

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE
FIRST SPECIAL SESSION
26th Legislative Day
Thursday, June 5, 2025

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

Prayer by Pastor Marilyn Nichols, Bremen Union Church.

National Anthem by Jennifer Bragdon, New Gloucester.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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

Pursuant to his authority under House Rule 401, Section 12, the Chair excused Representative GRIFFIN of Levant and Representative EATON of Deer Isle from all House deliberations and roll calls until further notice.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment 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 the University of Maine Alumni Association, of Orono

(HLS 278)

TABLED - May 28, 2025 (Till Later Today) by Representative DILL of Old Town.

PENDING - **PASSAGE**.

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

Representative **DILL**: Thank you, Mr. Speaker. Mr. Speaker and Colleagues of the House, it is a great pleasure that I rise today and congratulate the University of Maine Alumni Association on their 150th anniversary. And you've heard some of the background of when it was started, I'd like to just add a couple other facts.

The official college song, the *Maine Stein Song*, was written in 1902 by then-students Lincoln Colcord of '05 and Adelbert Sprague '04. It was popularized nationally in 1930 by alum Rudy Vallee of Westbrook, and the song spent eight weeks at number one on the national charts, making it today the only official college song to top the charts. I'd sing it for you today, but we wouldn't want to go there, because it would go from the top of the charts to the bottom of the charts, I'm sure, so.

In 1919, the first edition of the *Maine Alumnus* was published, and it is still in publication today, twice annually, as the *Maine Alumni Magazine*. Current distribution is over 21,000 every six months. While the Alumni Association held many class reunions before this; as early as 1892; the first official Homecoming was held on campus in Orono on November 7, 1931. Maine football defeated Bowdoin 20-0 on their first Homecoming Day at Alumni Field in Orono. In 2002, the Buchanan Alumni House was opened on campus as a place to call home for alumni visiting campus and as offices for the staff of the Alumni Association and the University of Maine Foundation. Today, it remains the only building on campus that

was built and maintained completely through private contributions from alumni.

Today, the University of Maine Alumni Association serves over 100,000 living alumni around the world. Close to 60% of current Maine alumni are Maine residents, contributing significantly to the Maine economy and our way of life in Maine. The UMaine Alumni Association remains as an independent 501(c)(3) nonprofit organization governed by an all-alumni board of directors. The Association works to strengthen the University of Maine by inspiring life-long connection, passion and engagement among our alumni community. To accomplish this mission, they have in-person engagement at dozens of events annually on campus and around the country.

There's also a great timeline for the Alumni Association for the first hundred years in the current edition of the *Maine Alumni Magazine* on pages seven to 11. I'd also like to add that UMaine is an engine of educational attainment, research-driven innovation and economic development, and so are its alumni. According to recent alumni survey, Black Bears in the State earn more than double Maine's average median income and pay 50% more in State income tax. Ninety percent of them vote and well above the Maine's higher rate of voter participation, and 70% of them volunteer, double the State average. They live and lead at every Maine community and in most companies, and here in this Legislature, where there are almost two dozen Black Bears currently serving.

So, with that, Mr. Speaker, I would ask your permission to have the UMaine graduates raise their hands. Thank you, and congratulations again to the UMaine Alumni Association.

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

Expression of Legislative Sentiment Recognizing Patrick Paradis, of Augusta

(HLS 339)

TABLED - June 3, 2025 (Till Later Today) by Representative ROLLINS of Augusta.

PENDING - **PASSAGE**.

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

Representative **ROLLINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a great pleasure that I rise to speak about my good friend --

The SPEAKER: The Member will defer. There's a lot of side conversations this morning. If folks want to have a side conversation, I'd ask you to go out in the hallway. I would like to be able to hear the deliberations, even if we're just in the portion of our Calendar on Sentiments. The Member may proceed.

Representative **ROLLINS**: Thank you, Mr. Speaker. Rise and speak on behalf of Patrick Paradis.

Patrick Paradis is part of the folklore of American and Maine politics. Pat was first elected to this House in 1978. He served from '78 to 1994, 16 years; 109th to the 116th Legislature. In the 115th and in the 116th Legislature, he was the Assistant Majority Leader. After his time here in the House of Representatives, he then became the County Treasurer for Kennebec County for eight years. If that was not enough, he joined the Augusta City Council, where he was reelected three times, served full terms and maximum terms.

Pat was an old-time classic ward councilor, a dying breed, you don't see them like that anymore. He was so effective of representing Ward 4, the Sand Hill area, the Franco-American area, there are people up there today still think he's their

Representative. We all appreciate Pat Paradis in Augusta, Maine.

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

Representative **BRIDGEO**: Thank you, Mr. Speaker, Men and Women of the House. I've told you before that for almost 24 years, I was the City Manager of Augusta. For 15 of those years, Representative Rollins was either on the City Council or was Mayor of Augusta, and for nine of those years, contemporaneously, Pat Paradis was a member of the Augusta City Council.

I learned early on to defer to the Mayor before the City Manager spoke and I continue that tradition today. So, I'll try to pick up the few items that are left after Representative Rollins' fine summary of Pat Paradis' service.

Pat was such an effective member of the Augusta City Council, and as a ward council member in particular, that he on a daily basis would walk five or six miles around his district and frequently would reach out to his constituents to the point where I remember on one particular occasion, he approached the door of a home in his district, didn't know the people who lived there but had been observing that a surplus telephone pole had been laid by the power company, I guess, along the edge of the street on their property. And he went to the door, he knocked on the door, the taxpayer resident came to the door and Pat said, 'you know, I've noticed that that telephone pole is out there on your lawn.' The constituent wasn't even aware of it at that point, I don't think, but Pat said, 'don't you think the City of Augusta should be doing something about that telephone pole?' And of course, the resident got all riled up and that gave Pat the motivation to come to my office and explain that we really needed to do something about that telephone pole on Forest Avenue. So, we did.

But, you know, I had 40 years as a City Manager, and I can't tell you how many city council members I served for in that period of time, but I'm going to say that I never met a more committed, dedicated, energized representative of a ward or a district in city government anywhere I served than Pat Paradis. And I think in large measure, it's because he grew up on Sand Hill, in his neighborhood. When he was able to, he bought a home in that neighborhood and he's lived there ever since. And except perhaps for the years that he was at Framingham State College in Massachusetts, earning his bachelor's degree, this has been his locus. The university, Framingham State, recently recognized Pat as their Alumnus of the Year on the basis of his continuous public service over those years.

And so, for those reasons and many, many more, I publicly here today thank our friend Pat up in the gallery for his many contributions and wish him many, many more successful years engaged in his community. Thank you, Mr. Speaker.

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**.

ORDERS

On motion of Representative LAJOIE of Lewiston, the following House Order: (H.O. 31)

ORDERED, that Representative Lynn Holland Copeland of Saco be excused May 29 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Laurel D. Libby of Auburn be excused Apr 17 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sheila A. Lyman of Livermore Falls be excused Jun 2 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joseph F. Underwood of Presque Isle be excused May 22, 27, 28, 29 and Jun 2 for health reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-268)** on Bill "An Act to Allow the Department of Corrections to Increase Health Care Fees and Use the Proceeds from Those Fees to Offset the Costs of Client Medical Care Support Workers"

(S.P. 30) (L.D. 18)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-269)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

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-268)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-268)** 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-268)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-223)** on Bill "An Act to Lower Consumer Electricity Costs by Prohibiting the Recovery Through Rates of Costs Attributable to Net Energy Billing" (S.P. 372) (L.D. 839)

Signed:

Senator:

LAWRENCE of York

Representatives:

SACHS of Freeport

FOSTER of Dexter

GEIGER of Rockland

KESSLER of South Portland

MCINTYRE of Lowell

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 "B" (S-224)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representative:

PAUL of Winterport

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-223)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-223)** 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-223)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-264)** on Bill "An Act to Reduce Illegal Cannabis Operations by Requiring Permits for High Electrical Usage"

(S.P. 619) (L.D. 1535)

Signed:

Senators:

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

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

Signed:

Senator:

LAWRENCE of York

Representatives:

SACHS of Freeport

RUNTE of York

WARREN of Scarborough

WEBB of Durham

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-264)** 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-264)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-265)** on Bill "An Act to Improve Access to Child Care and Early Childhood Education by Establishing Regional Resource Hubs"

(S.P. 729) (L.D. 1859)

Signed:

Senator:

INGWERSEN of York

Representatives:

MEYER of Eliot

DEBRITO of Waterville

GRAHAM of North Yarmouth

MCCABE of Lewiston

SHAGOURY of Hallowell

ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

DAIGLE of Fort Kent

GRIFFIN of Levant

JAVNER of Chester

LEMELIN of Chelsea

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-265)**.

READ.

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

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: Thank you, Mr. Speaker. I rise in opposition to LD 1859.

Mr. Speaker, while I strongly support increasing access to quality child care in Maine, this bill is not the answer. It would establish regional resource hubs for child care and early education, a concept that may sound helpful in theory, but in practice, it duplicates work already being done and creates an unnecessary new layer of bureaucracy.

Let me be clear: the Department of Health and Human Services is already tasked with administering child care resources, including technical assistance, professional development and provider support. These services are funded through the Child Care Development Fund, and the Department is in the process of expanding access and improving coordination within these existing frameworks. In fact, the Department of Health and Human Services has formally expressed opposition to LD 1859, stating that it overlaps with current initiatives already underway. We should take that guidance seriously.

Furthermore, Mr. Speaker, the Fiscal Note for this bill is not insignificant. The Office of Fiscal and Program Review estimates that this legislation will require one million in ongoing General Fund appropriations beginning in Fiscal Year '26. That is one million per year in new, recurring spending, at a time when our State is already facing immense financial pressure. We must ask ourselves: Are we solving a problem here or just creating a new program for the sake of appearances? We should be focused on improving and investing in the infrastructure we already have, making it more efficient, more accessible and more responsive to the needs of Maine families, not building a costly and redundant system that drains limited taxpayer dollars.

Mr. Speaker, I urge my colleagues to oppose LD 1859. Let's support real solutions, not redundant ones, and respect the expertise of the Department charged with this work.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Meyer.

Representative **MEYER**: Thank you, Mr. Speaker, Women and Men of the House. Every child in Maine deserves a strong start. LD 1859 is about delivering on that promise by improving access to affordable, high-quality child care and early education in every corner of the State.

Maine is one of only three states that do not have an established system of these types of regional supports for child care. This bill takes a community-first approach by creating regional resource hubs, central access points where families and providers can connect to the services and supports they need. These hubs won't offer a one-size-fits-all solution. Instead, they will be locally informed and community based, ensuring that they meet the unique needs of rural, under-resourced and under-served communities. 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. 335

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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, Woodsome.

ABSENT - Bell, Collamore, Geiger, Lanigan, Libby, Roberts, Zager.

Yes, 73; No, 69; Absent, 7; Vacant, 0; Excused, 2.

73 having voted in the affirmative and 69 voted in the negative, with 7 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-265)** 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-265)** in concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-259)** on Bill "An Act to Update Certain Laws Regarding Extended Care and Adoption"

(S.P. 43) (L.D. 122)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth
HENDERSON of Rumford
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

POIRIER of Skowhegan

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-259)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-259)** 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-259)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Protect Communications by Alleged Victims Regarding Sexual Assault, Sexual Harassment, Sexual Misconduct, Cyberbullying or Discrimination from Litigation"

(S.P. 154) (L.D. 385)

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

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

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 Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition to LD 385.

While the intention behind this bill to shield victims' communications from litigation is rooted in compassion and a desire to protect those who have suffered harm, I believe this measure may inadvertently create unintended consequences that could undermine the very protections it seeks to establish. By granting blanket protection on all communications made by alleged victims, this bill could inadvertently shield individuals from legitimate legal scrutiny. Defendants in civil litigation may find themselves unable to challenge or cross-examine statements made by the accuser, even if those statements are false or misleading. This could lead to unjust outcomes where individuals are held liable based on unchallenged and potentially inaccurate claims.

Our legal system is built upon the principles of fairness and due process. Allowing one party's communications to be protected from scrutiny while permitting other parties' communications to be exposed could create an imbalance in the legal proceedings. This disparity may erode the fairness of trials and undermine public confidence in our justice system. Ironically, by granting blanket protection to all communications, this bill could inadvertently cast doubt on the credibility of victims. If all statements are shielded from scrutiny, it may raise questions about the accuracy of claims and create an environment where legitimate accusations are viewed with skepticism. This could discourage victims from coming forward and seeking justice.

Instead of blanket protections, we should consider targeted measures that balance the need to protect victims with the rights of the accused. For instance, we could implement procedures that allow for *in camera* reviews of sensitive communications to determine their relevance and admissibility, ensuring that both parties' rights are upheld. Additionally, providing victims with legal counsel during proceedings can help ensure their interests are adequately represented without compromising the integrity of the legal process.

For these reasons, I ask you to join me and oppose the pending motion.

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

Representative **KUHN**: Thank you, Mr. Speaker, and Colleagues of the House. I rise in proud support of the pending motion, and I'd like just to take a minute to explain what this bill does.

In general, anti-SLAPP laws protect individuals when they speak out on a matter of public concern and then face litigation, charging them with defamation. These are usually frivolous, retaliatory cases not meant to win, but to intimidate and silence the survivor and financially drain them through costly litigation. Under anti-SLAPP laws, the person being sued has access to a special motion to dismiss where they can argue that they're facing a retaliatory lawsuit that's intended to intimidate the free exercise of their First Amendment rights and have the case dismissed through a full judicial process.

Current anti-SLAPP law here in Maine protects sexual assault survivors when they are sued after making a report of sexual harm to their school or workplace. This bill addresses a gap when a survivor does not make a formal complaint but does speak to a reporter, speak to a family member or a friend or

warns others in the community. And this is really important, because currently, only about a third of sexual assaults are reported to the police. And in some communities, such as women in college, that number is even lower, only about 20%. The most common reason why sexual violence is not reported to police is because survivors fear retaliation.

This bill amends the anti-SLAPP laws to protect a communication that's made by a person regarding an incident of sexual assault, sexual harassment, sexual misconduct, cyberbullying or discrimination when it is one made without malice, meaning without a desire to cause pain, injury or distress to another and who has or had a reasonable basis to file a complaint, whether or not the complaint was filed. The bill does not shield false statements from scrutiny. It does not prevent anyone from suing who has been the subject of false rumors that were intended to cause harm. This bill is intended to strike the right balance between the right of survivors to speak out and the need for accountability.

This kind of weaponized slander lawsuits have had a chilling effect on survivors coming forward, because they're forced to choose between speaking up and risk being sued or staying silent and letting abuse go unchallenged. This can be especially true in cases where there is an imbalance of power or financial status between those who file the lawsuits and the survivor who's facing litigation. A number of other states have passed similar laws in recent years to protect survivors in this manner and I would urge my colleagues to support that law here in Maine as well. Thank you.

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

Representative **PUGH**: Thank you, Mr. Speaker. I rise today in strong support of LD 385, and I'd like to thank the Good Representative from Falmouth for raising two important points.

The first is that there's specifically a carveout in this piece of legislation that specifies that these statements must be made without malice. This is referring to good-faith communications from people who have been victims of sexual assault, oftentimes warning other people in their community about potential dangers. And the second is that the imbalance of power is extremely important to remember here. Very often, there is an enormous imbalance, and this is why we see that only one-third of sexual assaults are recorded.

This is an epidemic in our country and in our State and victims often are left with no source or access to justice. This is a simple common-sense proposal that would leave the door open to some modicum of justice for these people, so they may speak out and warn others so that they may prevent victimization in the future. I urge you to support the pending motion. Thank you.

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

ROLL CALL NO. 336

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

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lee, Lemelin, 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 - Bell, Collamore, Geiger, Lanigan, Libby, Roberts, Zager.

Yes, 72; No, 70; Absent, 7; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 70 voted in the negative, with 7 being absent and 2 excused, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

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

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-258)** on Bill "An Act to Fund the Aroostook County Drug Treatment Court"

(S.P. 336) (L.D. 779)

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 Not to Pass** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representative:

POIRIER of Skowhegan

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-258)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-258)** 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-258)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Strengthen the Law Regarding Relief for Improvident Transfers of Title"

(S.P. 445) (L.D. 1027)

Signed:

Senators:

CARNEY of Cumberland
HAGGAN of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-251)** on same Bill.

Signed:

Senator:

TALBOT ROSS of Cumberland

Representative:

SINCLAIR of Bath

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

READ.

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

The Bill was **READ ONCE**.

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

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-257)** on Bill "An Act to Allow Electric Vehicle Charging Stations by Condominium and Residential Associations"

(S.P. 457) (L.D. 1133)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

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

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

HENDERSON of Rumford
POIRIER of Skowhegan

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-257)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-257)** 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-257)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Requiring Photographic Identification for Voting"

(S.P. 61) (L.D. 38)

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

SUPICA of Bangor
FAIRCLOTH of Bangor
FROST of Belgrade
GRAHAM of North Yarmouth
MALON of Biddeford
TERRY of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-267)** on same Bill.

Signed:
Senator:

TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland

CHAPMAN of Auburn

FREDERICKS of Sanford

HYMES of Waldo

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

READ.

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

Representative BOYER of Poland **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 Poland, Representative Boyer.

Representative **BOYER**: Thank you, Mr. Speaker. I invite Members to again hit the bill text button on their tablets and see that this is a simple, one-page bill for voter ID. It allows for a free identification card for voting purposes if someone doesn't have a driver's license or some other ID. It allows for expired IDs, so that someone just trying to vote and didn't realize their driver's license expired last week, they'd still be allowed to vote.

So, this is just about proving who you are and I think it's really reasonable. I think the people of Maine want it. Thirty-six other states have some form of voter ID. And while I realize that we have a Citizens' Initiative coming up, I think this is the perfect opportunity for Members to show their constituents where they are on the issue. If you don't like something in the initiated referendum, here's your chance to show your constituents you support the premise of voter ID.

I'm not sure of the harm in this policy. I don't think 36 other states have shown detrimental harm from having voter ID and I think it's important that we listen to the people of Maine who clearly are in support of this issue. Thank you, Mr. Speaker.

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

Representative **FAIRCLOTH**: Thank you, Mr. Speaker, Men and Women of the House. In fact, seniors, people with disabilities and other vulnerable people would be negatively affected by this legislation.

But first, I ask, Mr. Speaker and Men and Women of the House, for us to 'let's plan a crime' together, the plan of voter fraud. Here's how we together would plan it. In fact, this is the only way to commit voter fraud when you think about how, in fact, it would work.

Step one, search the voter rolls, find someone that you want to impersonate and then figure out that they, themselves, would not be voting, so that they don't show up when you show up at the polls. Step two, it's not just me as part of our criminal team, we need scores upon scores upon scores of people, a huge team of fellow criminals to participate in this conspiracy or it is ineffective to affect the result of an election, which would be the only purpose of this crime, and it would be a crime for each and every participant in the crime.

Now, when you recruit your team of fellow criminals, you need to think carefully, because you need to look at what's their

gender and what's their age, because the election clerks have the birthdate in their records. When you recruit your team of criminals, you go to the polls in a Maine town, you identify yourself as this –

Representative **BOYER**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Poland, Representative Boyer, and inquires as to his Point of Order.

Representative **BOYER**: Is the Member explaining to the Body how to commit a crime and encouraging the act?

Representative **FAIRCLOTH**: Yes, I am proposing --

The SPEAKER: The Member will defer. I'm not sure the Member is posing a Point of Order as it relates to whether or not the Member is speaking out of order. The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Are we allowed to talk about how to break laws on the House Floor? Is that authorized?

The SPEAKER: My understanding is that the Member is explaining how voter fraud may occur if it were to occur, which is, I think, relevant to the discussion around this bill. The Member may proceed.

Representative **FAIRCLOTH**: Thank you, Mr. Speaker. I would assert it's very relevant, because we are seeking to pass a law that would affect all the voters in the State of Maine with the alleged hypothetical that this vast criminal conspiracy which would be necessary to have an effect on elections.

So, let's continue to play it out. The election clerk has the birthdate of this voter, a real voter that these many conspirators are impersonating voter by voter by voter, somehow able to indicate the gender and age of this person they are targeting and hoping that real person doesn't show up at the polls, and the election clerk is required to state loudly and clearly the name of this person who is going to vote, so that others who are around, specifically so that others who are around would know that this is the person identifying as 'X person' in a Maine town. They are supposed to do so in a loud and clear voice.

So, when you think about this conspiracy, assuming that at these many, many times, someone doesn't get up, including the clerk themselves and say, 'hey, you're not Susan Jones,' 'you're not Jim Smith,' and that they've succeeded in this conspiracy after hundreds and hundreds of people, then maybe; or scores and scores of people, if you're trying to criminally change the result of an election; then you would have been successful in completing this incredibly complicated crime. So, that's what we're trying to deter. And in fact, there's not really a logical way to engage in yes, this crime, without engaging in this vast conspiracy.

Conversely, what are we concerned about if we were to pass this law? Well, the Maine Municipal Association states that this would be harmful to seniors who need to vote, people with disabilities, other vulnerable people. Why is it that we are creating this burden, a very real burden, on people who are seniors or people with disabilities. Why is it that we're doing this, because of something that is; and I'd be happy to hear countervailing descriptions of how this kind of crime could be committed; but it seems to me that it would be a highly complex criminal conspiracy. Meanwhile, in the real world, what this would do is harm the rights of Maine citizens, seniors and people with disabilities. There are lots of people who are in assisted living homes, lots of people with disabilities who may not have a photo ID, and there is no problem with allowing these citizens to exercise their right to vote. The Attorney General also notes the kind of lawsuits that the State would be faced if this type of law were to pass.

So, I hope that we will support enfranchising our voters and reject this proposal.

The **SPEAKER**: The Chair recognizes the Representative from Bridgton, Representative Cimino.

Representative **CIMINO**: Thank you, Mr. Speaker. I'd like to offer another scenario instead of that one that we just listened to. A person comes into the polls on election day, does not have an ID and wishes to vote. He wants to register. He goes ahead and registers without the ID, saying that he lives in that particular community, and there is no way to verify whether or not he does, and he does not have to prove that he does. However, a license or an ID in his hand would show his picture and then also where he is from.

Secondly, I'm one of the managers at a T.J. Maxx store. You can come in to do a return; without an ID, we do not allow a return; and this is most stores, most companies do not allow a return, even if it's for five dollars, you have to have an ID; and I have never had anybody complain because they have had to show an ID to do a return. If we require it for something as miniscule as a return, then why would something so sacred as our right to vote, our privilege as citizens, why would we not require just a picture ID to be able to vote in an election? Thank you.

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

Representative **ROEDER**: Thank you, Mr. Speaker. I don't think it's much of a coincidence that people from Bangor have risen to speak on this, given that we're the third largest city in the State and we see the disenfranchisement that is possible with this bill. And I'm going to give you examples just from my life, just from a period of a couple of years.

First of all, my mother came to Bangor from Minnesota, gave up her driver's license because she decided she was no longer able to drive. She wanted to vote, but getting to the DMV to get that ID was a barrier for her.

I had a volunteer at a job that I worked at who volunteered for eight hours a day, had no driver's license. Once he was able to get on public transportation to get to the DMV, it was past closing time, so, he couldn't get that. I had to assist him in getting his ID replaced. And I also want to talk about one of my former co-workers who is a certified intentional peer support specialist working with a person in early recovery to get their ID, not just to vote, but to actually get a job. It was difficult, it was a multi-week process. And then, another time, I helped a resident of the sober living house that is next door to me get a State ID. Again, multi-week process to try to get folks this basic document.

It disenfranchises people. This bill disenfranchises people, because if it takes weeks during an off-season for somebody like me who has a title in front of their name, it will take months for the average person. This also is a great way to disenfranchise students, and I do not believe that this Body is in favor of that. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Paris, Representative Lance.

Representative **LANCE**: Thank you, Mr. Speaker, and Members of the House.

Boy, that scenario sounded like a lot of work for me. I'd rather just do a picture ID. And the bill also allows a person who does not possess a photograph identification document to request a free special voter photograph identification card from the Secretary of State. That might solve a problem for an individual who does not have a valid picture ID of some sort. Thank you.

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

Representative **SUPICA**: Thank you. I will be brief. I just wanted to address some misinformation I've heard; you have to prove your residency in order to vote. So, that's just; let's just; that's settled right there.

And then, I just wanted to say that I am very proud of all of us here in Maine, we all very much care about our voting systems, and it's great to hear so many people that want to make sure that we have fair and clean elections, which we still have in Maine and we will continue to have without voter ID. Thank you.

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

Representative **BAGSHAW**: Thank you, Mr. Speaker. Trust but verify.

Kids can't buy cigarettes or beer or whatever, you've got to show your ID for that. This, like the Good Representative from Bridgton said, this is sacred, this is our right to vote. A picture ID is not discriminatory against old people or against people with disabilities. This is common sense. Show who you are, vote.

The **SPEAKER**: The Chair recognizes the Representative from Madawaska, Representative Albert.

Representative **ALBERT**: Thank you, Mr. Speaker. I live in the St. John Valley. Van Buren to Fort Kent, Limestone, the border is there. Every time that we want to cross that border, I need that ID, preferably a passport, but a pictured ID to show that you are an American, period. And you know something else? When I come back, I need to show that to American Customs, and that's not a problem. Thank you, Mr. Speaker.

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

Representative **GRAHAM**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This issue is around trust. I trust the system that we have in place. I trust our Secretary of State's office. They will be sure, and they work diligently to make sure there is no fraud in our system. Bottom line is, to vote is our constitutional right and I strongly support that right and I strongly support the Majority Ought Not to Pass.

The **SPEAKER**: The Chair recognizes the Representative from Bridgton, Representative Cimino.

Representative **CIMINO**: Thank you, Mr. Speaker. With all due respect, I've heard that it takes months to be able to go and get a license or a photo ID. I would just like to suggest that elections are twice a year, at the most, but we vote in national elections every four years. I mean, we have all those other days to make sure that we go get a license or an ID, so that we're able to vote. Thank you.

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

Representative **SUPICA**: Thank you, Mr. Speaker. I just wanted to address some more misinformation that I've heard.

Something that's important to remember that when you go buy cigarettes, you don't have somebody standing behind the counter pulling out a huge binder with your signature, with your birthday and all your information. There is a whole system in place that is operated by really great State employees and municipal employees who care about our democracy, who care about our elections. Thank you, Mr. Speaker.

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

Representative **COLLINS**: Thank you, Mr. Speaker. I know it's hard to believe but I, too, have been an election clerk. Maybe my hair isn't white enough. But I cannot tell you the number of people, despite the size of my binder, that have pulled out their license to offer it to me, despite the fact that it's not required at this time. And they're actually horrified when I tell

them I don't need to see that. And some of them actually respond to me in anger and insist that I look to verify that they are the people that are voting. Thank you.

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

Representative **FAIRCLOTH**: Thank you, Mr. Speaker. We've heard multiple very plausible reasons why these requirements would deter different populations, but I have yet to hear an explanation that would explain to me how one would engage in voter fraud in a way that would affect an election result, other than the rather preposterous set of facts that I've laid out. Because that is what would be required is multiple, multiple people engaging in crimes; in fact, felonies. It is something that is raised as a chimera, as some danger off in the ether or in the distance, but there's nothing that is showing any evidence that something like this has occurred or could occur. And we do have very strong reasons why it's harmful to Maine citizens. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Lebanon, Representative Adams.

Representative **ADAMS**: Thank you, Mr. Speaker, for allowing me to rise. I just want to make it perfectly clear. I'm almost 60, I can't walk into a cigarette store and buy a pack of cigarettes without them scanning my license. Okay? And I cannot go into Lowes and not, you know, and not get the discount without them scanning my license. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Fort Kent, Representative Daigle.

Representative **DAIGLE**: I want to answer one of our Representatives talking about how it would be so difficult to do voter fraud.

My first term being elected, I had two different people show up at our office and they asked a question. The question was, is it legal for a relative of mine who now lives in Canada but still owns property in Maine to vote? And I said, absolutely not. Their response was, they've been doing this for years. And he interestingly said, 'they're going to vote for you.' I said, 'I don't care, go to the town office and tell.' And it was that simple for somebody to do a voter fraud. So, what we say is so difficult, if you're creative, you can make it very easy.

The **SPEAKER**: The Representative from Bridgton, Representative Cimino, having spoken twice requests unanimous consent to address the House for a third time. Hearing no objection, the Representative may proceed.

Representative **CIMINO**: Thank you, Mr. Speaker, and thank you, everyone, for that. I would just like to add that a lot of these elections at the local level are very, you know, they're either won or lost by maybe five votes, three votes, 10 votes. I mean, these are close elections. And while it seems like, you know, you'd have to have a lot of people coming out to commit fraud, just a few, a handful of people in a city or town committing fraud would actually skew the election results.

So, keep that in mind. I mean, we all come from; we're Representatives, we come from districts where our towns are small and we really need to safeguard the integrity of the elections.

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

Representative **BAGSHAW**: Thank you, Mr. Speaker. I wanted to answer the Good Representative from Bangor's question.

You know, I had some constituents say that they got some unsolicited ballots coming to their house with other peoples' name on it. So, there is no ID involved, somebody gets a ballot coming to their house, fills it out, pops it in the mailbox, no voter ID, we've got to tighten things up a little bit here. Trust but verify.

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

Representative **MURPHY**: Thank you, Mr. Speaker. I think there is a fundamental difference between having to show an ID to buy alcohol or tobacco products or returning an unwanted item to a store. None of those things are sacred rights granted to us in the Constitution, and therefore, imposing barriers on that right to exercise that right given to us in the Constitution is un-American. Thank you, Mr. Speaker.

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

Representative **WHITE**: Thank you, Mr. Speaker. To that last point, Mr. Speaker, we have other constitutional rights that you must put your identification forward first before you can exercise. You even have to wait 72 hours for some of them. That's being debated in court right now, but this Body has voted on that issue.

Along with that, there are some crimes that become quite visible. We've instituted IDs to buy Sudafed, because we see that the methamphetamine problem gets out of hand. And yet, we're debating whether or not you should identify yourself when you go to vote. I find it quite intriguing that one constitutional right weighs heavier than another. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Malon.

Representative **MALON**: Thank you, Mr. Speaker. Very briefly, to address the claim that was made about people receiving unsolicited ballots, that is simply not accurate. Some people may have received an absentee ballot application, which is available to all, but there is still a process by which people have to follow to actually get a ballot. Nobody is receiving unsolicited ballots. Please support the pending motion.

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker, Ladies and Gentlemen. As many as 40% of the noncitizens present in Maine, including those who entered the U.S. illegally and those with legal alien status, may have voted in the 2024 elections or had votes cast in their names. That figure is based on a collection of MaineCare records obtained, as well as voter data from the Central Voter Registration; CVR; system maintained by the Secretary of State's office. While the MaineCare records show the individual's immigration status, date of birth and home address, the CVR records show when they registered to vote and whether they voted in a given election. Taken together, the MaineCare records and CVR data offer the public first proof that noncitizens have been illegally registered to vote in Maine and are illegally voting or having illegal votes cast in their names in potentially large numbers. It begs the question, Mr. Speaker, why would someone put they are a noncitizen on MaineCare and their name show up on our Central Voter Registration? That begs the question, are they voting illegally? I think it's something that needs to be vetted even more thoroughly.

And I would also like to say that if there is no voter fraud in our State, what's the problem with having an ID? Why does it bother everyone so much? Thank you.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Adams.

Representative **ADAMS**: Thank you, Mr. Speaker, for allowing me to rise again. I just want to direct this to you. There were unsolicited ballots sent in my district, and they were sent to people that have been dead for 10 years, and myself and the good Secretary of State were looking into it, so, it does happen. Thank you.

The SPEAKER: The Representative from Windham, Representative Bagshaw, having spoken twice requests unanimous consent to address the House for a third time.

Representative SUPICA of Bangor **OBJECTED** to Representative BAGSHAW of Windham speaking a third time on the pending question.

The SPEAKER: The Chair would encourage Members to consider their objection, because there will be times in which you may want to speak for a third time, and I would like to think you may want to be able to speak for a third time. The Chair recognizes the Representative from Bangor, Representative Supica.

Representative **SUPICA**: You are correct. That is very kind, and I will respect a person. I will respect that and just remove my objection.

Subsequently, Representative SUPICA of Bangor **WITHDREW** her **OBJECTION**.

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

Representative **BAGSHAW**: Thank you, Mr. Speaker. I have photographic evidence that my neighbor received an unsolicited ballot for somebody who hasn't lived in her house since 1990. He was 12 years old at the time, and he voted. He registered to vote for the first time in Maine in 2020, from Denmark. And he was a UOCAVA vote, and we all know that the UOCAVA vote swung the majority in the House. Thank you.

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

Representative **ROEDER**: May I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **ROEDER**: My question is whether or not the evidence that was recently referenced just now was presented to the police or the Secretary of State as an evidence of a crime. Thank you.

The SPEAKER: The Representative from Bangor, Representative Roeder, has posed a question through the Chair to any Member who wishes to answer. The Chair recognizes the Representative from Windham, Representative Bagshaw.

Representative **BAGSHAW**: It was sent to the media.

The SPEAKER: The House will be in order.

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. 337

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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 - Bell, Collamore, Crockett, Geiger, Lanigan, Libby, Roberts, Zager.

Yes, 72; No, 69; Absent, 8; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 69 voted in the negative, with 8 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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

Ten Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-253)** on Bill "An Act to Establish the Option of Sentencing Alternatives for Primary Caregivers" (S.P. 112) (L.D. 246)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

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

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

Signed:

Senator:

HAGGAN of Penobscot

Representative:

POIRIER of Skowhegan

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-254)** on same Bill.

Signed:

Representative:

HENDERSON of Rumford

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-253)**.

READ.

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

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

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

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

Representative **POIRIER**: Thank you, Mr. Speaker. Mr. Speaker, and Ladies and Gentlemen of the House, I rise in opposition of LD 246. While the intent behind this bill to consider the family's responsibilities of primary caregivers during sentencing may seem like a good idea, I believe it overlooks critical aspects of justice and public safety that we must uphold in our current legal system.

Our criminal justice system is founded on the principle that individuals are held accountable for their actions. Introducing sentencing alternatives based solely on an individual's role as a primary caregiver risks undermining this fundamental tenet. While family responsibilities are important, they should not serve as a blanket justification for leniency in sentencing. Each case must be evaluated on its own merits, considering the nature and severity of the offense rather than the defendant's familial status.

While the bill aims to protect families, it may inadvertently create disparities in sentencing. Defendants who are primary caregivers might receive more favorable sentences compared to others convicted of similar offenses, leading to perceptions of inequality and injustice. This could erode public trust in our legal system, as citizens may perceive that certain individuals are receiving preferential treatment based on their family roles rather than the seriousness of their crimes. Leniency in sentencing for primary caregivers could inadvertently send a message that certain offenses are less serious, potentially encouraging repeat offenses. If individuals perceive that their familial status will shield them from appropriate punishment, it may diminish the deterrent effect of our legal system. This could lead to an increase in criminal behavior, undermining public safety and the wellbeing of our communities.

Our legal system thrives on consistency and fairness. Introducing subjective factors like familial status into sentencing decisions could lead to inconsistent outcomes. Judges might interpret and apply these factors differently, resulting in a lack of uniformity in sentencing. Such inconsistencies can create confusion and perceptions of bias, weakening the integrity of our justice system. Rather than altering sentencing practices, we should explore other avenues to support families affected by incarceration, investing in community-based programs that provide assistance and support, including counseling and child care services. That can help mitigate negative impacts of loved ones' imprisonment. These programs can offer more targeted and more effective support without compromising the principles of justice. Thank you, Mr. Speaker.

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

Representative **LEE**: Thank you, Mr. Speaker. I rise in support of the Majority bipartisan Report here.

There's very few things that we agree on, I think we see that with many of the debates we have here. One thing we do agree on is that Maine is undergoing a mental health crisis and that children are inordinately affected by that crisis. I think the most compelling piece of testimony we heard on this bill was from the Maine Chapter of the National Association of Social Workers, and they said that "according to the National Survey of Children's Health, over 50,000 youth in our State have experienced multiple Adverse Childhood Experiences, with

parental incarceration being a significant factor." The research is clear: Children with incarcerated parents are more likely to face mental health challenges, exhibit behavioral problems, experience social isolation and suffer from economic hardship. These children are also more likely to perform poorly in school and have higher absentee rates.

This bill does not directly reduce sentencing, it does not bind the hands of judges, it doesn't prioritize this consideration over other considerations, it doesn't deprioritize those other considerations, such as protection of the public interest, effect of the offense on the victim, an individual's criminal history and the nature and severity of the crime. This is a consideration that could be added to the Hewey analysis, one that is effective and one that I hope will help that mental health crisis that we're suffering.

I'd urge you to vote in favor of the motion.

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

Representative **COLLINS**: Thank you, Mr. Speaker. I just want to throw one more perspective out on this bill.

A number of years ago, a friend of ours was killed in a car accident. His father was at home, suffering from heart disease. The gentleman that was driving the car that they wrecked out in was drunk. He didn't end up serving any time, because he claimed that he needed to stay home and take care of his father. In the meantime, this gentleman died; his father did pass away, and the other gentlemen ended up getting another OUI. And he's eventually been sentenced to jail, but just another perspective for people to take into consideration. Thank you.

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

Representative **SATO**: Thank you, Mr. Speaker. Alongside the Representative from Auburn, I also stand in favor of the pending motion.

I think it's important to remember with this bill that it is actually very narrowly tailored to what defines a primary caregiver. It really is specific to those who; for dependents who; really primarily rely on that person for their housing, for their food, for their ability to survive, and that sudden removal of that primary caregiver can have incredible devastating implications and traumatic effects on that on those dependents. And I really think it's important to remember that, at least I remember that when I'm voting for this legislation, and that's what I took into consideration in Committee when I heard testimony.

The other thing I really think that is important, at least for me to remember, is that this is amending the existing framework that already exists in the Hewey analysis, that is already existing in our court and judicial system, and it's really just to, as the Representative from Auburn said, it is not prioritizing or deprioritizing; it is adding a factor. And I would actually argue that there is currently an inconsistency in our criminal justice system of primary caregiving status being taken into account during sentencing. It really is dependent on the defendant's counsel and it's not being taken into account consistently throughout the State. What this bill does is it ensures that consistency across the State, so, it is not just dependent on the person's counsel; it is something that is taken into account every single time. Thank you.

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

Representative **KUHN**: Thank you, Mr. Speaker. I'll just add very briefly to the comments to clarify that this bill would not require any leniency in charging, in conviction or in sentencing. What it does do is allow the judge to take stock of the ripple effects of incarceration on someone's family who is a primary

caregiver. And I think it's important to note that the Judicial Branch testified that many judges are already doing this, because they recognize the significant impact it can have on family members. Passing this bill would simply put it into Statute, so that that rule is applied consistently across the board. Thank you.

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

ROLL CALL NO. 338

YEA - Abdi, Ankeles, Archer, Arford, Babin, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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, Woodsome.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 74; No, 67; Absent, 8; Vacant, 0; Excused, 2.

74 having voted in the affirmative and 67 voted in the negative, with 8 being absent and 2 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-253)** 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-253)** in concurrence.

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

Six Members of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-252)** on Bill "An Act to Create the Small Business Capital Savings Account Program"

(S.P. 95) (L.D. 195)

Signed:

Senator:

BENNETT of Oxford

Representatives:

COLLAMORE of Pittsfield

EDER of Waterboro

JULIA of Waterville

ROBERTS of South Berwick

WALKER of Naples

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

Signed:

Senators:

CURRY of Waldo

BAILEY of York

Representatives:

GERE of Kennebunkport

GOLEK of Harpswell

MALON of Biddeford

YUSUF of Portland

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-252)**.

READ.

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

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

Representative **RUDNICKI**: Here we go again. It's the Minority Report that's been put forward.

The SPEAKER: The Chair would inform the Member that this is an equal Report.

Representative **RUDNICKI**: Then I apologize.

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

Representative **QUINT**: Thank you, Mr. Speaker. I'm in the Tax Committee, but I'm speaking on a housing bill, and so, I'll allow you to wonder where I got the information from.

I rise in opposition to the pending motion. This bill will allow small businesses in the farming, fishing and forestry industries to have a savings account to help them save for capital investments. This is a pilot program that allows 30 businesses with less than 49 employees; 10 from each industry; to save a maximum of \$250,000 toward a capital investment like a piece of equipment. Contributions can become more innovative and expensive. Our heritage industries need a way to make investments toward their future capital needs without being penalized for saving income from one year to the next. This will allow them to make strategic investments instead of spending the money in the fiscal year on a different piece of equipment or capital investment.

Basically, what we would be allowing is for our heritage industries to bring those funds from one year to the next without penalty, so that they can purchase something that would cost a lot more with a bigger down payment. Mr. Speaker, please oppose the pending motion and support our heritage industries.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. This is a highly bipartisan bill with a good list of bipartisan Co-sponsors, and I request a Roll Call.

Representative **FAULKINGHAM** of Winter Harbor **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **Ought Not to Pass**.

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

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

Representative **GERE**: Thank you, Mr. Speaker. Mr. Speaker, LD 195 would establish the Small Business Capital Savings Account Program in the Department of Economic and Community Development to certify small businesses engaged in commercial agricultural production, commercial fishing or commercial wood harvesting eligible to claim a tax deduction for contributions made to a savings account to be used for capital expenditures. The bill creates the tax deduction and establishes that the withdrawals are taxable income if not used for such capital expenditures. The bill is intended to help these three industry sectors which, like many other sectors of Maine's economy, require major pieces of equipment in their operations that require major capital expenditures.

Mr. Speaker, in the Housing and Economic Development Committee, we work to create and oversee programs that help Maine's small businesses and support economic development. Part of that job is to make sure that the programs are manageable, fair and with clear return on investment for Maine taxpayers and communities. In hearing and working LD 195, we heard from the Department of Administrative and Financial Services that, quote, "the proposed tax program is overly complicated for a program that will have no more than 30 businesses qualify and will likely provide benefits that are duplicative of other existing deductions and credits that incentivize investment in Maine." Also, as part of the tax expenditure review process, we consulted with the Taxation Committee to get their expert perspective. They also concluded that the program risked conferring double or even triple tax benefits and that it would be difficult to track program participants accessing multiple tax benefit programs from the State.

For these reasons, I urge Members to join me in supporting the pending motion. Thank you, Mr. Speaker.

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

ROLL CALL NO. 339

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Farrin, Friedmann, Gattine, Gere, Golek, Graham, Gramlich, Hasenfus, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Montell, Moonen, Murphy, O'Halloran, Osher, Pugh, Quint, Rana, Ray, Roeder, Rollins, Runte, Sachs, Salisbury, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, White R, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Dill, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood,

Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Julia, Lance, Lavigne, Lemelin, Lyman, Mason, McIntyre, Mingo, Mitchell, Morris, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Rielly, Rudnicki, Sargent, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, Wood P, Wood S, Woodsome.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 65; No, 76; Absent, 8; Vacant, 0; Excused, 2.

65 having voted in the affirmative and 76 voted in the negative, with 8 being absent and 2 excused, and accordingly Report "B" **Ought Not to Pass** was **NOT ACCEPTED**.

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

Representative **GERE**: Thank you, Mr. Speaker. Mr. Speaker, I understand that there is a potential Amendment to this bill and wanted to just let the Body know that.

On motion of Representative MOONEN of Portland, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

The SPEAKER: Just for clarity, Members cannot engage in debate and then make a Tabling motion.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-486)** on Bill "An Act to Increase Penalties to Deter Violations of the Laws Regarding Improper Pesticide Use"

(H.P. 1132) (L.D. 1697)

Signed:

Senators:

TALBOT ROSS of Cumberland
BLACK of Franklin
INGWERSEN of York

Representatives:

PLUECKER of Warren
BUNKER of Farmington
CRAY of Palmyra
DILL of Old Town
FROST of Belgrade
HEPLER of Woolwich

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

Signed:

Representatives:

GUERRETTE of Caribou
JACKSON of Oxford

READ.

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

Representative GUERRETTE of Caribou **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 Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, before we move to the Roll Call, I want to just give a little context for this bill and why I put it in.

You know, I'll never forget the day a couple of years ago when I heard about some very well-heeled summer residents of my town who brought with them from Missouri a pesticide that wasn't even being used in Maine, and they brought that pesticide and they then proceeded to poison their neighbor's trees. And they did this so that they could get an improved view of Camden Harbor. And the minute that I heard that, I thought, wow, the Bureau of Pesticide Control is not going to be able to fine them. Because I had done a pesticide bill a few years ago, and I knew that they haven't been updated in a long time.

And sure enough, when this incident did come to the Bureau of Pesticide Control, Mr. Speaker, they were only able to fine these people \$4,500. And the view that they ended up getting is millions and millions of dollars, and it's just; I wish this was an isolated incident, but in talking to him, this is happening in other towns around the State. People who've got the resources, who know that they can do basically whatever they want, because the fines are so low and the tradeoff is so great for them.

This is not a bill about folks who do something by accident, this is about people who are poisoning things with pesticides and it enables the Bureau of Pesticide Control to just have some leeway to, you know, really create a higher fine on these folks. So, anyway, I just didn't want to see this happening throughout Maine; it's happening in other parts of the country, too, and I urge the Body to vote in favor, and 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. 340

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Eder, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 74; No, 67; Absent, 8; Vacant, 0; Excused, 2.

74 having voted in the affirmative and 67 voted in the negative, with 8 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-486) 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-486)** and sent for concurrence.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act Regarding Penalties for Fentanyl Trafficking When That Trafficking Results in an Overdose Causing Serious Bodily Injury of a Person"

(H.P. 838) (L.D. 1263)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-496)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

READ.

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

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

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

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

Representative **POIRIER**: Thank you, Mr. Speaker. Today, I rise to speak in strong support of LD 1263. It's a critical piece of legislation that addresses the devastating impacts of fentanyl trafficking in our communities. This bill proposes to enhance penalties for individuals whose trafficking of fentanyl results in an overdose causing serious bodily injury to another person.

The opioid crisis in Maine is not just a public health issue, it's a public safety crisis. In 2023, Maine experienced 607 confirmed or suspected overdose deaths, a 16% decrease from the previous year. While this decline is encouraging, it remains insufficient. Fentanyl was implicated in 78% of these deaths,

underscoring its lethal presence in our State. The consequences of fentanyl trafficking extends beyond fatalities. Overdose survivors often suffer from permanent physical and neurological impairments, leading to long-term medical care, rehabilitation and significant emotional trauma. These individuals are not merely statistics, Mr. Speaker, they are our neighbors, our friends and our family members.

LD 1263 sends a clear message: trafficking fentanyl is not just a public health violation, it's a criminal act with severe consequences. By imposing enhanced penalties, we hold traffickers accountable for the harm they cause and deter future offenses. This legislation aligns with our commitment to protecting Maine families and communities. It compliments ongoing efforts to expand access to treatment, enhance harm reduction strategies and improve law enforcement capabilities. Together, we can create a comprehensive approach to combat the opioid epidemic.

I urge you to oppose the pending motion and support this bill, not only as a legislative measure but as a moral imperative to safeguard the health and safety of all Mainers. Thank you.

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

Representative **MILLIKEN**: Thank you, Mr. Speaker. I appreciate the Good Representative from Skowhegan and her intention with this bill, because I, like almost everyone on this floor, I expect; have dealt with firsthand the hardship that comes from knowing someone and loving someone who's died of an overdose or has suffered an overdose. That said, this bill is not the right way forward, and here's why.

Imagine for a minute that you have a serious dependence to opiates. You haven't been paid this week and you need a fix. We've all heard the term 'dope-sick,' but I will tell you from personal experience that the word 'sick' doesn't cover it. You feel like you're dying. Every inch of your body is in excruciating agony. You need to get something to get out of this pain. A friend calls you and says that they have the cure, they'll come over. They come in and you snort or smoke or shoot up, and finally, you start to feel better. Your friend leaves. Shortly later, you're found unresponsive by a roommate, who calls 9-1-1 and saves your life, but you're injured. If this bill passes, the friend that brought you the drugs will have committed a Class A offense. That's the most severe offense we have in our criminal justice system. Now they face 30 years in prison. You survived, but your friend is now essentially facing a murder charge. And let me be clear: this is already a Class B offense, punishable by 10 years in prison.

It is hard for me sometimes to relay my experiences as a person who has used these drugs to some of the folks in this room, but please know this: the person and people who gave me drugs when I was dope-sick, I still look back on as being some of the most selfless and kind people in my life. Why? Because they were sick, too, and the drugs that they were giving me were the same drugs that would've helped them to feel less sick. The people who are facing our most lengthy prison sentences if this passes are the people who are suffering themselves. This shouldn't be a Class B offense in the law now, and it certainly shouldn't be a Class A offense going forward.

I ask you to please follow my light and not pass this bill.

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

Representative **POIRIER**: Thank you, Mr. Speaker. I didn't intend to talk about this, but I think we have to think about another scenario, okay? You're 19 years old, it's three days after Christmas. You go to a different town to party with your friends. There's somebody there you don't know, but he's selling some pills around for everybody to have a good time. You decide to take one. A couple hours later, you're tired, you go out to a car to sleep it off. Another hour after that, your friends come out to see how you're doing; you're unresponsive. You're brought to the hospital, they can't do anything, you're gone. Your family's there, you're dead. You're not coming back at 19 years old. The family fights for justice. The person who provided those drugs, that trafficker, nothing happens. Nothing. And I'll go a little bit further, two weeks after, that same person, three more people dead. When is it going to stop, Mr. Speaker? We have to get tough on this. Thank you.

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

Representative **HASENFUS**: Thank you, Mr. Speaker. And I agree with the Good Representative from Skowhegan that we should have enhanced penalties when there are death and serious bodily injury that result from an overdose of any kind, of any drug. And currently, the Statute does exactly that.

The hypothetical that she just presented to this Body is one in which, if it could be proved that the death of that 19-year-old was caused by the trafficking of fentanyl, then that person would be subject to 30 years in jail, could be punishable by a Class A felony. Under current law, as the Good Representative from Blue Hill stated, if that person didn't die but had serious bodily injury, they could be found guilty of a Class B felony, the next-highest level of felony.

So, when looking through this bill that we do, we do find that balance between setting aggravated, enhanced penalties when the result of selling drugs causes harm to an individual. And I believe that the current Statute that has been thought through by previous Legislatures and has been prosecuted by current prosecutors is the appropriate Statute and where the State should stay. And that is why I am voting for the Ought Not to Pass motion, because we do have laws that elevate the crime, so that if somebody dies as a result of trafficking, they can be punished with a Class A felony, and if they are seriously injured, they can be punished with a Class B felony, and I think that is the appropriate response to the current crisis we are facing. Thank you, Mr. Speaker.

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

Representative **LOOKNER**: Thank you, Mr. Speaker. I just wanted to rise and say that there's not a person in this Chamber who doesn't personally know or isn't connected to somebody who has overdosed in recent years. And our Committee is very focused on how we can improve public safety by reducing overdose deaths, and that's what we should be focused on when it comes to treating people with substance use disorder. And I do want to point out, I'm not ready to declare victory and say we're succeeding, because there's a lot more to do, but overdose deaths have been dramatically down in recent years. So, without the need to increase penalties, we are moving in the right direction, so, that's why I am supporting the motion. 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. 341

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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.

ABSENT - Bell, Collamore, Geiger, Gere, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 72; No, 68; Absent, 9; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 68 voted in the negative, with 9 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**.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-499)** on Bill "An Act to Expand the State's Workforce by Supporting the Transition from Incarceration to Employment"

(H.P. 1228) (L.D. 1844)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

HASENFUS of Readfield
ABDI of Lewiston
LAJOIE of Lewiston
MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-499)** 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-499)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-498)** on Bill "An Act to Implement Recommendations for Improved Dam Safety"

(H.P. 1232) (L.D. 1848)

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-498)** 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-498)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-497)** on Bill "An Act Regarding Penalties for Violation of the Law Governing Distracted Driving When the Violation Results in the Death or Significant Injury of Another Person"

(H.P. 1257) (L.D. 1886)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo
CYRWAY of Kennebec

Representatives:

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

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

Signed:

Representatives:

ABDI of Lewiston
MILLIKEN of Blue Hill

READ.

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

Representative ABDI of Lewiston **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 Lewiston, Representative Abdi.

Representative **ABDI**: Thank you, Mr. Speaker. I'll keep it really simple. This legislation is incredibly unnecessary. Prosecutors already have the tool to prosecute this crime if they needed, and that was testament to the fact that they were not; they didn't submit any supportive testimony, nor did they show up in person.

And I just want to highlight that if, God forbid, any of us were ever in this kind of situation where distracting driving resulted in the death or significant injury of another person, the last thing we would be thinking about is our license. So, thank you so much, Mr. Speaker, and I encourage the Body to follow my light.

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

ROLL CALL NO. 342

YEA - Adams, Albert, Arata, Archer, Ardel, Arford, Babin, Bagshaw, Bishop, Blier, Boyer D, Boyer M, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cluchey, Collins, Cooper, Copeland, Crafts, Cray, Crockett, Daigle, DeBrito, Dill, Doudera, Drinkwater, Ducharme, Eder, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Friedmann, Frost, Gattine, Gifford, Graham, Greenwood, Guerrette, Haggan, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Kessler, Kuhn, Lajoie, Lance, Lavigne, Lemelin, Lyman, Malon,

Mason, Mastraccio, McIntyre, Meyer, Mingo, Mitchell, Montell, Morris, Murphy, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Ray, Rielly, Roeder, Rudnicki, Runte, Sachs, Salisbury, Sargent, Sayre, Schmearsal-Burgess, Shagoury, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, Webb, White J, White R, Wood P, Wood S, Woodsome, Mr. Speaker.

NAY - Abdi, Ankeles, Beck, Brennan, Cloutier, Dhalac, Dodge, Faircloth, Golek, Gramlich, Julia, Lee, Lookner, Macias, Mathieson, Matlack, McCabe, Milliken, Moonen, O'Halloran, Osher, Pluecker, Pugh, Rana, Rollins, Sato, Sinclair, Skold, Supica, Terry, Warren, Yusuf.

ABSENT - Bell, Collamore, Geiger, Gere, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 108; No, 32; Absent, 9; Vacant, 0; Excused, 2.

108 having voted in the affirmative and 32 voted in the negative, with 9 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-497)** 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-497)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-501)** on Bill "An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies"

(H.P. 99) (L.D. 166)

Signed:

Senator:

INGWERSEN of York

Representatives:

MEYER of Eliot
DEBRITO of Waterville
GRAHAM of North Yarmouth
MCCABE of Lewiston
SHAGOURY of Hallowell
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

DAIGLE of Fort Kent
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: Thank you, Mr. Speaker. I rise today in opposition to this motion. Mr. Speaker, while the intent behind this bill may be well meaning, it represents yet another step toward unnecessary government overreach.

Pharmacies and retailers are already responding to public health concerns and consumer demand. In fact, several major national pharmacy chains including CVS have already voluntarily removed tobacco products from their shelves. These decisions were made not because government forced their hand, but because businesses themselves recognized the values and expectations of their customers. This is what a free market does when left to function properly.

Do we want to encourage healthy behavior? Of course. But we should do so by educating and empowering people, not by passing sweeping bans that strip decisions away from private businesses. Maine doesn't need more regulation. We need to foster a climate of economic freedom and personal responsibility. When we micromanage how private businesses operate, particularly those already trending in the right direction, we send a message that trust in business judgment is optional and not essential.

Mr. Speaker, LD 166 also comes with fiscal consequences. The sale of tobacco products generates millions of dollars in tax revenue for our State. Cutting off entire segments of retail, especially the larger pharmacies and retail chains with pharmacy departments, would result in a notable loss in revenue. This is revenue that supports education, health care and other vital public services. If we eliminate this source, we must ask ourselves, what will take its place and are Maine taxpayers ready to shoulder that burden?

This bill is not just about public health, it's about our broader philosophy of governance. Do we trust the people of Maine to make decisions for their own health and well-being? Do we trust businesses to listen to their customers and act accordingly? Or do we believe that the State must make those decisions for them? Mr. Speaker, I believe in the people and the businesses of Maine. I believe they deserve less regulation, not more, and I believe LD 166 moves us in the wrong direction, toward mandates and away from trust. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Eliot, Representative Meyer.

Representative **MEYER**: Thank you, Mr. Speaker, Women and Men of the House. Ending the sale of tobacco products in pharmacies and retail establishments containing pharmacies is an important step toward aligning the retail environment with public health goals.

Pharmacies are trusted health care providers and selling tobacco products in these settings sends conflicting messages to consumers seeking health promoting products and services. This Legislature has expanded the scope of practice for pharmacists, recognizing their value within the health care delivery system. In 2021, the Maine Pharmacy Act was amended to officially recognize pharmacists as providers of health care services. Pharmacies should be a part of a network of support that individuals can rely on to help end their addiction to nicotine, not fuel it.

Given the important role they play in our communities, pharmacies should not be selling a deadly product that kills up to one-half of its users. Our work to expand the role of pharmacists and tobacco treatment and cessation; and ending the sale of products in these locations will most certainly further that goal. I hope you'll join me in voting in favor of tobacco-free pharmacies. 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. 343

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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, Woodsome.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Webb, Zager.

Yes, 72; No, 68; Absent, 9; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 68 voted in the negative, with 9 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-501)** 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-501)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Require the Department of Health and Human Services to Review Medicaid, Supplemental Nutrition Assistance Program and Electronic Benefits Transfer Card Transactions and Lottery Operations"

(H.P. 380) (L.D. 612)

Signed:

Senator:

INGWERSEN of York

Representatives:

MEYER of Eliot

DEBRITO of Waterville

GRAHAM of North Yarmouth

MCCABE of Lewiston

SHAGOURY of Hallowell

ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-502)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

DAIGLE of Fort Kent

GRIFFIN of Levant

JAVNER of Chester

LEMELIN of Chelsea

READ.

Representative MEYER of Eliot moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: I rise today in opposition to the pending motion.

This bill is not about punishing those in need; it is about accountability and transparency in how taxpayer dollars are used. These are public funds meant to support our most vulnerable, but if we don't ensure oversight, we risk undermining the very programs that they are designed to help. The Amendment to LD 612 is balanced and focused. It simply asks the Department of Health and Human Services to review patterns and transactions, nothing more, nothing less.

This is a matter of good governance. We already have existing tools and technology to perform these reviews. This bill ensures that they are put to use. We owe it to the hardworking taxpayers of Maine and to those relying on these programs to make sure that our benefit systems are functioning as intended, that the support is reaching people with legitimate need and that we prevent misuse whenever possible.

Some may argue that this is unnecessary, but I would argue that sunlight is the best disinfectant. We should not be afraid of knowing how these systems are working. We should embrace that knowledge, so that we can strengthen them, improve outcomes and ultimately preserve these safety nets for the future.

For these reasons, I respectfully urge my colleagues to vote no on the motion. 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. 344

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

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Mitchell, Roberts, Zager.

Yes, 72; No, 68; Absent, 9; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 68 voted in the negative, with 9 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**.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-485)** on Bill "An Act to Support Maine's Public Health Objectives by Increasing Access to Hypodermic Apparatus Exchange Programs"

(H.P. 700) (L.D. 1078)

Signed:

Senators:

INGWERSEN of York

MOORE of Washington

NANGLE of Cumberland

Representatives:

MEYER of Eliot

DAIGLE of Fort Kent

DEBRITO of Waterville

GRAHAM of North Yarmouth

MCCABE of Lewiston

SHAGOURY of Hallowell

ZAGER of Portland

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

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: Thank you, Mr. Speaker. I rise today in opposition to LD 1078. While I acknowledge the public health challenges that this bill aims to address, this legislation is a concerning and unregulated expansion of a highly sensitive and complex program, the hypodermic needle exchange.

Programs like these exist for a reason; to reduce harm and prevent the spread of infectious diseases; but they must be handled with clear accountability, rigorous oversight and a strong public safety framework. Unfortunately, this bill removes the very guardrails that should be in place when dealing with an issue that sits at the intersection of public health, law enforcement and community safety. By allowing for expanded access without requiring proper licensing or regulatory oversight, we're opening the door to unintended consequences. Consequences that could impact our neighborhoods, our families and our first responders.

The potential for improperly discarded needles in parks, on sidewalks or in public bathrooms is not hypothetical; it is a reality in the cities that have expanded similar programs without adequate controls. LD 1078 lacks sufficient language to ensure safety protocols, waste disposal standards and data collection. It does not set requirements for who can operate or distribute these materials. Shouldn't those entrusted with distributing medical equipment, even in the name of harm reduction, be held to licensing standards just as any health care provider or pharmacist is? If our goal is to support recovery, ensure dignity and prevent harm, then we must have comprehensive and accountable programming, not a loosely regulated expansion that may ultimately do more harm than good. This bill is a step too far, without the necessary structure to protect both participants and the broader community.

Mr. Speaker, public health must be balanced with public safety and program integrity. LD 1078 as written fails to strike that balance. I urge this Body to vote against this bill.

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. 345

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Cray, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Jackson, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roeder,

Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

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

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Schmersal-Burgess, White J, Zager.

Yes, 74; No, 65; Absent, 10; Vacant, 0; Excused, 2.

74 having voted in the affirmative and 65 voted in the negative, with 10 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-485)** 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-485)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Require Parents to Be Informed of Hospitals' Safe Sleep Rules"

(H.P. 952) (L.D. 1460)

Signed:

Senator:

INGWERSEN of York

Representatives:

MEYER of Eliot
DEBRITO of Waterville
GRAHAM of North Yarmouth
MCCABE of Lewiston
SHAGOURY of Hallowell
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-503)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

DAIGLE of Fort Kent
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-484)** on Bill "An Act to Establish the Biohazard Waste Disposal Grant Program to Support Public Health Efforts in the State"

(H.P. 1156) (L.D. 1738)

Signed:

Senators:

INGWERSEN of York
MOORE of Washington
NANGLE of Cumberland

Representatives:

MEYER of Eliot
DAIGLE of Fort Kent
DEBRITO of Waterville
GRAHAM of North Yarmouth
MCCABE of Lewiston
SHAGOURY of Hallowell
ZAGER of Portland

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

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: Thank you, Mr. Speaker. I rise in opposition to LD 1738.

Colleagues, let's be honest with ourselves and with the people of Maine. This bill is not a proactive solution to a problem, it is an expensive response to a problem that we helped create. For years, the State has been expanding access to hypodermic needles through needle exchange programs; with good intentions, yes; but without the safeguards, oversight and accountability necessary to protect our communities. We opened the floodgates and failed to plan for the wave of consequences. Now, we're standing here debating whether to establish a biohazard waste disposal grant program to clean up the aftermath.

The very same needles we distributed are now littering parks, playgrounds, sidewalks and trails. Parents worry when their kids play outside. First responders are at risk. Business owners are frustrated. And instead of addressing the root issue, we're proposing to spend even more taxpayer dollars to fund a government program that attempts to clean up the mess. This is not just fiscal irresponsibility, it is a public health policy on autopilot. It's not enough to hand out needles and hope everything else will sort itself out. There has been no meaningful

requirement for return or proper disposal. And now, we want to launch a grant program that essentially puts a Band-Aid over a gaping wound of our own making.

If we are serious about public health, we should be serious about accountability. We cannot continue to expand access to hypodermic paraphernalia without a parallel enforceable plan for collection and disposal. And LD 1738 is a reactive policy, not a responsible one. I urge my colleagues to vote no and work towards smarter, safer and more sustainable public health strategies. Thank you.

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

Representative **MCCABE**: Thank you, Mr. Speaker. Colleagues, I rise today in support of the pending motion, not only as a Member of this Chamber and the Health and Human Services Committee, but also as a Mom raising my family in the City of Lewiston, where we live the complexities of the opioid epidemic every day. LD 1738 addresses those complexities and it does so by protecting our communities, our kids and our collective well-being.

We all want the same thing: to know that our neighborhoods are safe, clean and cared for. To let our kids enjoy the playground without worry. But right now, that's not always the reality. Across our State, communities are grappling with a growing public health issue, improperly discarded syringes in parks, on sidewalks and near schools. And while the problem is visible, the resources to address it are not. LD 1738 provides those resources. This bill would establish the biohazard waste disposal grant program at the Maine CDC, allowing municipalities and community-based organizations to apply for funds to expand syringe disposal infrastructure; things like secure outdoor drop boxes, staff training, community cleanups and education. And we've seen it work. At our public hearing, we heard from communities already stepping up to meet this need, but doing so on limited budgets. LD 1738 gives them the help they've been asking for.

The evidence is clear. We know that when people have access to safe disposal, we all benefit. With the right tools, we can reduce the risk of disease transmission, protect public spaces and build trust across divides. We do not need to choose between the health of our communities and the health of individuals; we can have both. Today, I ask you to invest in common-sense infrastructure. I urge your support for LD 1738 to make Maine a safer, healthier place for all of us. Thank you, Mr. Speaker.

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

Representative **RANA**: Thank you, Mr. Speaker. Colleagues, I rise today as the proud Sponsor of LD 1738.

I bring this bill forward as communities across Maine are grappling with a dual public health crisis: the rise of preventable infectious diseases and the growing presence of discarded syringes in public places. The situation in my district has grown even more urgent. As of April 19th, Penobscot County has reported 24 new cases of HIV. For context, this county has averaged just two new cases per year over the last five years. That's not a statistic, it's a flashing red light. And it's a warning that we cannot ignore. Each one of those cases represents a person, a family, a community that's affected. Each one also represents a cost, an estimated \$510,000 in lifetime medical care. That's over \$12 million in new costs that could've been avoided with stronger resources directed at prevention.

At the same time, families across the State are finding syringes on sidewalks, in parks and outside local businesses. Nobody wants that; not neighbors, not parents and not those of

us who care about public safety. But here's what we do know: punitive responses and shame do not solve this problem. Evidence-based public health strategies do, and that's what LD 1738 delivers.

This bill creates a biohazard waste disposal grant program within the Maine CDC. It will allow the CDC to provide grants to certified syringe programs and local governments to support with disposal efforts, which will result in reducing syringe litter and improve safety in our communities. Projects supported under this bill could include installing secure indoor and outdoor syringe drop boxes, hiring and training staff to carry out collection and disposal work and developing collaborative local solutions that are tailored to communities' needs. As Amended, this bill requires towns and cities that are receiving opioid settlement funds to match one dollar for every dollar that they receive from the biohazard waste disposal grant program. This ensures that State dollars are matched by local investment without excluding communities that are not receiving these funds.

We know that community investment toward strategies to reduce syringe waste pays off. Since Portland launched its syringe buyback program in October of 2024, it has seen a 76% decrease in improperly discarded needles and a 58% increase in safe collections. That is measurable progress.

LD 1738 does not impose a one-size-fits-all mandate. It respects local control and provides flexibility, so that communities can design solutions that work for them and meet their needs. And critically, it does not come with a specific price tag. As a Member of the Appropriations Committee, I'm fully aware of our budget realities. This bill is designed for fiscal collaboration, and it gives us a tool to act and the discretion to scale as needed.

Let me close with the words of Dr. Gregg Gonsalves, an epidemiologist and public health policy expert at Yale. He said, the cost of instituting a cleanup program is far, far less expensive than paying for a lifetime of medical costs for somebody who is HIV-positive. Needle waste is a solvable issue.

Colleagues, Mr. Speaker, it is a solvable issue, and we can solve it. LD 1738 is smart, compassionate, has bipartisan support, cost-effective and a step forward. It strengthens public health and public safety and I urge you all to join me in supporting this bill.

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. 346

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

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Javner, Lance, Lavigne, Lemelin, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins,

Poirier, Pomerleau, Quint, Rudnicki, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 75; No, 66; Absent, 8; Vacant, 0; Excused, 2.

75 having voted in the affirmative and 66 voted in the negative, with 8 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-484) 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-484)** and sent for concurrence.

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-504)** on Bill "An Act Regarding the Brunswick Naval Air Station Job Increment Financing Fund"

(H.P. 1217) (L.D. 1819)

Signed:

Senators:

BAILEY of York

BENNETT of Oxford

Representatives:

GERE of Kennebunkport

EDER of Waterboro

GOLEK of Harpswell

MALON of Biddeford

MINGO of Calais

YUSUF of Portland

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

Signed:

Representatives:

COLLAMORE of Pittsfield

ROBERTS of South Berwick

WALKER of Naples

READ.

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

Representative QUINT of Hodgdon **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 Brunswick, Representative Ankeles.

Representative **ANKELES**: Thank you, Mr. Speaker. This is my bill. I originally tried putting this in in the 131st after the pandemic caused a major transition to remote jobs. The idea was to strengthen the tax credit program for the former air base in my district, which provides; the tax credit provides the local redevelopment authority with some of the tax revenue for every job created there by making sure Maine-based remote jobs would be counted under this bill.

This would have restored a lost revenue stream that would've gone toward major infrastructure problems left to us by the Navy and potentially towards securing a line of credit to help pay for some of the cleanup efforts around the toxic firefighting foam spill last spring. But notice that I'm speaking in the past tense here. While the bipartisan Majority Report agrees that this is a good idea in theory, I knew the bill was in trouble when the Fiscal Note of \$300,000 per year came out. So, if we are able to adopt this report, I'm not a surgeon, but I will immediately afterward be performing a 'Fiscal-Note-ectomy' on the bill, which I think is all I'm allowed to say at this point in the process. Sufficed to say, I am willing to settle for smaller gains in other parts of the bill. Thank you, Mr. Speaker.

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

Representative **QUINT**: Thank you, Mr. Speaker. Once again, a Member of the Tax Committee is speaking on a bill that she does not know a lot about.

So, this bill expands the definition of 'employee' to include a remote employee for a business that maintains a physical presence within the base area. This will allow the Brunswick Naval Air Station to collect Job TIFF program for employees that do not work on the base. The purpose of the Brunswick Naval Air Station Job Increment Financing Fund was to collect Job Tax Increment Funds from job creation at the base for the purposes of funding municipal services such as water, sewer, electricity, telecommunications, fire protection, police protection and the maintenance of buildings, grounds and roads; infrastructure needed to ensure employees had a safe place to work. If an employee does not work on the base, they are not eligible for this JTIFF, because they do not utilize the base's infrastructure. Also, as written, the bill would allow non-Mainers to qualify, because there is no language requiring that the employee is a Maine resident working from their home in Maine. Lastly, the bill would also take 25% of the fund being given to Southern Maine Community College and redirect it to the Midcoast Regional Redevelopment Authority through 2035. This is not a time to be taking money away from our institutions of higher education, not when there are so many unknowns within the State and federal budgets.

Mr. Speaker, I ask that you please oppose this motion and allow the program to stay as it was intended, to support the infrastructure for employees working on the base and to support both MRRA and Southern Maine Community College equally from the JTIFF. Thank you, Mr. Speaker.

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

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

And I just wanted to start off by saying that the Midcoast Regional Redevelopment Authority has made great progress in redeveloping the former naval air station into a thriving center of enterprise, innovation and growth. They have done that with the help of the Job Increment Financing Fund, but I would note that the changes that the Representative from Brunswick just alluded to, some of the recent comments are no longer applicable.

The other change that's in the Amended bill is that the Committee felt strongly that we wanted the annual report from MRRA to detail the strategic plans for winding down its work and fully moving to the full transfer of the naval air station property to Brunswick. And it's great to see that progress and I very much look forward to that continuing. 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. 347

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

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Javner, Lance, Lavigne, Lemelin, 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.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 74; No, 67; Absent, 8; Vacant, 0; Excused, 2.

74 having voted in the affirmative and 67 voted in the negative, with 8 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-504)** was **READ** by the Clerk.

Representative **ANKELES** of Brunswick **PRESENTED House Amendment "A" (H-520) to Committee Amendment "A" (H-504)**, which was **READ** by the Clerk.

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

Representative **ANKELES**: Thank you, Mr. Speaker. This Floor Amendment removes all references in the Committee Amendment to changing the definition of 'remote work.' So, it gets rid of the part of the bill that counts remote workers based in Maine as toward this JTIFF program. As I said before in my other floor speech, there are other smaller things in this bill that don't cost money that I'm willing to settle for, and I don't want to have this go to the Table where I think it will surely die. So, I hope people will adopt the Amendment. Thank you.

Subsequently, **House Amendment "A" (H-520) to Committee Amendment "A" (H-504)** was **ADOPTED**.

Committee Amendment "A" (H-504) as Amended by House Amendment "A" (H-520) thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-504) as Amended by House Amendment "A" (H-520)** thereto and sent for concurrence.

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

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-466)** on Bill "An Act to Allow Teachers to Qualify for Overtime Pay"

(H.P. 421) (L.D. 653)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

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

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

On motion of Representative ROEDER of Bangor, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

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

(H.P. 774) (L.D. 1169)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

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

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

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

READ.

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

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

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

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

Representative **DRINKWATER**: Thank you, Mr. Speaker. I'd just like to give a few highlights of what this will do to the Paid Family Medical Leave. It allows an employer whose private plan is approved by the Maine DOL to request a refund of the premiums paid if they had a substantially equivalent private plan.

So, I would just like to briefly talk about the portability that we heard yesterday. The Bath Iron Works has submitted an application for their private plan, which they've had for years. Their employees have all been there, and now we'd like to see them have a refund.

But let me tell you what this plan doesn't do. Does it repeal it? No. Does it ask for a tax refund? Yes. Payroll tax, no change; undue hardship, no change; implementation date, no change; private plans, no change; benefit amounts, no change; fines and penalties, no change; application deadline, no change; taxable income, no change; date of covered individual, no change. It's a simple bill. I ask that you support it. Thank you.

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

Representative **ROEDER**: Thank you, Mr. Speaker. Mr. Speaker, I will attempt to be as brief as my friend from Milford.

Just to reiterate: the Department of Labor opposes any legislation that could negatively affect the solvency of the trust fund, create confusion among either workers or employers who participate in the program or repeal or delay the implementation of the program. I realize the repeal is not part of this, but the other two should be taken into consideration. Thank you.

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

Representative **SOBOLESKI**: Mr. Speaker, ladies and gentlemen, LD 1169 is a bill that seeks to rectify an unjust financial burden placed on Maine businesses that had a private Paid Family Medical and Leave plan in place before the State program took effect. This legislation is not merely about policy; it's about ensuring compliance with constitutional protections and established legal principles.

Under current law, all employers were required to pay payroll premiums beginning January 1, 2025, regardless of whether they had a private plan that met or exceeds the State's requirements. LD 1169 seeks to refund those premiums to businesses that had qualifying plans, private plans, in place before the State program's implementation.

Opponents argue that the State incurs cost in overseeing private plans, and therefore, the first quarter premiums should not be refunded. However, this reasoning fails to acknowledge a fundamental legal principle. The government cannot impose financial obligations on businesses for services they do not receive. The Fifth Amendment of U.S. Constitution prohibits the government from taking private property without just compensation. By requiring businesses to pay into a system they do not utilize and then refusing to refund those payments, the State risks violating this constitutional protection.

This issue is not without precedent. In *Bath Iron Works v. Maine Department of Labor*, the Maine State Chamber of Commerce and Bath Iron Works has sued the State over its Paid Family Leave rules, arguing that requiring businesses to pay into a system before receiving approval for private plans was

unconstitutional and contrary to legislative intent. The law contended that the State's refusal to refund premiums constitutes an arbitrary and capricious action that unfairly burdens businesses.

Additionally, similar concerns have been raised in federal cases involving government imposed financial obligations. The *Eastern Enterprises v Apfel*, 524 U.S. 498; the U.S. Supreme Court ruled that retroactive financial obligations imposed on businesses violates the Taking Clause of the Fifth Amendment. The Court held that forcing businesses to pay into a system without receiving direct benefits constitutes an unconstitutional taking. The principles established in *Eastern Enterprise* support the argument that Maine's refusal to refund premiums paid by businesses with private plans is legally questionable. Furthermore, withholding these refunds could be considered a form of taxation without representation. Employers who paid into the State system despite having private plans were effectively taxed without receiving corresponding benefits. This contradicts the fundamental principle that taxation must be tied to representation and benefit.

LD 1169 provides a straightforward solution: allows businesses with approved plans to request a refund of the premium they paid before receiving State approval. The Department of Labor can verify the amount and issue refunds including accrued interest within 90 days. This approach aligns with constitutional protection and ensures fairness for Maine's businesses. I urge my colleagues to support LD 1169 and uphold the principles of fairness, constitutional integrity and responsible governance. 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. 348

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, 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, Woodsome.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 73; No, 68; Absent, 8; Vacant, 0; Excused, 2.

73 having voted in the affirmative and 68 voted in the negative, with 8 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**.

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act to Exempt Certain Public School Districts and Their Employees from the Paid Family and Medical Leave Benefits Program"

(H.P. 922) (L.D. 1400)

Signed:

Senators:

TIPPING of Penobscot

RAFFERTY of York

Representatives:

ROEDER of Bangor

ARCHER of Saco

BECK of South Portland

GEIGER of Rockland

MACIAS of Topsham

SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-505)** on same Bill.

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney

DRINKWATER of Milford

LIBBY of Auburn

SOBOLESKI of Phillips

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Require Legislative Committees to Provide Equal Time to Each Member of the Public Who Testifies"

(H.P. 1083) (L.D. 1629)

Signed:

Senators:

BALDACCI of Penobscot

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook

COPELAND of Saco

FARRIN of Jefferson

MATLACK of St. George

ROLLINS of Augusta

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-487)** on same Bill.

Signed:

Senator:

MARTIN of Oxford

Representatives:

ADAMS of Lebanon

GREENWOOD of Wales

POMERLEAU of Standish

TUELL of East Machias

UNDERWOOD of Presque Isle

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **GREENWOOD**: Thank you, Mr. Speaker. I rise in opposition to the pending motion and request a Roll Call.

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

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

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

Representative **QUINT**: Thank you, Mr. Speaker. Those who were here last Session may remember a bill that went through, and I will actually say the number of the bill, because it was contentious; it was LD 1619. I am not discussing the bill itself, that's over and done with, but I only want to speak to what I feel was the absolute disrespect shown to members of the public who waited hours to testify.

Before the hearing began, members of the public were notified that they had three minutes of time in which to give their testimony and that it would be timed. All of the supporters of the bill were given the three minutes that was advertised. That's not even the issue that I have, Mr. Speaker. As the day wore on and opponents were testifying, that time was abruptly changed to two minutes. I watched as members of the public who had taken their day off of work, driven for hours and waited for hours, scrambled to rewrite their testimonies. Many people were upset, as they should be. They were being denied the opportunity to have their voices heard equally. You can imagine how others felt when later, they were told that they would only be permitted one minute in which to testify, after already having changed their testimonies from three minutes to two minutes and then waiting for well over 12 hours. Once again, they scrambled to change their testimonies. This time, only being allowed to testify for one-third of the time that all of the proponents of the bill were given and that they were told that they would be given.

There was no equity or equality in this building for that hearing. It was disgraceful and it should never happen again, regardless of if you are for or against a bill. It was the process that was so heinous. Is a person more important earlier in the day? Is one person's testimony more valuable than another's? Do supporters of a bill deserve better treatment than those who oppose a bill?

Once again, this is not about the bill, but rather the contempt and disregard that was shown to people who had driven, some of them for hours, to have their voices heard on a bill. Their voices were cut short and they were not afforded the same opportunity that others were given. I have had constituents tell me that they are not going to waste their time again to be so readily dismissed. They were truly disenfranchised. They know that they were not being listened to. They found it difficult to even attempt to make their point in the one minute when they initially were given three. This is the people's House and they were denied true and equal access that day.

The purpose of this bill is to ensure that all members of the public receive equal treatment and are allowed to speak for the advertised amount of time throughout the hearing. I am not attempting to change any of the rest of the process. Obviously, questions are asked, one person may be testifying before the Committee for a longer duration. This bill only states that all initial testimony be allotted the same amount of time as

advertised throughout the hearing. I ask that you pass this bill and ensure true and equal access for all members of the public who make the effort to come and testify before us.

Now, an Amendment was put on, because; I would like to speak about the way that this went down in the Committee. A motion was made by the Good Representative from Westbrook for Ought Not to Pass and not a single Member in that Committee seconded that motion, Mr. Speaker, because I'd like to believe that everyone felt that it truly was not fair. Then a caucus was called, people were spoken with and the motion was made again and then, suddenly, it was seconded and we get a majority Ought Not to Pass. The thing was, Mr. Speaker, before that caucus was called, we had discussed the bill, because some people were concerned about the three-minute mark and saying the advertised amount of time. Well, obviously, if a thousand people show up for a bill and you've said it's going to be three minutes, you should be able to change that amount of time. What the Amendment actually does for this bill, what I want everyone to know, is that it states that whatever amount of time the very first person testifying on that bill receives, that the last person testifying on that bill will receive the same amount of time. That is the only thing that this bill does.

And Mr. Speaker, I had asked you to Co-sponsor this bill and you said that this belonged in the Rules Committee, and I agreed. But the Rules Committee knew about this, they haven't met, no attempt has been made and even within the hearing, the Committee itself had said that they would send a letter to the Rules Committee, asking the Rules Committee to have this conversation. That also has not happened. When the Rules Committee is not fulfilling their obligation to ensure equal access to the legislators in hearing, then I think it's our job as a legislative Body to ensure that the Rules Committee do that.

And so, I ask you to vote down this motion, vote for the Amendment that only states that if somebody is going to drive three and a half to four hours to show up, take the day off of work and literally stand overnight in this building without going to sleep, without going to a hotel, waiting their turn, that they are given the same exact amount of time as the very first person that spoke. Thank you, Mr. Speaker.

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

Representative **SALISBURY**: Thank you, Mr. Speaker. Mr. Speaker, let me make this very clear: this is 100% about one bill from last Session. We have to make that very clear. And the important thing to know is that when that notice went out about the opportunities to testify about that bill, like it does for other bills, it says that people have the opportunity to participate by Zoom or to participate by submitting their testimony online, and it also indicated on that statement about the upcoming public hearing that those times were subject to change by the options of the Chairs of the Committee. So, people that got that notice were made very clear about the opportunities about for change, about opportunities to provide testimony online or to provide written testimony.

Those changes happen in other Committees, about other bills, they happen throughout the Session. Because when there is public testimony about any bill, it does not only impact just the Chairs of the Committee, it impacts the rest of the Committee, it also does impact people coming to testify, but it also impacts staff; security staff, nonpartisan staff, the Committee staff; it impacts a lot of people, not just the people that are coming. So, by having the opportunity for Chairs to make that change based on the amount of people that are coming to testify, it is very important to respond to the needs of the Committee, to respond to the needs to the staff that are impacted and to respond to the

needs of the people that are testifying. That's why it's made clear ahead of time, so, you know going into it, you're making that commitment to be a part of that change, to be a part of that process. Those changes happen throughout the Session for other bills, they change throughout.

We had the opportunity, I made the motion Ought Not to Pass because I recognized quickly that this was not something that I could support and hadn't had the opportunity to caucus with the rest of my Committee Members, and we were able to have a caucus where I could explain to our new Members more information that helped them perhaps make their vote.

But again, it was very clear when that memo went out about the opportunities to, if you did come to testify on that particular bill, that there was other opportunities to provide that testimony and that it was subject to change at the discretion of the Chairs. Thank you.

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

Representative **GREENWOOD**: Thank you, Mr. Speaker. Mr. Speaker, during that public hearing, yes, the pretext might have been as a result of a specific bill. But this comes down to fundamental fairness, Mr. Speaker.

Mr. Speaker, I'll draw your attention to those that signed on to Co-sponsor this bill: the Representative of Lewiston, Representative Cloutier; the Representative of Readfield, Representative Hasenfus; Senator of Hancock, Senator Grohoski; the Senator of Cumberland, Senator Talbot Ross; the Senator of Sagadahoc, Senator Tepler.

It's about fairness, Mr. Speaker. And let me read exactly what this bill says. Creates a section, Section 9, "Testimony Before Committees. During a public hearing, each member of the public providing testimony before the Committee must be allowed the same amount of time to testify. Once a public hearing has begun;" let me repeat, once the public hearing has begun; "the amount of time set for the first member of the public providing testimony must be allowed for each following member of the public providing testimony until the conclusion of the hearing."

Mr. Speaker, this does not take discretion away from the Chairs, because the Chair could rule when the public hearing begins, 'we've got 500 people here, we're going to allow one minute.' And once the Sponsors, who have unlimited time to make their presentation; once the public testimony begins, if they're allowed one minute, everybody's allowed one minute until the end. Thank you, Mr. Speaker.

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

Representative **QUINT**: Thank you, Mr. Speaker. I did not call a Point of Order, even though I was very clear in my testimony that this is not about that bill, as much as some people would like to say. But since I was here for this bill, this was the first time I had ever experienced this, and it was my constituents that had driven that distance. Some of them that I got hotels for, because they weren't able to leave until six in the morning. And as the Good Representative from Westbrook mentioned, which I was unaware of, obviously, this is a problem and we should be addressing it. It should not happen in any bill, as I stated before. This is the only time that I, myself, was aware of it, and I find it absolutely unconscionable that we're even having to discuss this.

It's not about a specific bill, it's about all of the bills, and it's about access, equal access for every single person coming before this Body to testify. My people drove, came here in person. They could've Zoomed, but they wanted to stand before the Committee to be able to speak, and I'm a little more than

offended to hear that, well, maybe they should've Zoomed. They came in person and they were denied access.

I ask you to vote down this motion and support the Amendment.

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

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

I wasn't planning on speaking, but when I heard about the concern about the staff and the time and, you know, I have great consideration for our staff and I appreciate all that they do. But honestly, we are a constitutional republic, and we are here; this whole House is here for the people of our State. And we are here to represent the people. We are here to cater to the people. They are not there for us and they are not to cater to us. And I really don't see what the big to-do is with making sure that everyone who wants to speak to us and have their voices heard by those who are to represent them, that they are afforded equal time. Thank you.

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

Representative **MOONEN**: Thank you, Mr. Speaker, Colleagues of the House. This is most certainly about one bill. Some of what has been said about that one bill, I would consider misrepresentation, but what do I know, I was there and the one making those decisions.

Representative **QUINT**: Point of Order, Mr. Speaker.

The SPEAKER: The Member will defer. The Chair will inquire as to Point of Order from the Representative from Hodgdon.

Representative **QUINT**: I was there, and I am stating that the Member is disparaging and in fact, calling me a liar, as I have been extremely clear that this is not about one bill.

On **POINT OF ORDER**, Representative **QUINT** of Hodgdon objected to the comments of Representative **MOONEN** of Portland because he was questioning the motives of other Members of the House.

The SPEAKER: The Chair will remind the Body to keep their comments directed at the bill itself and to try to avoid referring to other Members.

The Chair reminded all Members that it was inappropriate to question the motives of other Members of the House.

The SPEAKER: The Member may proceed.

Representative **MOONEN**: Mr. Speaker, it is my opinion that this is about one bill, and people can have differences of opinion about that. Thank you.

I do want to say that I am very sympathetic to what the Good Representative said about the number of people who drove here. I'm certainly aware that there were a lot of people here on both sides. And at a certain point, fairly late in the night, we had; my Co-Chair and I; then-Co-Chair and I had a conversation about how much longer it would take to finish that hearing. And it was something like 20 more hours if we didn't make a change. And yes, we did take into consideration the nonpartisan staff who work for the Committee, the nonpartisan staff who are required to be in the building while this building is engaging in business, the security who had a large crowd to manage, a large crowd who didn't really like each other that much, from the two sides. It was a very tense situation, everybody was tense, everybody was tired and at a certain point, we had to decide, is it the humane thing to do to not keep people up for 20 more hours after they'd already been up and in that public hearing for 14, 15 hours.

I also want to say that we did not make that decision in a vacuum. The then-Speaker of the House was part of that

conversation; the then-Minority Leader, who is still the Minority Leader, was part of that conversation on the fourth floor. We discussed options, such as, do we declare the hearing in recess, let everybody go home and get some sleep and come back tomorrow, and start the hearing again and continue taking testimony? It was a collective, bipartisan decision not to do that, because people had driven so far and they wanted to be heard and there was a lot of concern that if we recessed the hearing, they would not either want to or be able to come back to the State House. So, it was a collective, bipartisan decision that the hearing should continue without interruption and that the hearing should not take 20 more hours. And everyone understood that that meant the time would be cut on both parties.

The other thing I will say is that it is a well-established legal fact that one Legislature cannot bind any future Legislature to how it must conduct its business. So, I view this bill as a meaningless gesture, because a future Legislature would not be required to follow it. So, if we were to pass it, the only Legislature ever, past or present, that would be required to follow this law is this one.

So, I understand the frustrations of what happened in the 131st, there were no easy answers that were both fair and humane. I made a call, I stand by it and if there was interest in addressing this, the proper venue for that is the Rules Committee, because the rules adopted by the Legislature are what govern the procedures of the Legislature. And the Rules Committee would be the logical place to pursue this, because as we all know, on day one of each new Legislature, it's fairly routine that the new Legislature just adopts the same rules of the previous Legislature. So, if you really wanted this to go into effect and actually have to be followed, you would put it in the rules and not in a Statute that a future Legislature is not even obligated to follow.

So, I have no interest in voting for a meaningless gesture and I would be happy to consider this in the Rules Committee, where it would be properly before the Body. Thank you, Mr. Speaker.

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

Representative **UNDERWOOD**: Thank you, Mr. Speaker. The only comment I'd like to make: this sounds like power politics at its best and it's to silence the opposition. Thank you, Mr. Speaker.

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

ROLL CALL NO. 349

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin,

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, Woodsome.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Libby, Roberts, Zager.

Yes, 72; No, 69; Absent, 8; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 69 voted in the negative, with 8 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**.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Establish the Interdisciplinary Advisory Board for the State House Complex"

(H.P. 1187) (L.D. 1776)

Signed:

Senator:

MARTIN of Oxford

Representatives:

SALISBURY of Westbrook

ADAMS of Lebanon

GREENWOOD of Wales

MATLACK of St. George

POMERLEAU of Standish

TUELL of East Machias

UNDERWOOD of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-437)** on same Bill.

Signed:

Senators:

BALDACCI of Penobscot

BEEBE-CENTER of Knox

Representatives:

COPELAND of Saco

FARRIN of Jefferson

ROLLINS of Augusta

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative MONTELL of Gardiner **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 Gardiner, Representative Montell.

Representative **MONTELL**: Thank you, Mr. Speaker. Mr. Speaker and Colleagues of the House, this bill would; as you can see by the title; establish an Interdisciplinary Advisory Board for the State House Complex. So, why not have those that have expertise in these areas help to address some of the chronic issues of this historic building?

I digress for a moment and just to say two years ago, after putting in my radon bill, we had a better understanding of some of the issues that have gone unaddressed for a very long time.

I understand that the Legislative Council and the Facilities Committee have jurisdiction over legislative spaces and however, I do understand, with all due respect, that they don't necessarily have the expertise to address some of these public health and public safety issues in this building.

This is neither duplicative or a conflict, in my mind. If you're looking at the bill, you'll see there's many qualified people that would serve on this board. Someone from ISHRA, someone from Historic Preservation, someone from BOSH; Board of Occupational Safety and Health; several members from this building, a staff person, someone from a State indoor air quality organization that addresses these issues on a daily basis.

So, I'm opposed to this motion of Ought Not to Pass. I hope you can stand with me and oppose this motion, because I believe what we do here is so important and the time we spend in these spaces could be improved. I worry about our health. I have numerous people that talk to me about headaches or chronic eye burns or things like that. I was told that they were unable to test this Chamber because it was too obtrusive. I don't really understand what that means, but I would like the experts to be able to weigh in on that and advise the Legislative Council and the Facilities Committee of what really are the issues here. I would appreciate you following my light. Thank you, Mr. Speaker.

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

ROLL CALL NO. 350

YEA - Adams, Albert, Arata, Archer, Ardell, Babin, Bagshaw, Blier, Brennan, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Collins, Cooper, Crafts, Cray, Daigle, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gattine, Gere, Gifford, Graham, Greenwood, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Kuhn, Lajoie, Lance, Lavigne, Lyman, Mason, Mastraccio, Matlack, McIntyre, Meyer, Mingo, Moonen, Morris, Murphy, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Ray, Rielly, Roeder, Rollins, Rudnicki, Runte, Salisbury, Sargent, Sayre, Schmiersal-Burgess, Sinclair, Smith, Soboleski, Stover, Swallow, Terry, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome, Yusuf, Mr. Speaker.

NAY - Abdi, Ankeles, Arford, Beck, Bishop, Boyer D, Boyer M, Bridgeo, Cluchey, Copeland, Crockett, DeBrito, Dhalac, Faircloth, Farrin, Friedmann, Frost, Golek, Gramlich, Hasenfus, Julia, Kessler, Lee, Lookner, Macias, Malon, Mathieson, McCabe, Milliken, Mitchell, Montell, O'Halloran, Osher, Pugh, Rana, Sachs, Sato, Shagoury, Simmons, Skold, Supica, Warren, Webb.

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Lemelin, Libby, Roberts, Strout, Zager.

Yes, 96; No, 43; Absent, 10; Vacant, 0; Excused, 2.

96 having voted in the affirmative and 43 voted in the negative, with 10 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**.

SENATE PAPERS

The following Joint Order: (S.P. 788)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Monday, June 9, 2025, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

READ and **PASSED** in concurrence.

REPORTS OF COMMITTEE

Divided Reports

Five Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-510)** on Bill "An Act to Ban the Drug Tianeptine" (EMERGENCY)

(H.P. 23) (L.D. 59)

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello

MCINTYRE of Lowell

NUTTING of Oakland

PERKINS of Dover-Foxcroft

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

Signed:

Representatives:

ABDI of Lewiston

BUNKER of Farmington

LOOKNER of Portland

MILLIKEN of Blue Hill

Three Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-511)** on same Bill.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

HASENFUS of Readfield

LAJOIE of Lewiston

READ.

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

Representative NUTTING of Oakland **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **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 "B" Ought Not to Pass. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 351

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

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

ABSENT - Bell, Collamore, Geiger, Hall, Lanigan, Lemelin, Libby, Roberts, Strout, Zager.

Yes, 71; No, 68; Absent, 10; Vacant, 0; Excused, 2.

71 having voted in the affirmative and 68 voted in the negative, with 10 being absent and 2 excused, and accordingly Report "B" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

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

Six Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-436)** on Resolve, Directing the Office of Procurement Services to Study Adapting the Procurement Process to the State Climate Action Plan

(H.P. 978) (L.D. 1494)

Signed:

Senator:

BALDACCI of Penobscot

Representatives:

SALISBURY of Westbrook

COPELAND of Saco

FARRIN of Jefferson

MATLACK of St. George

ROLLINS of Augusta

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

Signed:

Senator:

MARTIN of Oxford

Representatives:

ADAMS of Lebanon

GREENWOOD of Wales

POMERLEAU of Standish

TUELL of East Machias

UNDERWOOD of Presque Isle

READ.

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

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

Representative **GREENWOOD**: Thank you, Mr. Speaker. I can't support a Resolve that doesn't focus first on the procurement of the services, it's more like pushing a political agenda. So, for that reason, I'm requesting a Roll Call and encourage my colleagues to vote no.

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

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

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

ROLL CALL NO. 352

YEA - Abdi, Ankeles, Archer, Arford, Beck, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, 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, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Webb, Yusuf, Mr. Speaker.

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

ABSENT - Albert, Bell, Collamore, Geiger, Hall, Lanigan, Lemelin, Libby, Roberts, Strout, Zager.

Yes, 72; No, 66; Absent, 11; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 66 voted in the negative, with 11 being absent and 2 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-436)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-436)** and sent for concurrence.

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

Representative **RUDNICKI**: Thank you, Mr. Speaker. It's always a challenge to catch you at the right moment, so, I apologize for confusion there.

But I just wanted to; where we're at the final Divided Report of the day; to request once again that anyone that has connections with the Chief Executive Officer would please ask why we're on week 11 with no specific emergency measure listed that we needed to be called back for. So, you got three days, I'm hoping by Monday, somebody could come back with an answer. Thank you.

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

The SPEAKER: The Chair will inform the Body that this is an agreement between me and the Minority Leader. So, it's not that I'm doing this on my own accord, I've had a conversation with him. Thank you.

On motion of Representative SAYRE of Kennebunk, the House adjourned at 2:24 p.m., until 10:00 a.m., Monday, June 9, 2025, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 788) and in honor and lasting tribute to the Honorable David L. Tobin of Windham.