them were in NEB, and as participants in NEB and as the Good Representative from York noted, eight of the 10, 80%, for example, of one class of these large users are part of the NEB program. So, getting a \$2.6 million reduction due to 1792 and at the same time receiving \$2.09 million credits through NEB. Nothing fair about that.

And I will also bring up that this should not be used as an economic development tool. We have those. And only because the Good Representative from Rockland noted one particular large user, I will state, for example, that when they came before the Tax Committee for LD 1951, they didn't talk about how their business was almost postponed to the brink. Instead, they say thank you very much for an additional two million dollar tax break. There are ways to encourage economic development, but this is not the vehicle to do so.

We're talking about small and medium entities, Mr. Speaker, who were not at the table for this bill. These folks, for example, include schools and grocery stores. Folks in that rate class are deeply concerned about LD 1792. It adds anywhere from \$17,000 to \$21,000 annually for their cost. For small businesses being on the margin, they can't absorb that. For

schools who have already set their budgets for this year, that's going to add a huge burden to property taxpayers, not to mention the senior citizens on their fixed income who will be shouldering the burden for these companies. While the companies have claimed it will not hit ratepayers this year, that is simply not true.

And finally, I strongly believe that the Legislature should not usurp the legal process of the PUC and engage in ratemaking. As the Good Representative from Dexter noted, that's how we got here, Mr. Speaker. Small businesses who will be shouldering the burden of LD 1792 have already indicated they're going to be right back here next year, because we passed a bill doing ratemaking and what's good for one should be good for another, Mr. Speaker. So, let's not set that precedent of overturning decisions by the PUC. Instead, they are looking for ways already to act quickly and further smooth out any outliers by opposing this motion and moving forward with other Reports; including statewide aggregation of classes which are not in LD 1792; we can protect our most vulnerable Mainers from increasing bills.

So, Mr. Speaker, I oppose the pending motion, because I strongly believe we have an opportunity to stand up for transparent, public processes and policies, to stand up for small businesses and our school departments and to stand up for everyday Mainers struggling with the cost of their electric bills. I ask my colleagues to defeat the pending motion. Thank you.

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

Representative **FOSTER**: Thank you, Mr. Speaker. Mr. Speaker, it's my understanding that this bill has come to us as Amended from the Other Body. There has been a change made that will help some of the folks that the Good Representative from Freeport is concerned about, including larger grocery stores that have a significant amount of electricity usage.

Mr. Speaker, I think you and I can agree, and those of us who were here in the 129th Legislature will remember a lot of the argument for getting involved with the PUC ratemaking at the time was NEB is what is absolutely necessary to encourage more solar, no matter the cost, no matter that at the time grid-scale solar was significantly less expensive, and still is to this day. So, I think we could agree, Mr. Speaker, that that particular what I would call a 'social benefit' of achieving green energy by 2040 is something that every citizen in the State of Maine enjoys.

The funding method we use, and I've mentioned this the last few years, at every budget debate here on this floor, the method that we use, folks, we don't have to worry about here. I don't have to worry about whether it's in the Chief Executive's budget or not, or the budget that you folks pass. Because in EUT, when we pass a bill, it goes right to the ratepayers, whatever the utility is; water, electric, whatever. And Mr. Stoddard from Efficiency Maine Trust, in the early days, mentioned to us and has several times since, and I've repeated it many times, that every time we pass a bill that raises the electricity cost by a penny, we make his job and the job of electrification of Maine that much more difficult.

Mr. Speaker, what we're talking about here is our Maine citizens who are employed in these industries and these large electric users. And somebody like the mill that I used to work at, Sappi in Skowhegan, employing around 800 people with some of the highest paid jobs in the State, on average, in that mill, all the way over to Wyman blueberry processing, who probably don't employ that many people, but they certainly use a lot of electricity, and they operate on a margin that this increase July 1st will greatly affect. I think, Mr. Speaker, from Texas

Instruments in South Portland, Bath Iron Works and a lot of these companies, like many of our citizens, our ratepayers and probably some folks in this Chamber, they took advantage of the NEB opportunities and did join community solar or other programs. And I've been told by many that if that ended tomorrow, they'd be fine with that. They did it because it was there and they had to find a way to help offset the costs that they were seeing in electricity rates.

Mr. Speaker and Ladies and Gentlemen of this House, this is a very important bill. We need to pass this today, as has the Other Body. We need to make sure the emergency Amendment stays with it and pass it as it is, so that it can take effect by July 1st. I promise you, Mr. Speaker, there will be other opportunities in the next session to look at this again, and the PUC will have an opportunity to address this. This is not a permanent fix, it is limited, but we need to do something now to help keep those businesses that are still working and still making a profit and can stay in business, with those employees going home to their families and their communities and spending those dollars that they're earning and keep them going and not have happen what did with Milo Chip already, where that they were only employing eight people, but because of this net energy billing charge that came about in that Versant territory, they went under.

So, I ask you all to consider this strongly as you vote, and please, support the pending motion.

The SPEAKER: The Chair would just note there's a Committee Amendment "A" but there's not a Senate Amendment to the Report.

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. 463

YEA - Abdi, Adams, Albert, Arata, Archer, Ardell, Babin, Bagshaw, Beck, Bell, Bishop, Blier, Boyer D, Boyer M, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Cluchey, Collamore, Collins, Cooper, Crafts, Cray, Crockett, Daigle, Dhalac, Dill, Dodge, Drinkwater, Ducharme, Eder, Faircloth, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Friedmann, Frost, Gattine, Geiger, Gifford, Graham, Gramlich, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Julia, Kessler, Lajoie, Lance, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Macias, Malon, Mason, McCabe, McIntyre, Milliken, Mingo, Montell, Moonen, Morris, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Pugh, Quint, Ray, Roberts, Roeder, Rudnicki, Sato, Sayre, Schmearsal-Burgess, Shagoury, Simmons, Sinclair, Skold, Smith, Soboleski, Stover, Strout, Supica, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, Warren, Webb, White J, White R, Wood P, Wood S, Woodsome, Yusuf, Zager.

NAY - Ankeles, Arford, Brennan, Copeland, DeBrito, Doudera, Gere, Golek, Kuhn, Lookner, Mastraccio, Mathieson, Matlack, Meyer, Mitchell, Murphy, Osher, Rana, Rielly, Rollins, Runte, Sachs, Salisbury, Sargent, Terry, Mr. Speaker.

ABSENT - O'Halloran.

Yes, 122; No, 26; Absent, 1; Vacant, 0; Excused, 2.

122 having voted in the affirmative and 26 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-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" (S-357)** 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 **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act to Allow Certain Distributed Energy Resources to Participate in the State's Net Energy Billing Program" (EMERGENCY) (S.P. 730) (L.D. 1860)

Signed:

Senators:

GROHOSKI of Hancock

HARRINGTON of York

Representatives:

SACHS of Freeport

FOSTER of Dexter

KESSLER of South Portland

MCINTYRE of Lowell

PAUL of Winterport

RUNTE of York

WADSWORTH of Hiram

WARREN of Scarborough

WEBB of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-350)** on same Bill.

Signed:

Senator:

LAWRENCE of York

Representative:

GEIGER of Rockland

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

READ.

On motion of Representative SACHS of Freeport, the Majority **Ought Not to Pass** Report was **ACCEPTED** 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 **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-353)** on Bill "An Act to Protect Maine People from Inflation by Exempting Gold and Silver Coins and Bullion from the State Sales and Use Tax"

(S.P. 164) (L.D. 372)

Signed:

Senators:

GROHOSKI of Hancock
BICKFORD of Androscoggin

Representatives:

LAVIGNE of Berwick
QUINT of Hodgdon
RUDNICKI of Fairfield
SWALLOW of Houlton
WHITE of Ellsworth

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

Signed:

Senator:

TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston
CROCKETT of Portland
FRIEDMANN of Bar Harbor
MATLACK of St. George
SAYRE of Kennebunk

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-353)**.

READ.

Representative CLOUTIER of Lewiston 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**: 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. 464

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

NAY - Abdi, Ankeles, Archer, 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, Webb, Woodsome, Yusuf, Zager, Mr. Speaker.

ABSENT - Ducharme, O'Halloran.

Yes, 72; No, 75; Absent, 2; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 75 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative CLOUTIER of Lewiston, the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for 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 **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-354)** on Bill "An Act Creating and Sustaining Jobs Through the Development of Cooperatives and Employee-owned Businesses by Providing Tax Deductions for Certain Qualified Business Activities"

(S.P. 271) (L.D. 756)

Signed:

Senators:

GROHOSKI of Hancock
BICKFORD of Androscoggin
TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston
CROCKETT of Portland
FRIEDMANN of Bar Harbor
MATLACK of St. George
RUDNICKI of Fairfield
SAYRE of Kennebunk
WHITE of Ellsworth

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

Signed:

Representatives:

QUINT of Hodgdon
SWALLOW of Houlton

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-354)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-354)** 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-354)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

ENACTORS
Acts

An Act Allowing the Department of Corrections to Offset Some of the Costs of Technology Provided to Residents of Correctional Facilities

(H.P. 9) (L.D. 45)
(C. "A" H-646)

An Act to Amend the Law Regulating the Resale of Tickets

(S.P. 403) (L.D. 913)
(C. "A" S-308)

An Act to Include Certain Mental Health Data in Firearm Fatalities and Hospitalizations Reports

(H.P. 792) (L.D. 1187)
(C. "A" H-632)

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.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Emergency Measure

An Act to Increase the Procurement of Maine Foods by Certain State Institutions

(S.P. 472) (L.D. 1141)
(C. "A" S-352)

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

Emergency Measure

An Act to Implement the Recommendations of the Gagetown Harmful Chemical Study Commission and to Reestablish the Gagetown Harmful Chemical Study Commission

(S.P. 648) (L.D. 1640)
(C. "A" S-347)

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. 109 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.

Acts

An Act to Include Certain Mental Health Workers Under the 1998 Special Plan for Retirement

(S.P. 260) (L.D. 579)
(C. "A" S-344)

An Act to Change the Laws Regarding Real Estate Appraisers

(H.P. 998) (L.D. 1514)
(S. "A" S-343 to C. "A" H-355)

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.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

CONSENT CALENDAR
First Day

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

(H.P. 16) (L.D. 52) Bill "An Act to Require the Department of Health and Human Services to Apply for Federal Benefits on Behalf of Children in the Department's Custody Who May Be Eligible for Those Benefits" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-667)**

(H.P. 995) (L.D. 1511) Bill "An Act to Expand Direct Health Care Service Arrangements" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-668)**

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** with the exception of matters being held.

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

(S.P. 763) (L.D. 1955) Bill "An Act to Increase Child Care Affordability and Early Childhood Educator Stability" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-355)**

(H.P. 348) (L.D. 529) Bill "An Act Regarding Dams" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-670)**

(H.P. 350) (L.D. 531) Bill "An Act Regarding Dam Ownership" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-669)**

(H.P. 1163) (L.D. 1745) Bill "An Act to Stabilize Residential Treatment Capacity for Children and Youth in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-674)**

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

There being no objection, the Senate Paper was **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** with the exception of matters being held.

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" (H-665)** on Bill "An Act to Exclude from Eligibility for a Community Confinement Monitoring Program a Person Serving a Sentence for Certain Domestic Violence Crimes"

(H.P. 1119) (L.D. 1684)

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
PERKINS of Dover-Foxcroft

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

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-665)** 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-665)** and sent for 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 **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-666)** on Bill "An Act to Ensure Ongoing Access to Medications and Care for Chronic Conditions and Conditions Requiring Long-term Care by Changing Requirements for Prior Authorizations"

(H.P. 980) (L.D. 1496)

Signed:

Senators:

BAILEY of York
BALDACCI of Penobscot

Representatives:

MATHIESON of Kittery
ARFORD of Brunswick
BOYER of Cape Elizabeth
CLUCHEY of Bowdoinham
FLYNN of Albion
FOLEY of Wells
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
MORRIS of Turner
OLSEN of Raymond

READ.

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

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

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

Even though I voted on this bill in Committee, at the time of the vote, we did not have the fiscal impact this bill would have on the State health plan. We received that Fiscal Note this morning, and it will have a \$3.86 million impact on the State's health plan. That doesn't even account for the impact it will have on the regular premiums that our constituents are paying on already very expensive insurance plans.

While this bill had very laudable goals, unfortunately, with the impact that it's going to have on the State health plan and the premium impact, I can no longer support it as it is. So, I'll be voting Ought Not to Pass on this, and I request a Roll Call.

Representative FOLEY of Wells **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 Kittery, Representative Mathieson.

Representative **MATHIESON**: Thank you, Mr. Speaker. It's important to understand that LD 1496 doesn't eliminate prior authorizations. This bill was a really, really important bill. The providers came to us and told us that they were really having difficult times, because prior authorizations were really increasing for them and causing some real significant burdens on their workforce.

Basically, we have concerns about this Fiscal Note. It takes in consideration and makes an assumption that the

savings is going to show a significant savings based on these doctors inappropriately making assumptions of medical necessity treatment. I think that it's really important to understand that these prior authorizations have been really causing problems for our physicians. On average, physicians have 39 prior authorizations per doctor per week. They spend about 13 hours a week doing these prior authorizations.

We've been told during the Committee that they're really concerned about the AI determination of prior authorizations. We saw from a recent report from the Bureau of Insurance that prior authorizations from 2021 went up from 37% to 52%, but the approval of those prior authorizations was 91% once they went through the approval rate. We felt that there was a real significant issue around this and felt that we needed to move forward with trying to make some differences.

So, I hope that you will follow my light and vote on the motion on the floor.

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

Representative **ZAGER**: Thank you, Mr. Speaker. I really appreciate the remarks by the Good Representative from Kittery. I don't have a lot to say about this, because we have a lot of work to do. I do want to point out two things.

One is that the Fiscal Note is a static Fiscal Note, as all of ours are, which is really unfortunate in this case, because there's an implicit assumption that there's no benefit to treating chronic disease, that a cholesterol medicine does not prevent a heart attack when provided to enough people with ease of access and care, that access to suboxone or other things don't have significant benefits for reducing human suffering and also costs that we pay for downstream.

The second thing, Mr. Speaker, is that our health care system is in great distress. There are so many inefficiencies, and one of them is that we have a lot of people that are not clinical, they're not serving the clinical purpose, that have to spend a lot of time moving papers, even for things that have been approved before, multiple times. This bill simply says, you know what, a one-year period of approval is not efficient, let's make that three years. That was the amended compromise that came out of Committee, I support it, I certainly hope that this august Body will support LD 1496 and 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 to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 465

YEA - Abdi, Ankeles, Arata, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, 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, 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 - Adams, Albert, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Ducharme, O'Halloran.

Yes, 78; No, 69; Absent, 2; Vacant, 0; Excused, 2.

78 having voted in the affirmative and 69 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-666) 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-666)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

SENATE PAPERS Non-Concurrent Matter

Bill "An Act Regarding the State Forensic Service"

(H.P. 282) (L.D. 428)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-635)** in the House on June 11, 2025.

Came from the Senate with the Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **INSIST**.

Representative GREENWOOD of Wales moved that the House **RECEDE AND CONCUR**.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

ROLL CALL NO. 466

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

NAY - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, 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.

ABSENT - Ducharme, O'Halloran.

Yes, 72; No, 75; Absent, 2; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 75 voted in the negative, with 2 being absent and 2 excused, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Clarify That a Business's License or Subscription to Use Software Is Not Considered a Lease for the Purposes of Sales and Use Tax"

(H.P. 865) (L.D. 1330)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638)** in the House on June 11, 2025.

Came from the Senate with the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative GRAHAM of North Yarmouth, the House adjourned at 3:43 p.m., until 10:00 a.m., Friday, June 13, 2025, in honor and lasting tribute to Mary Sweeney Underwood of Gray and Jacqueline A. Hodgins Caiola of Portland.