

ONE HUNDRED AND THIRTIETH LEGISLATURE
FIRST SPECIAL SESSION
6th Legislative Day
Tuesday, June 8, 2021

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

Prayer by Reverend Shane Stoops, First United Pentecostal Church, Augusta.

National Anthem by Renee Goodwin, Augusta and Nick Sutton, South Portland.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Increase the Maximum Pension Deduction for State Income Tax"

(H.P. 92) (L.D. 136)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in the House on June 3, 2021.

Came from the Senate with the Minority (3) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-323)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Prohibit Marriage of Any Person under 18 Years of Age"

(H.P. 458) (L.D. 622)

Report "A" (8) **OUGHT TO PASS** of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on June 3, 2021.

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

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Increase Funding to Qualifying Municipalities by Sharing Adult Use Marijuana Sales and Excise Tax Revenue"

(H.P. 873) (L.D. 1195)

Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in the House on June 2, 2021.

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **TAXATION** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Include Grandparents under Maine's Family Medical Leave Laws (EMERGENCY)

(H.P. 27) (L.D. 61)

FAILED of **PASSAGE TO BE ENACTED** in the House on March 11, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-27)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions (EMERGENCY)

(H.P. 445) (L.D. 609)

FINALLY PASSED in the House on May 19, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "B" (S-177)** in **NON-CONCURRENCE**.

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

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

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

CONSENT CALENDAR

First Day

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

(H.P. 97) (L.D. 141) Bill "An Act To Make Technical Changes to the Tax Laws" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-439)**

(H.P. 132) (L.D. 179) Bill "An Act To Exclude Energy Efficiency Improvements from Property Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-438)**

(H.P. 871) (L.D. 1193) Bill "An Act To Exempt Certain Disabled Veterans from the Motor Vehicle Excise Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-437)**

(H.P. 986) (L.D. 1335) Bill "An Act To Provide for Exemption from the Sales Tax for Basic Needs Products and Offset the Loss of Revenue" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-433)**

(H.P. 1113) (L.D. 1503) Bill "An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-432)**

(H.P. 1212) (L.D. 1629) Bill "An Act Regarding the Qualifications for Licensure as a Physician or Surgeon" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-431)**

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

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

ENACTORS

Emergency Measure

An Act To Increase Timely Access to Mental Health Services by Increasing MaineCare Reimbursement Rates
(H.P. 359) (L.D. 496)
(C. "A" H-309)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Support the Fidelity and Sustainability of Assertive Community Treatment
(H.P. 425) (L.D. 582)
(C. "A" H-310)

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

Emergency Measure

An Act Regarding the Depth of Phillips Lake in the Town of Dedham
(H.P. 665) (L.D. 909)
(C. "A" H-307)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 117 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19
(H.P. 731) (L.D. 993)
(C. "A" H-333)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 101 voted in favor of the same and 37 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding Substance Use Disorder Treatment Services and Increasing Reimbursement Rates for Those Services
(H.P. 813) (L.D. 1135)
(C. "A" H-294)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Establish the Task Force To Study the Process for Bringing Criminal Cases in Situations of Violence against Health Care Workers
(H.P. 465) (L.D. 629)
(C. "A" H-311)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Support Life and Career Readiness Education in Maine
(H.P. 34) (L.D. 68)
(C. "A" H-351)

An Act To Establish the Sunrise Review and Legislative Report Fund
(H.P. 76) (L.D. 110)
(C. "A" H-301)

An Act To Address Maine's Shortage of Behavioral Health Services for Minors
(H.P. 84) (L.D. 118)
(C. "A" H-286)

An Act To Limit the Use of Hydrofluorocarbons To Fight Climate Change
(H.P. 161) (L.D. 226)
(C. "A" H-206)

An Act Regarding Public Utility Assessments, Fees and Penalties
(H.P. 172) (L.D. 251)
(C. "A" H-289)

An Act To Improve the Process of Disposal of Hospice Medications Used in the Home
(H.P. 234) (L.D. 330)
(C. "A" H-348)

An Act Requiring the Use of Propane and Natural Gas Detectors
(H.P. 244) (L.D. 346)
(C. "A" H-313)

An Act Regarding Emergency Guardianship
(H.P. 264) (L.D. 366)
(C. "A" H-296)

An Act To Require Certain Schools To Provide Menstrual Products
(H.P. 328) (L.D. 452)
(H. "A" H-344 to C. "A" H-244)

An Act To Reduce the Tax Burden on Low-income Electricity Customers
(H.P. 369) (L.D. 506)
(C. "A" H-343)

An Act Regarding the Citizen Members and the Complaint Review Committee of the Board of Trustees of the Maine Criminal Justice Academy
(H.P. 376) (L.D. 513)
(C. "A" H-314)

An Act To Protect Children from Exposure to Toxic Chemicals
(H.P. 382) (L.D. 519)
(C. "A" H-328)

An Act To Create a Municipal Grant Program To Promote Sustainable Economic Development

(H.P. 625) (L.D. 857)
(C. "A" H-350)

An Act To Include Excluded Individuals on Insurance Cards

(H.P. 749) (L.D. 1011)
(C. "A" H-346)

An Act To Advance Palliative Care Utilization in the State

(H.P. 793) (L.D. 1064)
(C. "A" H-287)

An Act To Clarify the Qualifications and Oversight of Sheriffs

(H.P. 794) (L.D. 1065)
(C. "A" H-284)

An Act Relating to Fair Chance in Employment

(H.P. 845) (L.D. 1167)
(C. "A" H-305)

An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test

(H.P. 969) (L.D. 1313)
(C. "A" H-312)

An Act To Protect Towing Operators Providing Emergency Assistance by Allowing the Use of a Flashing Green Light

(H.P. 1034) (L.D. 1400)
(C. "A" H-345)

An Act To Amend the Motor Vehicle Laws

(H.P. 1049) (L.D. 1433)
(C. "A" H-352)

An Act To Provide Safe Gear for Female Firefighters

(H.P. 1056) (L.D. 1440)
(C. "A" H-293)

An Act To Increase the Homestead Property Tax Exemption

(H.P. 1064) (L.D. 1448)
(C. "A" H-320)

An Act To Align the Expulsion Process with School Disciplinary Policies

(H.P. 1067) (L.D. 1451)
(C. "A" H-282)

An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees

(H.P. 1099) (L.D. 1485)
(C. "A" H-306)

An Act To Improve Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions

(H.P. 1104) (L.D. 1490)
(C. "A" H-335)

An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling

(H.P. 1134) (L.D. 1530)
(C. "A" H-317)

An Act Directing the Maine State Housing Authority To Report on Emergency Rental Assistance Programs

(H.P. 1151) (L.D. 1546)
(C. "A" H-290)

An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services

(H.P. 1194) (L.D. 1605)
(C. "A" H-325)

An Act To Increase the Number of Lincolnville Sewer District Trustees from 3 to 5

(H.P. 1209) (L.D. 1625)
(C. "A" H-370)

An Act Regarding Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals

(H.P. 1233) (L.D. 1662)
(C. "A" H-347)

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

Resolves

Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities

(H.P. 40) (L.D. 74)
(C. "A" H-308)

Resolve, To Establish a Task Force To Study the Coordination of Services and Expansion of Educational Programs and Vocational Opportunities for Young Adults with Intellectual or Developmental Disabilities or Acquired Brain Injury

(H.P. 680) (L.D. 924)
(C. "A" H-283)

Resolve, To Increase Collaboration between the Maine State Housing Authority and the Department of Health and Human Services

(H.P. 961) (L.D. 1305)
(C. "A" H-349)

Resolve, Directing the Maine State Housing Authority To Assist the City of Lewiston with its Rental Registration Program

(H.P. 1031) (L.D. 1397)
(C. "A" H-291)

Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Certain Home-based Services

(H.P. 1132) (L.D. 1528)
(C. "A" H-285)

Resolve, To Require the Public Utilities Commission To Issue a Request for Information on a Statewide, Multiple-use Online Energy Data Platform

(H.P. 1237) (L.D. 1666)
(C. "A" H-315)

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-184)** on Bill "An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture"

(S.P. 58) (L.D. 125)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

BERNARD of Caribou
GIFFORD of Lincoln
HALL of Wilton
LANDRY of Farmington
McCREA of Fort Fairfield
SKOLFIELD of Weld
UNDERWOOD of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-185)** on same Bill.

Signed:

Senator:

MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
OSHER of Orono
PLUECKER of Warren

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-185)**.

READ.

On motion of Representative O'NEIL of Saco, **TABLED** pending **ACCEPTANCE** of Either Report and later today assigned.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-181)** on Bill "An Act To Require Schools To Submit Pest Management Activity Logs to the Board of Pesticides Control and the Posting of Inspection Results for the Purpose of Providing Information to the Public"

(S.P. 209) (L.D. 524)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
BERNARD of Caribou
GIFFORD of Lincoln
HALL of Wilton
LANDRY of Farmington
McCREA of Fort Fairfield
OSHER of Orono
PLUECKER of Warren
SKOLFIELD of Weld

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

Signed:

Representative:

UNDERWOOD of Presque Isle

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the

Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-181)**.

READ.

On motion of Representative O'NEIL of Saco, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-181)** 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-181)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-164)** on Resolve, Directing the Maine Community College System To Evaluate the Need To Expand Workforce Training Options in Waldo County

(S.P. 180) (L.D. 814)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-164)**.

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-164)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-164)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-163)** on Bill "An Act To Require the State To Meet the Mandatory 55 Percent Contribution to Schools"

(S.P. 377) (L.D. 1114)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

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-163)**.

READ.

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

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

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

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

ROLL CALL NO. 168

YEA - Alley, Arata, Arford, Austin, Babbidge, Bailey, Bell, Bernard, Berry, Bickford, Blier, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doore, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Foster, Geiger, Gere, Gifford, Gramlich, Greenwood, Griffin, Haggan, Hall, Hanley, Harnett, Harrington, Hasenfus, Head, Hepler, Hutchins, Hymanson, Javner, Kessler, Kinney, Kryzak, Landry, Lemelin, Lookner, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Pebworth, Perkins, Perry, Pickett, Pierce, Pluecker, Poirier, Prescott, Reckitt, Rielly, Riseman,

Roberts, Roche, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stanley, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Tuttle, Wadsworth, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Johansen, Libby, Lyford, Quint, Rudnicki, Sampson, Stetkis, Underwood.

ABSENT - Cebra, Grignon, Grohoski, Millett, Paulhus, Perry, Sharpe, Stearns, Zeigler.

Yes, 133; No, 9; Absent, 9; Excused, 0.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-163)** 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-163)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-165)** on Bill "An Act To Address Student Hunger through Expanding Access to Free School Meals"

(S.P. 540) (L.D. 1679)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
LYMAN of Livermore Falls
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
ROCHE of Wells
SALISBURY of Westbrook

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

Signed:

Representatives:

SAMPSON of Alfred
STEARNS of Guilford

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-165)**.

READ.

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

The same Representative **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 Westbrook, Representative Salisbury.

Representative **SALISBURY**: Thank you, Mr. Speaker. Mr. Speaker, Members of the House, I rise today in support of the pending motion. Maine has the highest rate of food-insecure households in New England, with more than 13% of Maine families having inconsistent access to nutritious foods. For people of color in Maine, the rate is much higher at a staggering 28%. That's more than one in four households. For black families, specifically, that rate is 40%. The pandemic reminded us of how critical it is to make sure that students have the food they need even when they aren't in school. Now that we are making plans to have students back in school full-time, we have a great opportunity to offer free meals to every student, whether they qualify for free or reduced-price meals or have the means to pay full price for meals. Let's take hunger off the table and get back to the business of educating our students. I hope you will follow my light and support this motion.

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

ROLL CALL NO. 169

YEA - Alley, Arata, Arford, Austin, Babbidge, Bailey, Bell, Bernard, Berry, Bickford, Blier, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazza, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doore, Doudera, Downes, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Geiger, Gere, Gramlich, Greenwood, Haggan, Hall, Harnett, Hasenfus, Head, Hepler, Hymanson, Kessler, Kinney, Kryzak, Landry, Lemelin, Lookner, Lyman, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Nadeau, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Pebworth, Perry, Pierce, Pluecker, Poirier, Prescott, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Tuttle, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Connor, Drinkwater, Foster, Gifford, Griffin, Hanley, Harrington, Hutchins, Javner, Johansen, Libby, Lyford, Mason, Morris, Newman, Perkins, Pickett, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Underwood, Wadsworth.

ABSENT - Cebra, Grignon, Grohoski, Paulhus, Perry, Sharpe, Stearns, Zeigler.

Yes, 117; No, 26; Absent, 8; Excused, 0.

117 having voted in the affirmative and 26 voted in the negative, with 8 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-165)** 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-165)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Resolve, To Establish the COVID-19 Review Commission (EMERGENCY)

(S.P. 193) (L.D. 817)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
PAULHUS of Bath

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-176)** on same Resolve.

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
RISEMAN of Harrison
TUELL of East Machias

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-176)**.

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative TUELL of East Machias **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. I rise in opposition to the motion before us because I believe with all that has gone on in the last 15 months that it's time we take an unbiased, studious, ponderous look at the whole COVID-19 situation and our State's response to it.

In speaking on this, I would like to note that it was a pleasure to work with the Member from Harrison in trying to smooth this bill out and address many of the concerns that he and others may have to present this in a nonaccusatory, nonjudgmental way. We, as a committee, worked on this legislation extensively for well over an hour to fine-tune the language and present a bill that could legitimately generate cross-party support. And without alluding to the actions of the other Body, I'm pleased to see that it received that there.

I would encourage you to reject the motion before us and move on to another motion that we can begin to assess what has actually happened with COVID-19 and learn from it that in future pandemics we can learn from what happened and improve upon it at the next time we find ourselves in a

precarious situation such as we are today. So, I thank you, Mr. Speaker, and encourage you to follow my light.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Riseman.

Representative **RISEMAN**: Thank you, Mr. Speaker. I rise today in opposition to the motion on the floor and I concur and thank Representative Tuell for working with me to try to produce a nonpartisan look at the COVID crisis that occurred for the last 15 months.

This is not an attempt to find blame in anybody, but it is an attempt to find the things that we did right and the things that we could do better. And the point here is we can always do better but it takes the cooperation of all departments and the Executive Branch for us to be able to accomplish a study that will tell us how we can be prepared for the next crisis that may come along.

I strongly urge you to follow my light in this bill and vote against 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. 170

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Geiger, Gere, Gramlich, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

ABSENT - Cebra, Grignon, Grohoski, Paulhus, Perry, Sharpe, Stearns, Zeigler.

Yes, 75; No, 68; Absent, 8; Excused, 0.

75 having voted in the affirmative and 68 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-182)** on Resolve, Directing the University of Maine System To Study the Potential Effects of the State Adopting Atlantic Standard Time (EMERGENCY)

(S.P. 259) (L.D. 826)

Signed:

Senator:

ROSEN of Hancock

Representatives:

COPELAND of Saco
DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
PAULHUS of Bath
TUELL of East Machias

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

Signed:

Senator:

BALDACCI of Penobscot

Representatives:

MATLACK of St. George
BRYANT of Windham
DOORE of Augusta
RISEMAN of Harrison

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-182)**.

READ.

On motion of Representative MATLACK of St. George, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-182)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-182)** in concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-180)** on Resolve, Directing the Department of Transportation To Complete a Feasibility Analysis To Initiate a Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area

(S.P. 317) (L.D. 991)

Signed:

Senators:

DIAMOND of Cumberland
CHIPMAN of Cumberland
FARRIN of Somerset

Representatives:

MARTIN of Sinclair
BRYANT of Windham
MARTIN of Greene
O'CONNELL of Brewer
PARRY of Arundel
PERKINS of Oakland
WHITE of Waterville

WILLIAMS of Bar Harbor

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

Signed:

Representatives:

CEBRA of Naples
WHITE of Mars Hill

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-180)**.

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-180)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-180)** in concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act Regarding the Placement of Temporary Signs"

(S.P. 442) (L.D. 1356)

Signed:

Senators:

DIAMOND of Cumberland
CHIPMAN of Cumberland

Representatives:

MARTIN of Sinclair
BRYANT of Windham
O'CONNELL of Brewer
WHITE of Waterville
WILLIAMS of Bar Harbor

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

CEBRA of Naples
MARTIN of Greene
PARRY of Arundel
PERKINS of Oakland
WHITE of Mars Hill

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

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-172)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting

(S.P. 91) (L.D. 202)

Signed:

Senators:

LUCHINI of Hancock
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
TUTTLE of Sanford
WOOD of Portland

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

COREY of Windham
DOLLOFF of Milton Township
HARRINGTON of Sanford
KINNEY of Knox

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-172)**.

READ.

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

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

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

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

ROLL CALL NO. 171

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin, Mathieson, Matlack, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin,

Haggan, Hall, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin J, Martin T, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Grohoski, Hanley, Paulhus, Perry, Sharpe, Stearns, Zeigler.

Yes, 77; No, 65; Absent, 9; Excused, 0.

77 having voted in the affirmative and 65 voted in the negative, with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolution was **READ ONCE**. **Committee Amendment "A" (S-172)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-172)** in concurrence.

Nine Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-169)** on Bill "An Act Regarding Certain Employees of and To Allow Supplemental Funding for the Public Advocate"

(S.P. 194) (L.D. 487)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
WADSWORTH of Hiram
WOOD of Portland
ZEIGLER of Montville

One Member of the same Committee reports in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-170)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

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

Signed:

Representative:

FOSTER of Dexter

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-169)**.

READ.

On motion of Representative BERRY of Bowdoinham, Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-169)** 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-169)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-424)** on Bill "An Act To Integrate African American Studies into American History Education"

(H.P. 1235) (L.D. 1664)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
LYMAN of Livermore Falls
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
ROCHE of Wells
SALISBURY of Westbrook
STEARNS of Guilford

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

Signed:

Representative:

SAMPSON of Alfred

READ.

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

The same Representative **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 Augusta, Representative Fecteau.

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

Last session in the 129th, we dealt with a similar measure. It was sponsored by a Senator from the across the aisle and we worked hard to pass it. It made it through both bodies and died on the table.

So, the reason why these things come back up all the time are due to several reasons. Two of the prominent reasons are the social studies C-3 standards are topic nonspecific. Number two, no one and I mean no one, has to follow the state standards. As a teacher who taught in our public schools, I know this with absolute certainty.

I'm sure we've all heard fancy phrases like performance indicators, learning results, state standards, and even Section 6209 Subsection 4, which this deals with. Section 6209 Subsection 4 is a statutory toilet. It flushes good ideas away

and ensures our students won't receive any enhanced African-American, genocide or Holocaust instruction. There is another path. There is another way. And with God as my witness, I promise to work with the Representative from Portland and produce a bill that ensures students receive this critical instruction. The mechanism for that is already built. Because, to no fault from the Representative from Portland, this bill is a peacock; it's all feathers and no meat. And let me explain to you why I'm so passionate that our students receive this critical instruction. When it comes to the second portion of this about genocide and Holocaust, I believe that genocide and the Holocaust are the most important lessons of the 20th century because genocide continues to happen all over our planet and it's the most putrid thing humans do to one another.

Education about the Holocaust in our schools is so light that today more than 60% of young people don't know that 6 million Jews were killed. Forty-eight percent can't name one concentration camp or ghetto; 49% have seen Holocaust denial information on the internet and 64% of them believe in compulsory Holocaust education. And, get ready for this one; 11% of our young believe that Jews caused the Holocaust. Let me say that again; 11% of our young people believe that Jews caused the Holocaust. That's insane.

Voting for this motion ensures and it locks into place that our students statewide won't learn any more about African-American studies and Holocaust instruction. The fancy performance indicator words just aim to confuse legislators. So, who wants compulsory Holocaust education? I do, 64% of our young people, and the Holocaust survivor who testified, along with the antidefamation league. Who doesn't want Holocaust instruction compulsory? Nazis, Holocaust deniers. Please, join me, vote this down, and watch actual bipartisan work in motion. Thank you.

Representative FAULKINGHAM of Winter Harbor, moved that the Bill be **TABLED** until later in today's session pending the motion of Representative BRENNAN of Portland to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **TABLE** until later in today's session pending the motion of BRENNAN of Portland of Windham to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is to Table until later in today's session pending the motion of BRENNAN of Portland to Accept the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 172

YEA - Andrews, Arata, Arford, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Terry, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

NAY - Alley, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Harnett, Hasenfus, Hepler, Hymanson,

Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Mr. Speaker.

ABSENT - Grignon, Grohoski, Paulhus, Sharpe, Stearns, Zeigler.

Yes, 67; No, 78; Absent, 6; Excused, 0.

67 having voted in the affirmative and 78 voted in the negative, with 6 being absent, and accordingly the motion to **TABLE** until later in today's session pending the motion of BRENNAN of Portland to **ACCEPT** the Majority **Ought to Pass as Amended** Report **FAILED**.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, as a four-decade teacher, which I have mentioned in the past, I want you to understand that we in education spend a great deal of time cultivating curriculum, meeting curriculum standards and delivering what we think is the finest education to our students. In the past, we've had many good ideas as to what should be in the curriculum. And even though they were good ideas, I voted against them because they were much too restrictive in their recommendation; the amount of time that should be spent on something, the precision of what should be taught and all of that. As a person who thought citizenship education was particularly important and the evolution of the western tradition which allowed for justice under law and how the American story had within it a great deal of injustice that was addressed by courageous people to get us to an improved place today, a place where liberty and justice is still not realized but is --

The SPEAKER: The Member will defer. The Chair recognizes the Member from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Point of Order. Would the Speaker please remind Members to address their comments to the Chair?

On **POINT OF ORDER**, Representative DILLINGHAM of Oxford asked the Chair to remind Representative BABBIDGE of Kennebunk to address the Speaker and not turn to the rest of the House.

The SPEAKER: The Chair reminds the Representative to address his comments through the Chair.

The Chair reminded Representative BABBIDGE of Kennebunk to address his comments toward the Speaker.

The SPEAKER: The Member may proceed.

Representative **BABBIDGE**: Okay, thank you, and I apologize for that, Representative.

So, I just wanted to say that in the great effort that is put in by Maine's educators today, I think we should feel good about the effort to do well to bring the story of America and the world to our students. My point regarding the motion before us is that in the past we have rejected bills that micromanaged secondary curriculum particularly. This bill does not do that. This bill provides for something to be part of the learning results. Learning results are used by educators as guidelines from which to deliver education and it allows our professional educators to determine the amount of time, the method, and how this information should be disseminated and discussed and internalized by students. So, as a long-time educator, that is how I got to where I will support this bill. It isn't necessarily

about whether this is a good or bad idea, it's the validity of what is being asked and the method by which it is accomplished and I can support this. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative **TEPLER**: Thank you very much, Mr. Speaker. Mr. Speaker and Men and Women of the House, as the daughter-in-law of a recently deceased Holocaust survivor and the mother of two young black men, I will say that it is about time we included these items in our curriculum on an ongoing basis. Not as separate courses, not as something that one teacher might adopt but another might not, but as part of our standards of learning in the State of Maine. We have waited long enough.

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. 173

YEA - Alley, Arata, Arford, Austin, Babbidge, Bailey, Bell, Berry, Bickford, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cebra, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doore, Doudera, Downes, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Haggan, Harnett, Harrington, Hasenfus, Hepler, Hymanson, Kessler, Kinney, Kryzak, Landry, Lookner, Madigan, Martin J, Martin R, Martin T, Mason, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Nadeau, Newman, O'Connell, Ordway, Osher, Parry, Pebworth, Perkins, Perry A, Perry J, Pierce, Pluecker, Prescott, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Tucker, Tuell, Tuttle, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Bernard, Blier, Carmichael, Collamore, Connor, Costain, Dolloff, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Head, Hutchins, Javner, Johansen, Lemelin, Libby, Lyford, Lyman, Morris, O'Connor, Pickett, Poirier, Quint, Rudnicki, Sampson, Stanley, Stetkis, Thorne, Underwood, Wadsworth.

ABSENT - Grignon, Grohoski, O'Neil, Paulhus, Sharpe, Stearns, Zeigler.

Yes, 106; No, 38; Absent, 7; Excused, 0.

106 having voted in the affirmative and 38 voted in the negative, with 7 being absent, and accordingly the **Majority Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-424) 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-424)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-423)** on Bill "An Act To Strengthen Maine's Workforce by Expanding English Language Acquisition and Workforce Training Programs"

(H.P. 1253) (L.D. 1684)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
ROCHE of Wells
SALISBURY of Westbrook
STEARNS of Guilford

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

Signed:

Representatives:

LYMAN of Livermore Falls
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-423) 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-423)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-425)** on Bill "An Act To Allow Microgrids That Are in the Public Interest"

(H.P. 782) (L.D. 1053)

Signed:

Senator:

VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
WOOD of Portland
ZEIGLER of Montville

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

Signed:
Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-425)** 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-425)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-427)** on Bill "An Act To Require Certain Veterans' Organizations To Be Billed for Electricity Usage at the Same Rate as Residential Customers"

(H.P. 1047) (L.D. 1431)

Signed:
Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
GROHOSKI of Ellsworth
KESSLER of South Portland
WOOD of Portland
ZEIGLER of Montville

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

Signed:
Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-427)** 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-427)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-426)** on Bill "An Act To Update the Municipal Gigabit Broadband Network Access Fund"

(H.P. 1048) (L.D. 1432)

Signed:
Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
WOOD of Portland
ZEIGLER of Montville

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

Signed:
Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-426)** 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-426)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-442)** on Bill "An Act To Reduce the Landfilling of Municipal Solid Waste"

(H.P. 23) (L.D. 57)

Signed:
Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
 JOHANSEN of Monticello
 O'CONNOR of Berwick

READ.

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

Representative HANLEY of Pittston **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 Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. This piece of legislation, ladies and gentlemen, is a cost shift mechanism where the price goes down for some from \$2 a ton in the Maine solid waste program to \$1 a ton. However, the cost gets shifted from the municipalities into the rural districts. In fact, it affects this area here in Augusta because Hatch Hill will go from \$0 a year to almost 50,000, and the Aroostook County area is impacted even more so. The reason for this is not that the fund needs money; its cash available balance right now is \$800,000. This will change the income level from about \$225,000 a year to almost \$400,000 a year for a fund that isn't running out of money, it doesn't need the money. But it will punish those municipalities, those rural districts, especially, that have no other place to transfer their waste. It's just distance in this State, distance matters and that's the issue here. You're going to punish areas with higher fees and there is absolutely no way for them to avoid it. It's just you can't erase distance. I ask you to follow my light and defeat this pending motion. Thank you.

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

Representative **JOHANSEN**: Thank you, Mr. Speaker. I would like to reinforce what the Representative Hanley just said. From my home to Augusta is a three-hour trip. From other areas in Aroostook County, it can be four hours and more to get here. There is no way you can raise that fee a lot higher than that before it's worthwhile for us to bring our garbage down here to be sorted in the different venues you have here for that. It's just not practical for us, so all this is, is a tax on us and it doesn't serve the purpose of what this bill is meant to do, and that's to divert people to the places that sort and do other things with the garbage. We don't have that option or it's not an option for us. So, I'm asking you to not support this bill. It's not a good bill for Aroostook or for Washington County, for that matter.

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

Representative **TUCKER**: Ladies and Gentlemen of the House, this bill will simply bring landfill fees on municipal solid waste in line with Maine's recycling goals. It will not hurt rural areas. In fact, rural areas will be the beneficiaries of multiple grants to encourage recycling. It's a reduction from \$2 to \$1 but eliminating a lot of unfair, unequal exemptions that are currently in existence. Thank you very much.

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. 174

YEA - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Newman, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Grignon, Hepler, Paulhus, Sharpe, Stearns.

Yes, 80; No, 66; Absent, 5; Excused, 0.

80 having voted in the affirmative and 66 voted in the negative, with 5 being absent, and accordingly the **Majority Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-442)** 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-442)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-441)** on Bill "An Act To Revise Maine's Environmental Laws"

(H.P. 119) (L.D. 163)

Signed:

Senators:

BRENNER of Cumberland
 BENNETT of Oxford
 CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
 BELL of Yarmouth
 BLUME of York
 DOUDERA of Camden
 GRAMLICH of Old Orchard Beach
 ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
TUELL of East Machias

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-441)** 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-441)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Promote Energy Production from Recyclable Plastics"

(H.P. 257) (L.D. 359)

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
HANLEY of Pittston
O'CONNOR of Berwick
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-434)** on same Bill.

Signed:

Representative:

JOHANSEN of Monticello

READ.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Prohibit the Reception of Foreign Waste Plastic in Maine Ports"

(H.P. 667) (L.D. 911)

Signed:

Senators:

BRENNER of Cumberland

CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-440)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representatives:

HANLEY of Pittston
JOHANSEN of Monticello
O'CONNOR of Berwick

READ.

Representative TUCKER of Brunswick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

ROLL CALL NO. 175

YEA - Alley, Arata, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Austin, Bernard, Bickford, Blier, Bradstreet, Carmichael, Cebra, Collamore, Connor, Costain, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Grignon, Hepler, Paulhus, Sharpe, Stearns.

Yes, 82; No, 64; Absent, 5; Excused, 0.

82 having voted in the affirmative and 64 voted in the negative, with 5 being absent, and accordingly the **Majority Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-436)** on Resolve, To Study and Recommend Improvements to Maine's Dam Safety

(H.P. 1102) (L.D. 1488)

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
TUELL of East Machias

READ.

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

On motion of Representative DUNPHY of Old Town, **TABLED** pending the motion of Representative TUCKER of Brunswick to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Prevent Increased Heating Fuel, Natural Gas, Gasoline and Diesel Fuel Pricing in Maine by Prohibiting Adoption of Rules Limiting Greenhouse Gas Emissions"

(H.P. 1108) (L.D. 1498)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-435)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representatives:

HANLEY of Pittston
JOHANSEN of Monticello
O'CONNOR of Berwick
TUELL of East Machias

READ.

Representative TUCKER of Brunswick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HANLEY of Pittston **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 Canaan, Representative Stetkis

Representative **STETKIS**: Thank you. I'm waiting for the board to catch up, apparently. I was confused, sorry. So, we are talking about 1498, okay. Oh, 1488? Okay. It'll take me a little bit to catch up on that board, thank you.

So, it's been said in this Body by Members over and over and over again that we need to listen to the will of the people. This bill simply says that increasing the cost of heating fuel, natural gas, gasoline, or diesel fuel as it pertains to greenhouse gas emissions by Statute, rule, or regulation needs to come before this Legislature. Increasing the cost of heating the homes of our seniors, forcing them to choose between fuel and food, shouldn't happen at all but, at the very least, they and their elected representatives should have the opportunity to a public hearing.

Increasing the cost of these fuels have such a broad impact that disproportionately affect the poorest of our constituents that in most cases they have no way to make up the difference. As we all know, Social Security, fuel assistance, and food stamps are all federal programs that have had miniscule increases in which here in this Body we have absolutely no control over.

The other thing is a simple business principle is you have to have more money coming in the door than going out. Adding to the cost of diesel fuel adds to the cost of groceries and other necessities. And then today, right now, the electricity that we're using right now to air condition this room, 71% of that electricity on the New England grid is being produced by natural gas. Any increase to natural gas will increase the cost of electricity once again disproportionately negatively affecting those in our communities who can least afford it, making some of them choose between their meds and their electric bills. Outside of the negative impact on Maine's elderly and poor, we also need to consider the negative impact on the Mainers who work in the trucking industry and the loss of those jobs and their income.

These are all very serious and broad impacts on the citizens of our State in which these decisions should have as much input through the public hearing process as possible. It's very difficult to listen to the will of the people if we don't first ensure that the people have a voice in such a vital part of their physical and economic health. By opposing this motion, we can then vote to guarantee that the people will get a voice when it comes to this issue. Thank you, Mr. Speaker, and follow my light.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. I think there's a good way to illustrate the need of this type of legislation. It was in the 128th, the Energy Committee had

before it a bill that would've caused a 40-cent-a-gallon carbon tax. It was soundly defeated in the committee because the people came there and showed that their will was not that. So, that's why this type of taxation necessarily has to come before the Body. We should have a memory for that stuff. 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. 176

YEA - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Grignon, Hepler, Paulhus, Sharpe, Stearns.

Yes, 80; No, 66; Absent, 5; Excused, 0.

80 having voted in the affirmative and 66 voted in the negative, with 5 being absent, and accordingly 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-413)** on Resolve, To Establish an Advisory Panel To Study the Implications of Genome-editing Technology for the Citizens of the State (H.P. 1190) (L.D. 1601)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
MADIGAN of Waterville
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

CONNOR of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

The Resolve was **READ ONCE.** **Committee Amendment "A" (H-413)** 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-413)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase Transparency of and Lower Health Care Costs" (H.P. 555) (L.D. 750)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-421)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton
CONNOR of Lewiston
MORRIS of Turner
QUINT of Hodgdon

READ.

Representative TEPLER of Topsham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **MORRIS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise today in opposition to the pending motion. This bill seeks to make right to shop permanent. While it is true that the right to shop bill has not been widely used, I believe right to shop is good policy.

The way that right to shop works is that if you have a service that you seek and you want to go outside of your insurance company's network, you can shop for that service. And if the service saves the insurance company money, they would be required to give you as an incentive to shop outside the network and saving money to pass on a portion of that savings to you.

What this bill is seeking to do is to make that permanent; lift the sunset, as it were. This bill also expands the right to shop to surgical procedures. And part of the reason for that, Mr. Speaker, is because nonemergency surgeries have significant cost variation. They can range by as much \$12,000. The importance of this is I believe that if we expand it to surgical procedures, there will be a greater chance for more people that will want to shop for these procedures. This bill also requires that insurance companies pass on at least 25% of the savings back to the consumer. Right now, there is no provision as to how much they have to pass on. This bill would require that they pass on at least a quarter of those savings to the consumer when they shop for that service. If you save the insurance company money, you should get a portion of that savings and that should be at least 25% of the savings. So, we certainly would like to see it be more, but I think 25% is a good place to start and I think that's the least insurance companies could do. So, with that, I would request a roll call. Thank you.

The same Representative **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 Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker, this bill doubles down on a policy that's simply not working. The right to shop is something that our committee agreed was a good idea when we first initiated it several years ago. However, we have found that it simply does not lower health care costs. So, doubling down and lifting the sunset on the right to shop seems like a very bad idea and, with all due respect to the Good Representative from Turner, the majority of the committee disagreed that this is good policy.

The **SPEAKER**: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have a friend that did a little bit of this shopping. It happened to be about a year ago, but he was looking to have a procedure done that wasn't an emergency and one of the hospitals in Bangor was going, the entire process with his doctor was going to be \$10,000. He went to a different hospital in Bangor, using the same doctor, and did the procedure for \$3500 and the same doctor got the same price. So, the hospital difference was \$6500. It seems to me that it was working. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Mr. Speaker. And that sort of comparison between hospital costs continues to be permitted under Maine Law.

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. 177

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Grignon, Hepler, Paulhus, Perry, Sharpe, Stearns, Zeigler.

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

79 having voted in the affirmative and 65 voted in the negative, with 7 being absent, and accordingly the **Majority Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Allow Employers To Shop for Competitive Health Plan Options" (H.P. 556) (L.D. 751)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-422)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton
CONNOR of Lewiston
MORRIS of Turner

QUINT of Hodgdon

READ.

Representative TEPLER of Topsham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **MORRIS**: Thank you, Mr. Speaker. Once again, I rise in opposition to this report as well.

The reason for this bill is because I believe this will help employers that get their insurance through the experience rated to save money when they're shopping for their health insurance plans. This would require insurance companies to pass information that's related to their claims experience such as high-cost claimants and separating out pharmaceutical and medical costs. This is something that insurance companies, when they're the nonincumbent, always ask the incumbent insurer for when they are shopping for plans but never want to transmit because they're not required to by state law. This would require it. And I want to be very clear; this bill does prevent the disclosure of any identity of an individual that is seeking within one of these large group plans from being identified. All information is de-identified and passed from one insurance company to the other. This bill, I believe, will help employers be able to find better plans for their members for their people and I believe it also will help our taxpayers since most of our school districts are experience rated plans. And so, with that, I would ask for a roll call and ask the Body to reject this motion. Thank you.

Representative **MORRIS** of Turner **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 Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Mr. Speaker. This bill will potentially interfere with some of the work that our committee did in the last year to work with the Bureau of Insurance to create clear choice plans which will allow consumers to be able on the ACA to distinguish between the offerings of insurance companies because the offerings will have to be spelled out and the same. And the problem with permitting this employers shopping for competitive health plan options is it potentially interferes with that clear choice.

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. 178

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenhus, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater,

Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Grignon, Hepler, Paulhus, Perry, Sharpe, Stearns, Zeigler.

Yes, 78; No, 66; Absent, 7; Excused, 0.

78 having voted in the affirmative and 66 voted in the negative, with 7 being absent, and accordingly the **Majority Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-414)** on Bill "An Act To Amend the Transportation Laws"

(H.P. 811) (L.D. 1133)

Signed:

Senators:

DIAMOND of Cumberland
FARRIN of Somerset

Representatives:

MARTIN of Sinclair
BRYANT of Windham
CEBRA of Naples
MARTIN of Greene
PARRY of Arundel
PERKINS of Oakland
WHITE of Mars Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-415)** on same Bill.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

O'CONNELL of Brewer
WHITE of Waterville
WILLIAMS of Bar Harbor

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-414)** 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-414)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Address Funding for Maine Clean Elections"

(H.P. 685) (L.D. 929)

Signed:

Senators:

LUCHINI of Hancock
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough
COREY of Windham
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
TUTTLE of Sanford
WOOD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-419)** on same Bill.

Signed:

Senator:

FARRIN of Somerset

Representatives:

DOLLOFF of Milton Township
HARRINGTON of Sanford
KINNEY of Knox

READ.

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

Representative KINNEY of Knox **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 Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have run on Maine clean elections for the four terms that I have been here, or the one I'm finishing now, and when I first ran, I ran under the old rules where it was one-third of the amount of money we get now. As we know now in the Maine clean elections, we get three times what it was when we were running in 2014 for the 127th. And I brought a bill forth in the 128th when the amount was supplemented and moved to three times the amount of money. And the reason I did that, first and foremost it was to provide tax relief by eliminating the additional funding allowed to the clean elections candidates resulting from the passage of the 215 Chapter 1.

Secondly, the money that I got in the terms afterwards, in the 128th when I ran, when it was three times, I purposely ran, I was able to run my election on the same amount of money, basically, that I'd run my first election and I returned the rest of it. And when I returned that, that money went back into the clean elections funds; it didn't back into the clean election funds, it went directly back to the Maine taxpayers in the General Fund. I really don't believe this is a Democrat or a Republican issue. I think it's a win for our friends and neighbors. I was able to run my election, I believe, an election that was run, I had plenty of money to do that with, and I think that we should revert back to where we were, so, I would ask

you to follow my light and vote against the pending motion. Thank you, Mr. Speaker.

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

Representative **BRADSTREET**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in opposition to the pending motion. This is the bill that I sponsored and my testimony here is pretty close to what I had before the committee. At first, I'd like to point out that the bill is agnostic as to the legitimacy or efficacy of clean elections. It merely deals with what I believe are spending levels that are too high.

The subject came to my attention when I noticed repetitive and ubiquitous political ads this past election season and thought, now, this is not a good way to spend the hard-earned monies of Maine taxpayers. And after discussing it with several people in the community, they agreed. So, I sponsored the bill. This merely rolls back the available dollars to the 2016 levels. Currently, the amounts available for candidates running for clean election money approaches \$20,000 for a House seat and \$80,000 for a Senate seat. The amounts are adjusted every election season according to the CPI. Don't we all agree that too much money is being spent on Maine elections? This bill offers one method whereby we can address that overspending. We should never let government spending be placed on automatic. It's not a wise way to spend taxpayer dollars. The prevailing mantra has become; if the money is there, they will spend it. That's a disservice to the people who eventually pick up the tab.

The amendment of the bill is a fiscal note. It would reduce spending \$380,000 in the first year and approximately \$280,000 in the years after that. And I ask you, Mr. Speaker, where else can you get the State hundreds of thousands of dollars in savings and really do no harm. There will still be plenty of money left for clean election candidates. I urge you to vote against the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. Several years ago when I first decided to run, I ran clean, I have total respect and admiration for the clean elections process. I think it does, indeed, allow many folks into this arena that would not otherwise get into it. It's a great thing and it was started for great reasons. And like many great things that go on a while, people tend to build on and build on, and they get away from the central reasons they were put forward and we get a little off course. I say that because I think it is absurd that you could spend \$15,000 to run for House in Washington County, or 50 or 60 or even more thousand, to run for Senate in Washington County. Now, granted, Washington County is a great big place, but it has always struck me as odd that you could spend all of that money, public money, to run for office and yet we're getting paid a fraction of that. And I know a lot of people down home feel the same way, that people don't have as much a problem with you using public funds as they do why would you ever need all that money, why would ever need it all. And even when I have leveled up over the years, I still get the same question of the point why would you ever need that much. And, truth be told, I've given a lot back over the years, I've given money back and done so thankfully, but I think in rural areas that money, you've got to ask yourself why would you ever need that and is the system out of whack and I think we do need to go back to the roots of the system, as the Representative from Dixfield and the Representative from Vassalboro have said, and I will be following their light and I

would encourage you to do the same on this. Thank you, Mr. Speaker.

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

Representative **CAIAZZO**: Thank you, Mr. Speaker. Mr. Speaker, in deference to my Good Colleagues across the aisle, I just want to make sure that we're clear about what this bill does. All this bill does is reset the funding levels retroactively back to 2015.

To address the question of needing to use that much money, many of us have run on clean elections, many of us have given money back that we all know you don't immediately qualify for the full \$15,900, it's a staged process depending on the support that you get from your local community. You don't have to accept all of that money up front and certainly when you're in a position where you don't need it, we return it back at the end. So, I think this is important to keep in mind the purpose of clean elections, which is to make sure that citizen legislators have the opportunity to compete with the big corporation interests, public/private funding. This is a system that's worked, we've proven that it works, and all this does is keep the current system that we have, indexing for the consumer price index. 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. 179

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Harnett, Hasenfus, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Grignon, Grohoski, Hepler, Paulhus, Perry, Sharpe, Stearns, Zeigler.

Yes, 79; No, 64; Absent, 8; Excused, 0.

79 having voted in the affirmative and 64 voted in the negative, with 8 being absent, and accordingly the **Majority Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Six Members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-429)** on Bill "An Act To Maximize Service to Students by Adopting Conditional Allowances for Participation by Families of School Board Members in School Activities"

(H.P. 975) (L.D. 1323)

Signed:

Senator:

RAFFERTY of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
SALISBURY of Westbrook

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-430)** on same Bill.

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
ROCHE of Wells
SAMPSON of Alfred

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

Signed:

Representative:

STEARNS of Guilford

READ.

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

Representative BABBIDGE of Kennebunk **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 Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the present motion because it does not solve the unnecessary discrimination enshrined in current Maine law.

Current law says that school board members may not work in the school district, they may not have a full-time position, a part-time position, a stipended coach or mentoring position or even be a volunteer. As an advocate of conflict-of-interest laws, I understand and support those restrictions. But Maine State law, unlike the laws of many other states, extends all of these prohibitions to the board member's spouse. So, a spouse cannot have a full-time position, cannot draw a salary. That's appropriate. We have conflict-of-interest laws to make sure that people don't benefit financially, significantly, at least, personally or that their company benefits.

But to deny a person the right to be a student council advisor or a cross-country coach because of who they are married to is discriminatory, in my eyes. In my town, a position on the school board is demanding and under great scrutiny. I have a friend, a former Member of this Body, a long-time coach of his children, whose wife was elected to the school board, to soon become chair of the school board. When she was criticized for violating state law, her husband, then aware, resigned his coaching position. When she came to realize her

public service denied both her husband and her oldest son from accepting after-school stipended positions to follow their passion and coach her own children, she sacrificed for the family and resigned from the board.

My town lost a great school board member because of what I feel is a well-intended but too strict state law. The motion before us does not correct this discrimination which is based on a relationship. Current Maine State law prohibits a school board spouse from becoming the superintendent or assistant superintendent, a building principal or assistant principal, a team leader, a department chair, any kind of teacher, a bus driver or a lunch service employee, but it also prevents her from becoming part of what is so important in any town, and that's the co-curricular activities. These positions do not have salaries, just small stipends.

Why stipend them at all? Why not just volunteer? Because stipends, at least in my experience, have been small payments that allows a person that dedicates a gigantic amount of time to a certain endeavor to be able to give that to a spouse or benefit the family in some small way as an expression or sacrifice based on the amount of time away from loved ones to pursue that passion or pursue that public service. But a stipend has one other important element to it. A stipended contract establishes an employer-employee relationship which obligates the signee to then adhere to school rules. That means the superintendent then has leverage over that person, which, frankly, is not true in the case of a volunteer.

I will vote against the motion not because the committee did not discuss it and give it good time and I appreciate all the efforts of the committee on this, but the resulting motion before us does not correct current law. It continues to punish families for a spouse's public service. It leaves in place a marriage penalty, a prohibition based upon a relationship that has a marriage certificate. It calls for a conflict of interest on nepotism enforcement where mitigations are possible to avoid it through recusal and contractual agreement. Number five, most states whose school board conflict of interest laws which I have examined do not have spousal prohibitions in Statute. Six, it doesn't help schools to fill low-level stipended positions. Seven, it doesn't allow merit to be considered in whether or not a person should get a job. And, finally, the state law prohibits what is in the best interests of students.

If there are four candidates for a position, one of them happens to be the spouse of a board member and that person loves kids, is qualified and willing to give the time and is far superior to the other candidates, because of state law, that superintendent cannot hire that board member's spouse to benefit the kids of the district. For these reasons, I will be voting against the current motion. Thank you very much, Mr. Speaker.

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

Representative **PARRY**: Thank you, Mr. Speaker. I rise also in opposition to the pending motion and I want to agree with my good friend from Kennebunk. As a matter of fact, the person he's talking to is my first opponent. And he's a great coach, his wife had done a great job on the school board, as I understand, and it's awful hard in a lot of these communities to get people to coach and to serve on some of these unpaid boards and I think it's really important that we allow this to happen. So, I'll be voting against the pending motion and voting for a subsequent plan. Thank you.

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

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. I truly appreciate the comments that were made by the Good Representative from Kennebunk. The committee spent quite a bit of time on this issue and quite a bit of time looking at some of the issues that would be raised by this bill. And I do believe that the pending motion that is before the House is the most prudent and appropriate course of action. It would allow people that do have spouses on school boards to volunteer, but it would continue the prohibition against stipends. And let me explain to you why that's important. This was a testimony from the Maine School Board Association. This bill will substantially erode the long standing school board conflict of interest law, impair public comment in the integrity of school officials and lead to intractable private and public disputes. It not only sets the stage for conflicts of public interest but creates the appearance of conflicts, which is just as damaging to the public trust.

Those are pretty strong words. That's a pretty strong analysis. But they go on further to say it would be most problematic when board spouses are hired for positions where they are paid stipends for their work, regardless of the amount. These are often high-profile roles in the community such as a football/basketball coaches or theater directors. The performance of coaches and their hiring and firing can be very controversial in a community, without question could lead to claims of preferential treatment if their spouse is on the school board.

Again, we'd be setting up situations that would almost inherently lead to conflict of interest. I worked in a city in Maine, not in Portland, where a member of a family served on the city council, another member of the family served in a high-ranking position within the city government. That person was fired. And for the next year, that city was divided because of the firing of one family member while another family member served on the city council.

The SPEAKER: The Member will defer. The Chair would recognize the Representative from Knox, Representative Kinney, and inquires as to why she rises.

Representative **KINNEY**: Point of Order. Thank you, Mr. Speaker. I would just like to have the Representative please address through you rather than --

On **POINT OF ORDER**, Representative KINNEY of Knox asked the Chair to remind Representative BRENNAN of Portland to address the Speaker and not turn to the rest of the House.

The SPEAKER: The Chair would remind the member to address his comments through the Chair.

The Chair reminded Representative BRENNAN of Portland to address his comments toward the Speaker.

The SPEAKER: The member may proceed.

Representative **BRENNAN**: Thank you, Mr. Speaker. So, this bill would again lead to potential conflict of interest, it would lead to charges of conflict of interest, and I believe the most prudent course and the best course for the Legislature at this point is to make sure that we allow school boards to do the job that they are elected to do and not have communities be engaged in conflicts that at this point do not occur. Thank you very much.

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

Representative **ROCHE**: Thank you, Mr. Speaker. I rise today in opposition to this. I thought I was going to vote for it because I thought it was at least a little bit of a win. But what we have to understand is, I'm a football coach, it is a highly

volatile position at times, but at the lower levels, there is no competition for these positions. If you want to find a junior high football coach, a junior high basketball coach, you've got to search like crazy. And when you eliminate one little group of people from those jobs, it becomes harder and harder for schools to find these people to do these jobs. I was familiar with the Representative from Kennebunk's situation over there, and that's a great coach that lost his job. We are short on these people in schools and this bill is a big mistake. We really need to approve this. 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. 180

YEA - Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Crafts, Craven, Crockett, Dodge, Doore, Dunphy, Evans, Fay, Geiger, Gere, Gramlich, Hymanson, Kessler, Lookner, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Morales, Perry, Pierce, Pluecker, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Talbot Ross, Tepler, Tucker, Zager, Mr. Speaker.

NAY - Alley, Andrews, Arata, Arford, Austin, Babbidge, Bailey, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Collings, Connor, Copeland, Corey, Costain, Cuddy, Dillingham, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harnett, Harrington, Hasenfus, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Madigan, Martin R, Martin T, Mason, Millett H, Millett R, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Peabworth, Perkins, Pickett, Poirier, Prescott, Quint, Reckitt, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Terry, Theriault, Thorne, Tuell, Tuttle, Underwood, Wadsworth, Warren C, Warren S, White B, White D, Williams, Wood.

ABSENT - Grignon, Grohoski, Hepler, Paulhus, Perry, Sharpe, Stearns, Sylvester, Zeigler.

Yes, 48; No, 94; Absent, 9; Excused, 0.

48 having voted in the affirmative and 94 voted in the negative, with 9 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **NOT ACCEPTED**.

Subsequently, on motion of Representative BRENNAN of Portland, Report "B" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-430)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING**.

Under suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (H-430)** and sent for concurrence.

Six Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-428)** on Bill "An Act To Provide Funds for Community-based Substance Use Disorder Treatment and Recovery Services and To Reduce by Half the Funding for the Maine Drug Enforcement Agency"

(H.P. 954) (L.D. 1298)

Signed:

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

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

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec
LAWRENCE of York

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield

READ.

On motion of Representative WARREN of Hallowell, **TABLED** pending **ACCEPTANCE** of Either Report and Later today assigned.

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

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.

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-73)** - Minority (5) **Ought Not to Pass** - Committee on **LABOR AND HOUSING** on Bill "An Act To Establish a Conditional Presumption of Compensability for Certain Employees in Cases of Impairment from Hypertension or Heart Disease"

(S.P. 228) (L.D. 575)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-73)**.

TABLED - June 2, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - Motion of Representative SYLVESTER of Portland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Representative BRADSTREET of Vassalboro **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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I urge you to look at the amendment, which is a fiscal note, and the notes that are

attached to the dollar figures which are not specific but I think it will give you a good picture of what's happening here. This is a bill which will impose a significant statewide cost on Maine counties and this underscores the significance of established conditional presumption of compensability in any health issue where the burden of proof is shifted onto the employer regardless of whether there are other health situations which may have been caused by any other number of factors. It asks the employer to prove a negative, which can be almost impossible to do. This will result in costly legal defenses, increase the number of claims and significantly raise Worker's Compensation rates. It also will, in all probability create, a mandate on our counties. And, again, once again, I urge you to look at the notes under the fiscal note of the amendment before you cast your vote and I urge you to vote no on the pending motion. Thank you, Mr. Speaker.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Colleagues. I am going to vote against this motion. People who work in correctional settings are under a lot of stress. They work many hours, they work shifts which are unhealthy, and I feel for that stress. But hypertension is a very common disorder and if we say that being a corrections officer or even, as the bill says, working in some capacity for even a limited amount of time in the corrections field, produces the hypertension, I don't think medically that can be justified. I looked through the medical literature that I could find, there's an article in the Journal of Hypertension from 2008 that talks about a correlation but correlation, meaning being a corrections officer and having hypertension, does not mean causation. The two things can run together and not one caused it. So, what this is saying is that being in the corrections field causes hypertension and therefore should be a presumption. The rebuttable part is also an issue. I used to do work in the courts around issues of causality for medical reasons and it was my word against some other expert, very hard to prove one or the other if there's no real proof that something causes it. So, I think, as much as I feel for the corrections officers and their workload with stress and I think this is wrongminded and I will be voting it down. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Cuddy.

Representative **CUDDY**: Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the Majority Ought to Pass as Amended Report. There are, in Worker's Compensation cases, there's always somebody trying to prove something. The question in this bill is who has to prove what. Where does the burden of proof lie, Mr. Speaker? We know that corrections officers suffer at a much higher rate from hypertension than other employees and do you believe that the burden of proof should be on the employee or the employer. Is the insurance company going to be the one fighting for the claim or against the claim?

I will always support the people who work for a living and if they work in a condition that I, myself, don't think I could handle, somebody like a corrections officer? I work construction for a living. What these folks do in corrections is much harder than what I do. They deal with stressors that I can't imagine. The notion that this could cause hypertension in someone makes total sense to me. The idea that I'm going to make that person fight for their Worker's Compensation when this goes this way, against the presumption, that the presumption is against them, is not something I can stomach. By voting for this, I am hoping that this Body will agree with the

employee and take the side of the people who do the work for a living. 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. 181

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Harrington, Hasenfus, Hepler, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Hymanson, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Paulhus, Roche, Sharpe, Theriault, Zeigler.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-73)** 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-73)** in concurrence.

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass** Minority (5) **Ought Not to Pass** - Committee on **LABOR AND HOUSING** on Resolve, Directing the Maine Public Employees Retirement System To Convene a Working Group To Investigate Public Pension Options

(S.P. 366) (L.D. 1105)

-In Senate, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

TABLED - June 2, 2021 (Till Later Today) by Representative DILLINGHAM of Oxford.

PENDING - Motion of Representative SYLVESTER of Portland to **ACCEPT** the Majority **OUGHT TO PASS** Report.

Subsequently, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

Representative STEARNS of Guilford **PRESENTED House Amendment "A" (H-339)** which was **READ** by the Clerk.

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

Representative **STEARNS**: Thank you, Mr. Speaker. This amendment simply adds the Maine Association of Retirees to the list of working groups.

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-339)**.

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

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. This is a working group that had been formed 10 or 11 years ago. It's a group of present-day employers and present-day employees. The bill that is imagined coming out of this is prospective moving forward and so, unfortunately, the relief for those state workers and public workers who are already retired would come at the federal level. It's in the hundreds of millions of dollars to look at going retrospectively. And so, the working group should be kept as present-day employers, present-day employer groups and present-day employees. Thank you, Mr. Speaker.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-339). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 182

YEA - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlou, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

NAY - Alley, Andrews, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

ABSENT - Cebra, Faulkingham, Grignon, Paulhus, Roche, Sharpe, Theriault, Zeigler.

Yes, 64; No, 79; Absent, 8; Excused, 0.

64 having voted in the affirmative and 79 voted in the negative, with 8 being absent, and accordingly **House Amendment "A" (H-339)** was **NOT ADOPTED**.

Subsequently, the Resolve was **PASSED TO BE ENGROSSED** in concurrence.

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (4) **Ought to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Definition of 'Machine Gun' To Include Bump Stock Devices"

(H.P. 722) (L.D. 976)

TABLED - June 2, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - Motion of Representative WARREN of Hallowell to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, a bump stock is a plastic device that increases a semiautomatic firearms rate of firing, possibly to a rate nearly equal to that of an automatic weapon. It does this by harnessing the gun's recoil to allow the gun to pump out bullets faster. A bump stock is one of a number of firearm accessories that enhance the rate of firing.

There's no legitimate purpose for a bump stock, binary trigger, trigger crank or similar rate of firearm enhancement accessory. Bump stocks and the like are not used for hunting, they're not used for target practice, they're not used for self-defense or home defense. What bump stocks and their ilk are used for are mass killings. A bump stock device was used in the December 2018 mass shooting in Las Vegas which killed 58 people and injured more than 500. The Las Vegas mass shooter had 13 rifles outfitted with bump stocks. He used them to fire 1,049 rounds.

Following that mass shooting, the deadliest in American history, President Trump banned the use of bump stock devices by directing the Bureau of ATF to clarify that bump stocks fall within the definition of machinegun under federal law. This rule went in effect in March 2019.

The law before you does the same thing. LD 976 amends the definition of machinegun to include a weapon to which a bump stock device is affixed. If passed, it will cause Maine law to conform to the federal regulation. Why is this important? In March, a panel of the U.S. Sixth Circuit Court of Appeals rejected the legality of the 2018 rule change by federal regulators that reclassified bump stocks as illegal machineguns. This means that regulation is on shaky ground. There's no legitimate purpose to owning a bump stock or other type of firearm accessory that enhances the rate of firing. With the turmoil on this issue on the federal level, let's take action here in Maine. I ask you to follow my light and vote no on the Ought Not to Pass. Thank you.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED**.

On motion of Representative BABBIDGE of Kennebunk, the House **RECONSIDERED** its action whereby the Majority **Ought Not to Pass** Report was **ACCEPTED**.

Representative DOUDERA of Camden **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 Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This motion before us Ought Not to Pass, I rise in support of that because the legislation that we are looking at is duplicative, unneeded and is already covered under federal law.

In 2018, the Department of Justice, through regulation, classified bump stock type devices as machineguns under the National Firearms Act and regulated accordingly. So, this is unneeded, it's already taken care of by federal law, it's an unneeded bill. Please follow my light and vote for the pending motion.

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

ROLL CALL NO. 183

YEA - Andrews, Arata, Austin, Bernard, Berry, Bickford, Blier, Bradstreet, Caiazzo, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Crafts, Cuddy, Dillingham, Dolloff, Doore, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Matlack, McCrea, McDonald, Meyer, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stover, Tepler, Thorne, Tuell, Tuttle, Underwood, Wadsworth, Warren C, Warren S, White.

NAY - Alley, Arford, Babbidge, Bailey, Bell, Blume, Brennan, Brooks, Bryant, Cardone, Cloutier, Collings, Copeland, Craven, Crockett, Dodge, Doudera, Evans, Geiger, Gere, Gramlich, Harnett, Hasenfus, Hymanson, Lookner, Mathieson, McCreight, Melaragno, Millett, Morales, Moriarty, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Supica, Sylvester, Talbot Ross, Terry, Tucker, White, Williams, Wood, Zager, Mr. Speaker.

ABSENT - Cebra, Grignon, Kessler, Paulhus, Roche, Sharpe, Theriault, Zeigler.

Yes, 89; No, 54; Absent, 8; Excused, 0.

89 having voted in the affirmative and 54 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass** - Minority (6) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Background Checks for the Sale of Firearms"

(H.P. 737) (L.D. 999)

TABLED - June 3, 2021 (Till Later Today) by Representative WARREN of Hollowell.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS** Report

Representative PICKETT of Dixfield **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 South Portland, Representative Morales.

Representative **MORALES**: Thank you, Mr. Speaker. Mr. Speaker, according to national surveys, 84% of gun owners and 72% of NRA members support commonsense background checks for all gun sales. Yet, when the NRA lobbyist was asked in our committee of the Criminal Justice

and Public Safety if they polled their Maine NRA members before opposing this bill, the answer was no.

Without background checks for gun sales, Maine is the place for criminals to easily obtain guns. Maine people, including our thousands of responsible gun owners, do not want this legacy to continue, Mr. Speaker. This issue is no longer a partisan issue. Let's listen to the will of the people and support this bill.

Thank you, Mr. Speaker.

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

Representative **ANDREWS**: Thank you, Mr. Speaker. Speaking of the will of the people, this issue was decided several years ago with question three. The Chief Executive is on record saying she will veto this, so I would move to Indefinitely Postpone. Thank you.

Representative ANDREWS of Paris moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

The SPEAKER: The Chair would advise the members that you cannot speculate as to what the Chief Executive's actions will or will not be.

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 184

YEA - Andrews, Austin, Bernard, Bickford, Blier, Bradstreet, Brennan, Carlow, Collamore, Connor, Corey, Costain, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Millett, Morris, Newman, O'Connell, Ordway, Perkins, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Underwood, Wadsworth, White.

NAY - Alley, Arata, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brooks, Bryant, Caiazzo, Cardone, Carmichael, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doore, Doudera, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Harnett, Hepler, Hymanson, Lookner, Madigan, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Nadeau, O'Connell, O'Neil, Osher, Parry, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

ABSENT - Cebra, Grignon, Kessler, Paulhus, Roche, Sharpe, Theriault, Zeigler.

Yes, 64; No, 79; Absent, 8; Excused, 0.

64 having voted in the affirmative and 79 voted in the negative, with 8 being absent, and accordingly the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers **FAILED**.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I believe that I read once that in the United States there are somewhere around 27,000 gun laws on the books. I'm wondering how we missed this one. I mean, at what moment in history did we blink and not get this one? And, of course, the overwhelming question is; what's the need? In the State of Maine, show me the statistics that demand we have to have this sort of law to impede our citizens. Also, another question, if I may, to the Chair? A question?

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

Representative **HANLEY**: How will you actually enforce this law without registering firearms?

The **SPEAKER**: The Representative from Pittston, Representative Hanley has posed a question to any member who may care to respond. The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Mr. Speaker, Men and Women of the House. This law before us ensures that the sales of guns are treated the same regardless of the seller or the location involved. It doesn't ban private sales, it simply requires the same step, which is a background check, as any federally-licensed firearms dealer must take. This only applies to sales of advertised firearms or those sold at a show. Any other transfer such as letting somebody borrow a firearm or a gift is exempt. That is a clear difference with what we voted on years ago. It's the difference between that did not let you lend somebody a firearm, in this case you can. This is for strangers. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Harrington.

Representative **HARRINGTON**: Thank you, Mr. Speaker. I'd like to answer the question from the Good Representative from Pittston.

There is no way to enforce this. And as a police officer of 14 years, having personally arrested and charged multiple people with felonies that were found in possession of firearms, I will tell you firsthand, this Body ought to encourage the Judicial Branch to actually do their job and stop letting that be the first charge they always drop. Thank you.

The **SPEAKER**: A roll call having been previously 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. 185

YEA - Arford, Babbidge, Bell, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Evans, Geiger, Gere, Gramlich, Harnett, Hepler, Hymanson, Kessler, Lookner, Madigan, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bailey, Bernard, Berry, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, McDonald, Millett, Morris, Nadeau, Newman,

O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Tepler, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Paulhus, Roche, Sharpe, Theriault, Zeigler.

Yes, 67; No, 77; Absent, 7; Excused, 0.

67 having voted in the affirmative and 77 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass Report was NOT ACCEPTED**.

Subsequently, on motion of Representative WARREN of Hallowell, the Minority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) Ought Not to Pass - Minority (5) Ought to Pass - Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act To Protect the Firearm Use and Possession Rights of Maine Citizens during an Emergency" (EMERGENCY)

(H.P. 781) (L.D. 1052)

TABLED - June 2, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - Motion of Representative WARREN of Hallowell to **ACCEPT the Majority OUGHT NOT TO PASS Report**.

Representative DILLINGHAM of Oxford **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 Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Mr. Speaker. It is written out in Article I, Section 1 of the Maine State Constitution; all Mainers have a natural right to defend their lives, to protect their property. They also have a federal second-amendment right to keep and bear arms.

In Maine, Article I, Section 16 of the State Constitution says that right shall never be questioned. This is especially true during a state of emergency declaration. The government has no right or authority to infringe upon the rights of the citizenry or to disenfranchise them from the constitutionally-protected access to firearms.

Federal firearms licensed retailers are essential businesses and no bureaucrat, regardless of title, should ever be able to shut them down again in the State of Maine. Governments only exist at the consent of the governed and Mainers demand that their access to firearms shall not be infringed, especially during times of crisis like a state of emergency.

LD 1052 declares that the transport, storage, sale, and transfer and other activities involving firearms, ammunition, components and accessories are considered essential businesses and services during a state of emergency declared by the Chief Executive. Furthermore, it prohibits the regulation, curtailment, seizure, or other actions to restrict otherwise lawfully-owned and possessed firearms, ammunition, related components, accessories and related activities during a state of emergency. LD 1052 also provides protections to those who possess concealed carry licenses, as it suspends the expiration date for concealed handgun permits for the duration of a state of emergency. Now, people of all backgrounds and political persuasions have been increasingly buying and training with firearms over the last several years. This is due to many factors, but the biggest is that people

recognize the need and natural right for self-defense. They recognize this need in their daily lives and especially when their daily lives are interrupted by times of disaster and emergency.

Quite simply, Mr. Speaker, you either believe that your constituents have a natural right to defend themselves and their families or you don't. Voting Ought Not to Pass against LD 1052 will show the voters in your district that you do not respect their right to keep and bear arms to protect themselves and their families during times of crisis. I would urge you to follow my light to allow Maine citizen's access to their FFLs and to recognize and respect their right to keep and bear arms, especially in times of emergency. Thank you, Mr. Speaker.

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

ROLL CALL NO. 186

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, McDonald, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

ABSENT - Cebra, Grignon, Landry, Paulhus, Roche, Sharpe, Theriault, Zeigler.

Yes, 73; No, 70; Absent, 8; Excused, 0.

73 having voted in the affirmative and 70 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-330)** - Minority (5) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Authorize a Local Option Sales Tax on Lodging and Other Goods and Provide Funding for Tax Abatement and Rental Relief"

(H.P. 993) (L.D. 1342)

TABLED - June 3, 2021 (Till Later Today) by Representative TALBOT ROSS of Portland.

PENDING - Motion of Representative TERRY of Gorham to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Representative KRYZAK of Acton **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 Acton, Representative Kryzak.

Representative **KRYZAK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this motion. LD 1342 as amended by the Taxation Committee would allow a municipality to impose a local sales tax of 1% on lodging and prepared foods if approved by a referendum of the voters in that municipality with a simple majority vote regardless of voter turnout. The effective date is January 1, 2023.

The amendment was supported by the Democrats on the Taxation Committee, the Republican committee members voted against it. Ninety percent of the revenue from the local option sales tax is distributed to the municipality imposing the local option sales tax. None of the extra tax revenue raised is shared with other towns, unlike similar bills in the past, where the extra revenue raised was distributed to surrounding towns. The other 10% is distributed to the Maine State Housing Authority, which is required to establish a program of property tax relief and rent relief for municipalities using the revenue. Tourism has been one of the hardest-hit industries during the pandemic and Maine's small hospitality business have reported losses of tens of thousands of dollars in 2020. So, now is not the time to put this industry at a competitive disadvantage. Hospitality-based taxes over and above a reasonable level are not welcoming to visitors. At 10% for lodging and 9% meals, including local options, Maine would be in that category.

Seventy percent of all restaurant sales are to Maine residents, which debunks the exportability myth. The sales tax consumption tax is a regressive tax that hits poor, moderate-income families and people on fixed incomes the hardest. Municipalities are already receiving a tremendous amount of increased revenue. Part one of fiscal year 2023 budget that was enacted last month includes \$1.25 billion for K-12 education, increasing the State's share to 51.83%. 3.75 of sales and income tax revenue for revenue sharing projected to distribute 144 million to municipalities in fiscal year 2023 and nearly 90 million in each year to reimburse to 70% of the lost property tax from the homestead exemption. Local option sales tax is opposed by Maine Tourism Association, Hospitality Maine, Retail Association of Maine, Maine State Chamber of Commerce, National Federation of Business, Ski Maine, Maine Camp Rental Owners Association, Maine Beer and Wine Distributors Association, Maine Jobs Council, Ogunquit Chamber of Commerce, Bar Harbor Chamber of Commerce, Lewiston-Auburn Metropolitan Chamber of Commerce, Mid-Maine Chamber of Commerce, Kennebec Valley Chamber of Commerce, Maine Auto Dealers Association, Maine Sporting Camp Association, Maine Beverages Association and Maine Grocers and Food Producers Association. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. I also rise in opposition to the pending motion and I do so for several reasons. The first of those, I'll begin way up in the clouds and I'll try to bring it down to some practical ground level before I finish. The first reason is, to give folks a brief history lesson, revenue sharing was established back in the 70s to avoid this very thing, this patchwork of local option sales taxes. As an unabashed, unavowed supporter of revenue sharing, as one who strongly supports that and who always has and always will as long as I'm in this building, I think embracing a local option

sales tax only weakens revenue sharing, only makes our case a lot weaker there. We do, we worked hard to restore funding for revenue sharing both in the budget and over the years in building back from the great recession.

On the practical level, I would say my opposition to this bill comes from listening to local businesses, small businesses like the takeout you might happen to find, the small family takeout you might find driving down Route 1 in Washington County or Helen's Restaurant or others who barely held on during the pandemic and who had all they could do to keep things going. Now, some of the takeouts did relatively well, but the plain and simple truth of it is our hospitality industry had a miserable, miserable go of it during the pandemic. And letting towns put these local option sales taxes onto some of our most critical, most visible, most attractive businesses is only going to devastate those businesses and it's not really going to help but a few folks in a few areas. So, I will be opposing the motion before us and would encourage others to do so as well. Thank you, Mr. Speaker.

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

Representative **ROEDER**: Thank you, Mr. Speaker. I was elected by the people of Bangor and I noticed that in the list of the chambers of commerce, our own was not included.

We're a service center. People from all over Maine come to Bangor to shop, to go to the hospital to see doctors, this money, should the good voters of Bangor vote for local option sales tax, this money would help us to be an even better service center. It would replace some of the wear and tear on our infrastructure. The people of Bangor elected me and the people of Bangor seem to want this, so, I rise in support of this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this is kind of an unusual bill. Most carveouts, you're trying to prevent paying taxes. In this case, you want carveouts to pay even more taxes. Kind of odd. As the Good Representative from Machias mentioned, revenue sharing cured this, or was supposed to have cured this. The problem is that the people that live in rural areas who come into places like Bangor, spend their money and do not receive the benefit from it. So, I ask you to follow my light and defeat the pending motion. Thank you.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Colleagues. I'm going to vote in favor of this bill. I'm going to talk about Ogunquit. So, revenue sharing helps lift all boats but places like Ogunquit have a large tourist presence and what happens is that the taxpayers; property taxpayers pay for that repair for people who come in as tourists. So, dining revenue is down by 32% in 2020 compared with 2019 and lodging revenue was off by 52% but town services were not. There were many visitors and day-trippers escaping other places to come into Maine even last summer. The beach in Perkins Cove saw a large influx of visitors.

So, Ogunquit is faced with replacing infrastructure that supports the tourism and that comes off the backs of the local taxpayers. Most notable this year is the iconic drawbridge in Perkins Cove that needs to be replaced. And I say it needs to be replaced because people come and take pictures of that all the time. It's a wonderful place for visitors to come and raise the bridge by pushing the button and it needs to look sparkly. I say that, you know, Ogunquit has to polish every grain of sand

on its beach and a lot of that falls on the local taxpayers. So, Ogunquit would be pleased to have a local sales option tax to help them out. So, I hope that you will listen to that, understand that not every community has to vote in support of this, but this would give Ogunquit, and I think York, I've lived in York for 35 years and the beach there also would potentially do with a local option sales tax, but I would let the communities have the option to vote for it. Thank you, Mr. Speaker.

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

Representative **BAILEY**: Yes, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion for three primary reasons; property taxes, property taxes and property taxes. Maine taxpayers are paying through the roof, they are having a hard time staying in their homes, especially low-income and elderly Mainers. We need to not tie the hands of our municipal governments in terms of their ability to raise revenue, to support schools and local communities. And for those communities where councils and members of the community want to support a local option sales tax in order to decrease the property tax burden, we ought to empower and give local communities the opportunity to diversify the way in which they raise revenue locally and that's why I support this bill.

So, if the towns of Machias and Pittston and others don't want to adopt a local sales tax, they don't have to. But if Portland and Bangor and Gorham where I live, which is not necessarily known for its cuisine and hospitality, although if you haven't had a chance to come to MK Kitchen and Junction Bowl and check out some of Representative Mo Terry's fantastic premade cuisine at our local market, you ought to stop by and do so. But the benefits are really there for our communities and I also wanted to say I think the benefits are here for all of Maine. So, even those communities that don't participate will benefit from the opportunity with a local option sales tax through this bill because of the opportunities for funding that are generated for affordable housing in our State, which we know is a crisis across our State and region. So, I hope that Members will join me in voting for the pending motion. Thank you, Mr. Speaker.

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

Representative **PERRY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, as people often say; I had no plans of speaking on this bill. But when my good friend from Pittston, Representative Hanley mentioned that people come to Bangor and will have to pay the tax if we adopt it and get no benefit, people from rural Maine come to places like Bangor, I will agree. I can't tell you how many people come to Bangor because they need mental health services, drug addiction services, hospital care, subsidized housing, homeless services. As I travel through rural Maine, I don't see a lot of that in rural communities. It's no accident that Bangor's mill rate is almost 10 dollars per thousand higher than Pittston's mill rate. Because if someone needs services, someone's struggling, they end up in Bangor, Augusta, Lewiston-Auburn, Portland, and our property taxpayers not only are paying the tab but Bangor is a regional work center and retail center where that revenue sharing money is collected to go back out to the rest of the State of Maine. And if the people of Bangor feel like it's good policy for them as well as other retail centers and service centers, they ought to at least have a chance to make that decision for themselves. And, as I think I heard my good friend, Representative Bailey, say we are all in this together and it's one Maine and we

should be, you know, addressing the issues that each community faces and it's a very unique set of circumstances that Bangor faces and this would go some extent to help us pay for the services we render to people from all over the State. Thank you.

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

Representative **MORRIS**: Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to the pending motion. We hear much about how this would help local municipalities. But, understand, this will not help our small businesses. Also, understand municipalities are getting significant money from the American Rescue Plan Act. What are our businesses getting? And I would point out that as we look at this going forward, some of the people that will benefit from this are the people that benefit from our current tax policy in Maine, the people that own businesses --

The SPEAKER: The Member will defer. The House will be in order. It is very loud. The Member may proceed.

Representative **MORRIS**: Thank you, Mr. Speaker. I would suggest the people that will benefit the most from this will be the people that benefit now from Maine's sales tax policies; the businesses in places like Conway, New Hampshire, Errol, New Hampshire, Portsmouth, New Hampshire that are just a stone's throw from our borders that do not charge a sales tax because the State of New Hampshire does not have a sales tax. If you enact another 1% sales tax, allow our biggest municipalities where many of our realtors exist to enact another 1% sales tax, this will hurt our small businesses, it will hurt the people that work for those businesses and it is a regressive tax that will hurt our consumers. I encourage this Body to reject the pending motion. Thank you.

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

Representative **GEIGER**: Thank you, Mr. Speaker, and Members of this House. I rise in support of the pending motion. I am a former six-year city councilor and former mayor of a very tiny city; Rockland, Maine. It is a service center, however. I would remind this Body that it was only a few years ago that the municipal revenue sharing rate was 2%, down from the 5% it is currently listed in as Statute. Several budgets attempted to zero it out over the years.

So, cities, service centers in particular, don't have a particular amount of faith in this Body to maintain that 5% when hard times come. Rockland's streets are crumbling, its infrastructure is crumbling. It has 2600 households that are responsible for the infrastructure that serves 16,000 people who work there and 25,000 people there in the summer who come to visit. This is an opportunity to ask those who don't live or pay property taxes in our service centers to pay a tiny amount to maintain the services they all use. It's an opportunity to ask out-of-state visitors in a way that they will never notice to help maintain our infrastructure in Maine. This is an opportunity that service centers have asked for for years. I hope you will support it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. Local option sales tax hurts small towns while also hurting larger municipalities. For example, if Bangor chooses to put this through but Brewer does not, I'm more than happy to shop in Brewer. My small town no longer has a restaurant. We do have a convenience store that does serve

prepared food, but we also do not have any lodging places in town. We're agricultural. You've heard me say before cows outnumber people in my town. My small town pays very high property taxes despite the fact that we are an agricultural town. We rely heavily, to heavy sometimes, on revenue sharing. Adding a local option additional tax will not help restaurants who have been suffering during the COVID-19 pandemic. Also, our lodging facilities suffered when they were forced to close due to the pandemic in 2020.

Mainers are still the largest percentage of patrons to our local restaurants, our lodging facilities, our campgrounds, and this is not going to be an additional tax on out-of-state tourists, it's going to be a tax directly onto our towns, onto our people of Maine, the people of Maine, and I urge you to vote against the pending motion and defeat this measure and protect the people of Maine. They will go out of state to go on vacation.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Cuddy.

Representative **CUDDY**: Thank you, Mr. Speaker. I rise to support the motion. The four towns that I represent, Mr. Speaker, are not going to enact the local option sales tax. It is not going to happen. But when a resident of one of my four towns, as so often does happen, goes to the town hall and they say I cannot pay my property taxes, my Social Security is not keeping up, property taxes are rising, I can't do it. They will have, because of this bill, an option that doesn't currently exist, where they will be able to take advantage, Mike Crooker, the town manager of my town, will be able to call, he'll be able to find help for these folks that today does not exist. And it will happen not because we have taxed ourselves in Winterport or in Searsport or Frankford or Swanville, but because the people in Portland or Bangor or perhaps for those two lovely restaurants we heard about in Gorham, those folks will have decided that it's something that they want to do and they will provide the residents of my district with a property tax relief program that does not exist today. For that reason, I will be supporting the measure.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Mr. Speaker, my Colleagues in the House. If I thought for a second that this money would be directly used to reduce property tax and not just add funds to spend more money, I would support it. To reduce the property tax as it now stands. I don't think that's going to happen, I think it's just going to be more money to spend, in my humble opinion. So, I urge you to defeat this motion and I will add that the Good Representative from Gorham and the Honorable Mr. McLane have been spotted several times dining in Standish at the Sweet and Savory.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I want to thank all my colleagues for rising today and having a good local discussion about this bill. This is exactly the sort of democracy that this bill encourages that when towns decide whether or not they want to enact a 1% sales tax on lodging and prepared foods that they will have the ability to do so, and to have this discussion, and those people who are for it will fight for it and those people who are against will fight against it and the town will ultimately decide whether or not that is what they want to do. Just to clear up a few things. The Good Representative from Machias took a very noble effort at explaining the bill and I just wanted to make sure that folks understood that 90% of the money raised stays with the town that enacts and 10% goes to the Maine State Housing

Authority, which I will talk about momentarily. But I do want to answer the question of what do our businesses get in the towns and, let's be honest, large municipalities who will enact this tax, who will enact the local option? They get roads that are repaired, they get the ability for the municipality to attract more people to come to that area because there is excess money. And, yes, at least in my town, they will get property tax relief because I enacted that promise from my councilors.

Now, I want to talk about that 10%. Why is that 10% in there? Well, to me, it makes sense that our number one industry should support all of Maine's citizens, Mr. Speaker. And that's what that 10% does. Now, I am very interested in putting people into homes. And I know, Mr. Speaker, that most of the people in this Body are interested in having their constituents housed. And so, this program through Maine State Housing does two very specific things. One, as the Good Representative from Winterport pointed out, is to create a tax relief program. I think that one of the burdens, not only financial but, I think, spiritual on town officials is the family who cannot afford to pay their taxes and the municipality has the choice of either turning them out of their homes or eating the cost of the past taxes. What this program will do is to allow the municipality to provide relief and yet receive the past due taxes. I can't stress how important that is to keep people in their homes. Housing is the number one thing that sends people into a spiral of economic disrepair.

And that is the other portion of this bill. Besides keeping people in their homes, it helps to put people in homes. There are 25,000 people spread throughout this great State who are on the voucher waiting list. And one of the primary factors is that the amount of the voucher and the confidence of landlords in the amounts of the voucher is not the same as how much apartments actually cost. The program that we will institute will pay that gap between what the voucher provides and what the landlord needs in order to survive. So, if it's 800 for a voucher and it's 1200 for an apartment, that would be 400. I can tell you that in the City of Portland, this tax would raise upward of 15 million dollars. Ten percent of that; 1.5. That's an awful lot of \$400 gaps. That's an awful lot of people in all of our districts being housed.

I have fought my entire time in in this chamber to get that voucher list down and everything that has been tried has failed. This will provide a sustainable every year amount of money to put people in homes and keep people in homes. And that, Mr. Speaker, is why I ask you to support this bill today.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, only five states in the entire country have a higher lodging tax and meals tax than Maine will if this is enacted in those municipalities.

We already have a sizable state meals tax at 8%. Larger New England states have a lower state prepared meals tax; Connecticut is 7.35, Massachusetts is 6.25 and also has a top income tax rate of 5%, by the way, Rhode Island has a 7% prepared foods tax. Sales and consumption tax, it's a regressive tax that hits the poor, moderate income families and people on fixed incomes. Think about going to the grocery store, Mr. Speaker, and you only have a limited amount of money for dinner. You might pick up a salad; that's prepared food. You're going to pay an additional 1% tax on that. What if you don't have a stove or an oven at home and you have to buy prepared food like a rotisserie chicken to feed your children? You're going to pay a 1% sales tax on that. Mr.

Speaker, people that go to Wendy's or McDonalds that can't afford nice restaurants, they're going to pay that 1% sales tax.

Maine is predicted to receive 1.65 billion in state and local aid. That breaks down to a billion to the State, 118 million to the State's five federally-designated metropolitan areas, which is Portland, Lewiston, Auburn, Bangor and Biddeford. 115 million will go to 480+ towns and cities, 261 million to Maine's 16 counties, which could further distribute funds to local towns, 129 million for capital projects around the State. A local option tax guarantees municipal spending. It does not guarantee property tax relief. There's a cost to the State just for a computer upgrade of up to \$5 million. There's going to be a cost to your grocery stores that have to program all their computer systems in all their stores throughout the State to affect that 1% tax only on those prepared food items. That's going to cost them a lot of money. Hotel chains are going to have to do the same thing. But that's okay. Some of us don't care.

Mr. Speaker, I may have repeated some of the testimony from my good friend from Acton. There's no minimum voter turnout necessary for this. You could have five people in the town show up and vote and if three of them vote for it, well, it goes through. The final point I want to make, which I believe is the most important, is that according to the Constitution, Article IX, the Legislature may not surrender the power of taxation. Now, if this bill said municipalities must charge a local meal and lodging tax of 1%, that would be constitutional. But for us giving them the power to decide whether or not they're going to charge that, that is unconstitutional and it opens the State up for a class action lawsuit and I will be certainly in favor of that. Please follow my light; vote against the pending motion. Thank you.

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

Representative **CLOUTIER**: Thank you, Mr. Speaker. Mr. Speaker and Honorable Women and Men of the House, I rise today in support of the pending motion.

Municipalities are required to fund schools, infrastructure, essential services and various other priorities for their residents. Yet Maine law allows few revenue options other than the property tax to fund them. As evidenced over the years, revenue sharing and education funding have consistently been underfunded and are the first to be cut during economic downturns. It is estimated that in 2019, municipalities statewide generated \$4.9 million in revenue to fund school, county and municipal government services. Of that total revenue, over 60% was raised through property and motor vehicle excise tax assessments.

The bill before us proposes a limited local option sales tax of 1% on a narrow subset of leisure activities, meals and lodging. As proposed, this bill also provides municipal officials with the flexibility to implement a local option sales tax only if validated by the voters participating in the required referendum election. Currently, Maine is one of only 12 states nationwide that does not allow for a local option sales tax. Based upon testimony provided by the Mayors Coalition during the public hearing on this bill, municipal leaders in Maine's urban, suburban, and rural communities agree that there is an ever-growing need to diversify and expand the revenue streams available to the state's service center and tourism-based communities.

In service center communities, like my hometown of Lewiston, that attract people from a larger region for jobs, housing, retail, recreational opportunities, and social services programs, the local option sales tax would generate some of

the revenue necessary to offset the costs of providing municipal services to a daytime population that far exceeds the full-time resident population. In communities that host seasonal visitors, this bill would allow a portion of the costs associated with providing additional public safety, waste management, and traffic enforcement services to be shifted off the backs of the full-time resident property taxpayers and onto the visitors who create the need for these expanded municipal services.

I want to reiterate that only the voters of a given municipality could impose the tax proposed in this legislation through the referendum process. Please join me in giving these voters the option to decide what they believe is in the best interests of their communities by supporting the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I do apologize for rising a second time, but when my friend, the Representative from Standish made his point saying that this will likely not reduce property taxes, it got me thinking. Because in Waldo County, where the Representative from Winterport and I both reside and represent, I made a point of asking town selectmen when they were asking me to support additional revenue sharing several years ago, I believe it was in the 128th Legislature, my response to their question was to answer with a question of my own; will you reduce our property taxes? The answer every single time was a resounding no. Thank you.

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

Representative **BLIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did not intend to rise on this subject, but after listening to some of the other Members in this Body here, I have to just make a comment. The CARES Act money received \$150 million and went to several towns; Biddeford being one of the, Portland being another. I don't know what each community got, but if this tax is going to lower taxes in your community property taxes, why didn't that money lower your property taxes now?

We heard a comment from the Representative from Ogunquit stating that we need this money to fix our park. Your parking meters generate over a million dollars. Why can't some of that money help to fix your parks? You're saying that this bill here if the communities or the towns will be able to have the option. If I put a referendum out there, a vote for the public and saying if you vote this in, it will lower your property taxes, who would be foolish not to vote for it? If this passes this Body, this will pass, there's no doubt about it, every community is going to want it because it's going to lower their property taxes. But it will be a lie because it will not because you have the option to lower your property taxes now and you're not doing it.

The Good Representative from Portland said this excess money; wow, if it's excess money, why are we getting another tax? We already have plenty of money because this is excess money. Right? And then, you know, out of that, \$1.5 million is going to go to Maine State Housing in the City of Portland. How many gaps are we going to fill with that? Maine State Housing just got \$200 million. That's 133 years of the 1.5. This is poor legislation again. Taxes should be state-run and not locally because this is going to let the camel's head in the tent, we'll start at 1% today and it's going to keep growing. Maybe not tomorrow, but years to come. Vote this legislation down.

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

Representative **COLLINGS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this bill and just want to quickly say that here in the Legislature, we often look across the State and see where there's a need. I recall being a staff member here and looking at a specific need in Aroostook County, every single Member of the House and the Senate rallied around to help the people in Aroostook County with a project at Loring Air Force Base to help with infrastructure. I recall times being a staff member or a legislator where we had legislation that helped a specific part of the State like Washington County. I also remember other initiatives where we've helped out in Franklin County or Penobscot County with distressed mills and distressed industries.

We have a history in this Body of helping people in this State by the needs of their region. And what this bill does is continuing that tradition. And, in the bill, there's a word; it's called option. This is an option. If your town finds after doing their due diligence this isn't a good option for you, you don't have to do it. But if you're in a town like Portland, if you're in a town that's a service center, if you're in a tourist town, if you're in a community where with federal, state or local revenue, you're not meeting your basic needs, when you have costs above and beyond what you can afford when you're a service center or a tourist town, when you have multiple schools with people with different language needs, when you have housing crises where you have dozens and dozens of people dying on the street every year because you can't keep up with this issue, this is an option that a community can vote for with 60% of the voters in an election voting for it can vote this in to give people the option to get additional revenue. So, if you're a town that doesn't want it, you don't have to do it, it's not going to cost you a penny, it's not going to hurt you.

Now, I live in Portland and if this were to pass, if I got a big, what do we call it, we get a reimbursement or stipend for our food from the Legislature, if I had some money and I had a couple extra bucks, I wanted to take my kids out and I spend a hundred bucks and I could pay an extra dollar in taxes, it's not going to prevent me from going out. So, I don't think this is going to prevent local people from coming out. If someone comes to Portland from a different state and they're going to stay for a while and spend \$2,000 on a hotel and they've got to spend an extra \$20, that is not going to deter them from coming. There is no place in this country that I've traveled to, there's no one that I've seen travel to Maine that has come here and said by the way, what is your lodging rate because if it's 1% more than this State, I'm not going to go to Bar Harbor. I don't think that exists, I think this is a commonsense measure, it's an option, it can help your town.

And as far as tax jurisdictions, according to the Tax Foundation, with federal, state, municipal, tribal, other levels, there are over 11,000 different types of sales taxes in the State. There are many cities and towns all over the country that have different types of optional taxes. It happens all over the place and this is something that is greatly needed, it's something we've worked on for decades, it is an option to help communities that need extra revenue to meet needs that are currently unmet. Yes, Mr. Speaker, we do have lots of federal money coming in. That is for a limited time. That is not going to fix all the structural problems in our State going forward for years to come. So, I ask that you would please not take away the option from communities that want this to help take care of the needs that need to be addressed. Thank you.

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

Representative **TERRY**: Thank you, Mr. Speaker. I've quite enjoyed the lovely discussion we've had on the pros and cons of local option sales tax. One of the things that I heard was that we have plenty of pandemic money relief coming in and that should take care of all of our problems. This problem that large municipalities have is an ongoing problem and this local option sales tax could be the fix for these town. They're only going to be the fix for these towns if the voters of those towns vote for the referendum. The referendum has to have 20% of the amount of voters from the last gubernatorial election, if I could correct my good friend from Auburn.

While most business membership groups don't support this measure, municipalities do support this measure. Municipalities that need a boost to their revenue because night after night, summer after summer, they see huge amounts of spikes in their population and when they see spikes in their population, people use the services that are meant for the taxpayers, for the property taxpayers. The property taxpayers are paying property taxes in their other towns, in the towns that they live in. They're not paying for them in the service community centers. So, to help our police in our service centers when we go out for dinner and get pulled over for a taillight, for our ambulance services, for our fire services, for our trash collection services in these service centers, those folks need the extra revenue in order to pay for those things and I urge you to follow my light and give these municipalities the option to have a local option sales tax. Thank you, Mr. Speaker.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Actions at the federal, state and local level almost always have unintended consequences. And as I've listened to this discussion here today, this debate, I realize that that's what we're trying to address here; unintended consequences that have now caused us to require more funding, more taxes, more money to help take care of the things that we've said we want to happen in our State and in our localities. I'm very concerned about unintended consequence on a personal level. The Good Representatives from Bangor mentioned that being a service center, and it certainly is. Growing up as a kid, and my wife when she was young, and people in our area, the Dexter area, we traveled to Bangor for almost anything. If you wanted to go to a movie, you drove an hour to Bangor. Loved it. I love going there today to visit the restaurants, to go to the venues for entertainment. However, I'm afraid that if this bill passes and the City Council, the good, sensible folks in Bangor, pass a 1% sales tax in Bangor, that my wife's new service center is going to see an expansion, and that's amazon.com. 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. 187

YEA - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Dunphy, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher,

Pebworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, Williams, Wood, Zager, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Melaragno, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stover, Thorne, Tuell, Underwood, Wadsworth, Warren, White B, White D.

ABSENT - Cebra, Grignon, Landry, Paulhus, Roche, Sharpe, Theriault, Zeigler.

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

69 having voted in the affirmative and 74 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative TERRY of Gorham, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

An Act To Provide Funding for the Maine Outdoor Heritage Fund Program (EMERGENCY)

(H.P. 750) (L.D. 1012)

(C. "A" H-195)

TABLED - June 7, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **PASSAGE TO BE ENACTED**.

On motion of Representative FAY of Raymond, under suspension of the rules, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative **House Amendment "A" (H-420)** was **READ**.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Fay.

Representative **FAY**: Thank you, Mr. Speaker. Just by way of a quick explanation, this amendment simply removes the emergency preamble to the bill. Thank you.

Subsequently, **House Amendment "A" (H-420)** was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-195)** and **House Amendment "A" (H-420)** in **NON-CONCURRENCE** and sent for concurrence.

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

SENATE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (S-147)** - Committee on **TAXATION** on Bill "An Act To Provide Equity in the State Income Tax Deduction for Certain Public Employees Retirement System Pensions"

(S.P. 463) (L.D. 1413)

- In Senate, Minority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-147)**.

TABLED - June 7, 2021 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-147)** 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-147)** in concurrence.

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-409)** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Requiring Climate Impact Notes on Proposed Legislation and Agency Rules"

(H.P. 922) (L.D. 1256)

TABLED - June 7, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - Motion of Representative MATLACK of St. George to **ACCEPT** the Majority **UGHT NOT TO PASS** Report. (Roll Call Ordered)

Subsequently, Representative LOOKNER of Portland **WITHDREW** his **REQUEST** for a roll call.

Subsequently, 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**.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-436)** - Minority (3) **Ought Not to Pass**— on Resolve, To Study and Recommend Improvements to Maine's Dam Safety

(H.P. 1102) (L.D. 1488)

Which was **TABLED** by Representative DUNPHY of Old Town pending the motion of Representative TUCKER of Brunswick to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

The Resolve was **READ ONCE**.

Committee Amendment "A" (H-436) was **READ** by the Clerk and **ACCEPTED**.

On further motion of Representative DUNPHY of Old Town, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-436)** was **ADOPTED**.

Representative BELL of Yarmouth **PRESENTED House Amendment "A" (H-470) to Committee Amendment "A" (H-436)** which was **READ** by the Clerk.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-470) to Committee Amendment "A" (H-436)**.

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 Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. I wish to speak on this pending issue, is this the proper time? Are we discussing only the amendment?

The **SPEAKER**: The Chair would answer in the affirmative.

Representative **HANLEY**: Thank you. This is a bill about dams, the study of dams. And, oddly enough, it's not about the study of safety, it's about the study of removal, and I'll explain that in a moment. When this bill was brought before us, the Maine Emergency Management Agency came and testified and a gentleman named Joe Legee testified on this. He was asked questions but in his opening remarks he said that if a study is required, the time spent to complete a study would take away from the result, the other inspection of dams, seeing as his department is one administrator and two people. So, he said to conduct the study that the bill authorized or required would require great amounts of money, half a million dollars a year and probably more than that, a million dollars, to complete it.

So, he was asked if there was any backlog, if there was any issue with dam safety, and he said, and I quote, the question is so, do we have a backlog of inquiries that have yet to be resolved. His answer is no, MEMA does not have a backlog of inquiries. Considering the periodic nature of inquiries, the agency can address each within a matter of days. So, the question of dam safety, if we had dams that had safety issues, I'm sure those issues would be brought to this agency on a regular basis. But, from their testimony, that doesn't happen.

The other part of the law, under the summary, is because of the money issue and, by the way, the amendment that was just brought to the floor was to add a \$20,000 note to it, to give it some money, but the money issue to do a comprehensive study could cost upwards of a million dollars. And in the summary of the bill, you can read in the final sentence that the use of funds available from public or private sources, including but not limited, to any available federal funding for the peer review and stakeholder review and development of the report that requires the department to disclose the funding sources for this report. You can have public or private money used to do the study. Well, lo and behold, we have someone that wishes to do that. It's the National Resource Council of Maine has offered to fund this study. They're the same people that just filed a suit in federal court to remove four dams in the Kennebec River.

It is, to me, like asking a fox to determine if chickens taste good in a hen house. Because you're hiring someone that has a preconceived answer, and that's what they're going to be looking for. I find this to be a disingenuous study and I ask you to follow my light and defeat it. Thank you, Mr. Speaker.

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

Representative **BELL**: Yeah, I'd just like to point out that back in 2020, the State of Maine received a grade of D+ for its infrastructure, its dam infrastructure. So, in my mind, a grade of D+ needs some attention and this bill is a study to begin that process. So, I, again, reiterate that I'd like to see this study be done. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-470) to Committee Amendment "A" (H-436). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 188

YEA - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Fecteau, Grignon, Haggan, Landry, Martin, Paulhus, Perkins, Perry, Roche, Sharpe, Theriault, Zeigler.

Yes, 77; No, 61; Absent, 13; Excused, 0.

77 having voted in the affirmative and 61 voted in the negative, with 13 being absent, and accordingly **House Amendment "A" (H-470) to Committee Amendment "A" (H-436) was ADOPTED.**

Committee Amendment "A" (H-436) as Amended by House Amendment "A" (H-470) thereto was 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) as Amended by House Amendment "A" (H-470) thereto and sent for concurrence.**

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-455)** on Resolve, To Improve Air Quality and Ventilation in Maine's Public Schools (H.P. 517) (L.D. 705)

Signed:

Senators:

RAFFERTY of York
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
LYMAN of Livermore Falls
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
ROCHE of Wells
SALISBURY of Westbrook
STEARNS of Guilford

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

Signed:

Representative:

SAMPSON of Alfred

READ.

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

Representative **STEARNS** of Guilford **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 Guilford, Representative Stearns.

Representative **STEARNS**: If ever there was a time in the history of the State when air quality was a topic of discussion, this is it; when we're sitting with masks covering our faces, wondering what the next person might be putting out into the atmosphere in this room that we're going to have to breathe. And schools are certainly a place where air quality is of great importance.

We really suffered in our school construction and in all of our schools back in the '80s during the oil shortage. We buttoned up our schools, K-12, and we took care of that energy, but we found there wasn't a whole lot of oxygen left at the end of the day and students were suffering from it and so were faculty and staff. And we have come a long way since then in Maine, following the existing Statute, which is a requirement that air quality and HVAC be maintained in compliance with HVAC rules, and that's pretty much it. Now, I do understand and appreciate the motivation behind wanting to actually quantify that, to set the standard, and so do the multitudes of air quality folks who sell the equipment and the expertise, they lined up in droves saying that's a great idea, that we ought to do that. But sometimes in such a broad area as this, to quantify it with a finite number may have consequences, and I would say likely would have consequences that will be enormous in nature.

There's absolutely no doubt that we need to continue upon the trail of making sure that our schools have good quality air. As a matter of fact, I think the latest standard, if you will, is that the air needs to turn over in a classroom about every 20 minutes. And that's quite an engineering feat, when you're trying to save energy and yet you're putting fresh air into that classroom every 20 minutes, those two don't work well together. And our schools have done a tremendous job with

help from the Department of Education and the Bureau of General Services at bringing our school systems up to speed in this area.

The financial burden to local taxpayers very well could be enormous on this, and I know I say that and safety has to come first, without a doubt, but I would urge you to oppose this motion on the floor and let the school people continue to do the job of improving air quality to the very best of their abilities. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Millet.

Representative MILLET: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm relieved that the Representative from Guilford agrees that ventilation in our HVAC systems are absolutely critical for healthy environments in our schools. The science is undeniable. Not only is it important for our health, but it is important for our students' educational success. Because, as it turns out, when you don't have a lot of oxygen in a room, it's very difficult to stay awake and to focus. This bill before us would require major substantive rulemaking. The experts will come together, have the conversation, reach agreement with the department and come back to the committee of jurisdiction and then to this Body. It makes absolutely no sense to have in Statute a requirement for standards and then not define those standards, and that's what this bill simply seeks to do. So, I hope everybody will follow my light and vote for this commonsense measure. Thank you very much.

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. 189

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doore, Doudera, Downes, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Harrington, Hasenfus, Hepler, Hymanson, Kessler, Kinney, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Newman, O'Connell, O'Neil, Ordway, Osher, Parry, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carmichael, Collamore, Connor, Costain, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Head, Hutchins, Javner, Johansen, Kryzak, Lemelin, Libby, Lyman, Martin, Mason, Millett, Morris, Nadeau, O'Connor, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Underwood, Wadsworth.

ABSENT - Cebra, Fecteau, Grignon, Haggan, Landry, Lyford, Paulhus, Perkins, Perry, Roche, Sharpe, Theriault, Zeigler.

Yes, 91; No, 47; Absent, 13; Excused, 0.

91 having voted in the affirmative and 47 voted in the negative, with 13 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-455)** 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-455)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-458)** on Bill "An Act Concerning Mental Health in Public Schools"

(H.P. 652) (L.D. 896)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
STEARNS of Guilford

READ.

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

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

Representative **STEARNS**: Thank you, Mr. Speaker. Once again, this bill is a study with a report back about a topic where information on best practice is readily available from several sources in the education community, through professional development, through the university system, through the Maine Principal's Association, through the MEA. This would be one more study and one more rehashing of things that folks in school already do as part of their business of continual improvement.

So, I would urge you to save the, I believe it's a \$9,000 fiscal note on it, save the money and use it elsewhere. Thank you.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-458)** 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-458)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-456)** on Bill "An Act To Limit Homework in Public Schools"

(H.P. 1017) (L.D. 1383)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

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

Representative **STEARNS**: Thank you, Mr. Speaker. Mr. Speaker, is it appropriate to just say ditto? Because, once again, studying homework and the value of homework and how much homework and when to give it and who to give it to is a topic that is continually churned about in educational circles and there is absolutely no need for further study. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Millet.

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

This conversation actually goes pretty deep into equity. Not all students have the same supportive environment at home, unfortunately, and while for some students homework can be an option for further progress, it can also be a serious detriment to others. I do not have the answers, but my hope is that this bill will allow the experts to come together and help us understand in the policy committee how this does relate to all of our students and all of their ability to be successful in our public schools. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker. May I direct a question to the sponsor? The bill's sponsor?

The SPEAKER: The Member may proceed.

Representative **EVANGELOS**: I was wondering why the sponsor didn't come up with this bill when I was in school.

The SPEAKER: The Representative from Friendship, Representative Evangelos has posed a question to any member who may care to respond. The Chair recognizes the Representative from Portland, Representative Collings.

Representative **COLLINGS**: I'm Representative Collings from Portland, the bill's sponsor. To Representative Evangelos, when you were in school, I think I was delivering the *Bangor Daily News* so, I wasn't paying attention.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-456)** 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-456)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-457)** on Bill "An Act To Enhance the Educational Expertise and Knowledge of the Board of Trustees of the University of Maine System"

(H.P. 1025) (L.D. 1391)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

Representative STEARNS of Guilford **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 Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Mr. Speaker. The Trustees at the University of Maine I believe have been working under pretty much the same rules since 1968. And there's a very bright line between being a member of the Board of Trustees and not being able to be a current employee of the University of Maine System. That's the current rule. You could be a retired employee and be appointed to one of the slots on the Board of Trustees, but not a current employee.

It's a good idea to keep that bright line in place. As was pointed out in some testimony that we received, the perception, even, of a conflict of interest can be very damaging to the university system. The university is excited, and I'm excited, to see the university going through a unified accreditation process; something that we really, we thought, when I was a little kid I remember my dad talking about it, saying this is pretty good, the whole system is going to work together. And as I went through that system, I thought maybe not so much. And now, that's happening and that unified accreditation process, just in the next year, is going to involve over a hundred faculty and staff members from the university to have input on the shape and focus of the university system. However, putting folks on the board, particularly the way it's set up in the State of Maine, our Board of Trustees is an integral part of collective bargaining. That's not the case in some states. In some states, the Board of Trustees is a hands-off approach to collective bargaining. But we learned that not in Maine. That isn't how that happens. They're involved in the details of collective bargaining.

And many people think that collective bargaining only takes place while that session is open to discuss the contract, but we all know that there are nuances to collective bargaining that go on during the course of the contract as well. And, again, it would be best for us to keep the Board of Trustees at the University of Maine System up to the pleasure of the Chief Executive, and to allow whoever the Chief Executive might be to use their best judgment in making those appointments without limiting it to certain folks from the university system. Thank you.

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

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. This bill was significantly amended by the committee and what it calls for now is a very modest and simple analysis of looking at all the different boards that the education committee makes appointment to. So, we appoint people to the university's Board of Trustees, we appoint people to Board of Education, we appoint people to the Board of Trustees for the community college, Maine School of Science and Math, Baxter School for the Deaf and the Ocean Academy. And all this bill does is ask the Department of Education to look at the demographics, geographical representation, and report back to the Education Committee to ensure that when we make those appointments, we have diversity, we have geographical representation and the demographics reflect the State of Maine. It's a very modest proposal and it's something that will be very beneficial to the education committee in looking and working with making appointments to boards that are very influential in terms of decision-making on educational policy in the State. 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. 190

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenpus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Fecteau, Grignon, Haggan, Landry, Lyford, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Theriault, Zeigler.

Yes, 79; No, 58; Absent, 14; Excused, 0.

79 having voted in the affirmative and 58 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-457)** 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-457)** and sent for concurrence.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-480)** on Resolve, To Analyze the Impact of Sea Level Rise

(H.P. 1169) (L.D. 1572)

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
TUELL of East Machias
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston

JOHANSEN of Monticello

O'CONNOR of Berwick

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-480)** 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-480)** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass** on Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

(H.P. 7) (L.D. 41)

Signed:

Senators:

SANBORN of Cumberland

BRENNER of Cumberland

Representatives:

TEPLER of Topsham

ARFORD of Brunswick

BROOKS of Lewiston

EVANS of Dover-Foxcroft

MATHIESON of Kittery

MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-453)** on same Resolve.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton

CONNOR of Lewiston

MORRIS of Turner

QUINT of Hodgdon

READ.

On motion of Representative TEPLER of Topsham, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

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

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Protect Workers from Unsafe Working Conditions with Regard to Indoor Temperatures"

(H.P. 256) (L.D. 358)

Signed:

Senators:

HICKMAN of Kennebec

GUERIN of Penobscot

MIRAMANT of Knox

Representatives:

SYLVESTER of Portland

BRADSTREET of Vassalboro

CUDDY of Winterport

DRINKWATER of Milford

GERE of Kennebunkport

MORRIS of Turner

PEBWORTH of Blue Hill

PRESCOTT of Waterboro

ROEDER of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-471)** on same Bill.

Signed:

Representative:

WARREN of Scarborough

READ.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-473)** on Resolve, To Encourage Employment in the Direct Care Workforce (EMERGENCY)

(H.P. 642) (L.D. 886)

Signed:

Senators:

HICKMAN of Kennebec

GUERIN of Penobscot

MIRAMANT of Knox

Representatives:

SYLVESTER of Portland

BRADSTREET of Vassalboro

CUDDY of Winterport

DRINKWATER of Milford

GERE of Kennebunkport

MORRIS of Turner

PEBWORTH of Blue Hill

PRESCOTT of Waterboro

ROEDER of Bangor

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

Signed:

Representative:

WARREN of Scarborough

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-473)** 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-473)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-459)** on Bill "An Act To Establish Ongoing Absentee Voting"

(H.P. 104) (L.D. 148)

Signed:

Senators:

LUCHINI of Hancock

HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough

COREY of Windham

McCREIGHT of Harpswell

RIELLY of Westbrook

SUPICA of Bangor

TUTTLE of Sanford

WOOD of Portland

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

DOLLOFF of Milton Township

HARRINGTON of Sanford

KINNEY of Knox

READ.

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

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

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

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

ROLL CALL NO. 191

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Poirier, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Fecteau, Grignon, Haggan, Landry, Lyford, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Theriault, Zeigler.

Yes, 80; No, 57; Absent, 14; Excused, 0.

80 having voted in the affirmative and 57 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-459)** 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-459)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-460)** on Bill "An Act To Improve Maine's Election Laws"

(H.P. 1172) (L.D. 1575)

Signed:

Senators:

LUCHINI of Hancock

HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough

McCREIGHT of Harpswell

RIELLY of Westbrook

SUPICA of Bangor

TUTTLE of Sanford

WOOD of Portland

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

Signed:
Senator:

FARRIN of Somerset

Representatives:

COREY of Windham
DOLLOFF of Milton Township
HARRINGTON of Sanford
KINNEY of Knox

READ.

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

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

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

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

ROLL CALL NO. 192

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Fecteau, Grignon, Haggan, Landry, Lyford, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Theriault, Zeigler.

Yes, 79; No, 58; Absent, 14; Excused, 0.

79 having voted in the affirmative and 58 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-460)** 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-460)** and sent for concurrence.

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

**ENACTORS
Emergency Measure**

An Act To Allow Maine Shareholders of Banks and Members and Corporators of Credit Unions To Hold Virtual Meetings

(S.P. 426) (L.D. 1320)
(C. "A" S-161)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 9 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Direct the Department of Transportation To Use a Rail Corridor Use Advisory Council in Reviewing the Mountain Division Line for Potential Nonrail Uses

(S.P. 258) (L.D. 672)
(C. "A" S-167)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 106 voted in favor of the same and 13 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Dedicate Sections of Maine's State Highway System to Fallen State Troopers

(S.P. 224) (L.D. 537)
(C. "A" S-166)

An Act To Establish the Thermal Energy Investment Program

(S.P. 236) (L.D. 597)
(C. "A" S-168)

An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee

(H.P. 446) (L.D. 610)
(C. "A" H-316)

An Act To Expand Eligibility for the Veterans' Property Tax Exemption

(S.P. 252) (L.D. 647)
(C. "A" S-178)

An Act To Protect Economic Competitiveness in Maine by Extending the End Date for Pine Tree Development Zone Benefits

(S.P. 281) (L.D. 730)
(C. "A" S-174)

An Act To Amend the Laws Governing Local Bridges

(S.P. 322) (L.D. 1027)
(C. "A" S-162)

An Act To Clarify the Definition of "Mortgage Servicer" in the Laws Governing Mortgage Foreclosures

(S.P. 334) (L.D. 1066)
(C. "A" S-179)

An Act To Create Limited Lines Self-storage Insurance

(S.P. 481) (L.D. 1494)
(C. "A" S-160)

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

Resolves

Resolve, To Conduct a Transit Propensity Study for Communities between Portland and Bangor

(S.P. 95) (L.D. 227)
(C. "A" S-183)

Resolve, To Create the Criminal Records Review Committee

(H.P. 408) (L.D. 563)
(C. "A" H-297)

Resolve, To Direct the Department of Environmental Protection To Determine Staffing Needs To More Efficiently and Effectively Issue Decisions on New, Amendment and Minor Revision Applications

(S.P. 465) (L.D. 1415)
(C. "A" S-171)

Resolve, Directing the Maine State Housing Authority To Examine and Develop a Program Promoting Home Ownership by Reducing Education Debt

(S.P. 562) (L.D. 1709)
(C. "A" S-173)

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

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

CONSENT CALENDAR

First Day

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

(S.P. 106) (L.D. 245) Bill "An Act Regarding Rural Water Districts" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-198)**

(S.P. 108) (L.D. 247) Bill "An Act To Improve Maine's Education System" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-202)**

(S.P. 283) (L.D. 731) Bill "An Act To Establish a Program To Assist Regional Firefighter Training Programs, To Provide Tax Credits to Businesses That Employ Volunteer Firefighters and Emergency Medical Services Persons and To Provide Benefits to Volunteer Firefighters and Emergency Medical Services Persons" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-187)**

(S.P. 340) (L.D. 1072) Bill "An Act Regarding Career and Technical Education and Memoranda of Understanding with Community Colleges" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-201)**

(S.P. 373) (L.D. 1111) Bill "An Act To Update the Statutes Governing Membership of the Board of Trustees of the Maine Veterans' Homes" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-194)**

(S.P. 462) (L.D. 1412) Bill "An Act To Require the Department of Education To Provide Information to Students Allowing Them To Make Informed Choices Regarding Their Education and Professional Futures" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-190)**

(S.P. 557) (L.D. 1705) Bill "An Act To Support Maine Students Who Are Dependents of Current or Former Members of the Military" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-189)**

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

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

(S.P. 514) (L.D. 1621) Bill "An Act To Reform Payments to Legislators by Political Action Committees" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-196)**

On motion of Representative DUNPHY of Old Town, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

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

SENATE PAPERS

The following Joint Order: (S.P. 578)

ORDERED, the House concurring, that the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature is established as follows.

1. Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature established. The Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature, referred to in this order as "the working group," is established.

2. Membership. The working group consists of 8 members appointed as follows:

A. Four members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature. Of these 4 members, 2 members must be members of the Government Oversight Committee and 2 members must be members of the Joint Standing Committee on Taxation; and

B. Four members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature. Of these 4 members, 2 members must be members of the Government Oversight Committee and 2 members must be members of the Joint Standing Committee on Taxation.

3. Working group chairs. The first-named Senator is the Senate chair of the working group and the first-named member of the House is the House chair of the working group.

4. Appointments; convening of working group. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the working group shall call and convene the first meeting of the working group. If 30 days or more after the passage of this order a majority of

but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business.

5. Duties. The working group shall examine and make recommendations regarding the process for the ongoing review of tax expenditures by the Legislature. In its work, the working group shall consider:

A. The provisions of the Maine Revised Statutes under Title 3 and Title 36 governing tax expenditure reviews;

B. The experiences of key entities involved in tax expenditure reviews under the Maine Revised Statutes, Title 3 since 2015, including the Government Oversight Committee, the Office of Program Evaluation and Government Accountability, the Joint Standing Committee on Taxation and the Department of Administrative and Financial Services, Bureau of Revenue Services;

C. Tax expenditure review policies, approaches and processes in other states; and

D. Input from stakeholders engaged in the administration of tax expenditures, including but not limited to the Department of Administrative and Financial Services, Bureau of Revenue Services, the Department of Economic and Community Development and other state agencies.

The working group shall make recommendations, including any appropriate changes to the Maine Revised Statutes, for improvements to the tax expenditure review process to ensure it meets the needs of the Legislature for oversight, evaluation and improvement of tax expenditure policies for the State.

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

7. Report. No later than December 1, 2021, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 130th Legislature.

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

READ

On motion of Representative DUNPHY of Old Town, the Joint Order was placed on the Special Study Table pursuant to Joint Rule 353 pending **PASSAGE**.

CONSENT CALENDAR

First Day

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

(H.P. 194) (L.D. 278) Bill "An Act To Establish a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-450)**

(H.P. 306) (L.D. 422) Bill "An Act To Enact the Maine Uniform Trust Decanting Act" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-445)**

(H.P. 450) (L.D. 614) Resolve, To Extend Funding to Maine Veterans' Homes during the COVID-19 Pandemic Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-448)**

(H.P. 622) (L.D. 854) Bill "An Act To Ensure Continued School-based Services for Children with Disabilities"

(EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-444)**

(H.P. 867) (L.D. 1189) Bill "An Act To Amend the Teacher Certification Statutes" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-451)**

(H.P. 875) (L.D. 1197) Resolve, To Require Continued MaineCare Reimbursement to Nursing Facilities for Bed Hold Days during Hospitalizations and Therapeutic Leaves of Absence Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-446)**

(H.P. 981) (L.D. 1329) Bill "An Act To Establish the Career Advancement and Navigation Initiative in the Department of Education To Lower Barriers to Career Advancement" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-449)**

(H.P. 1086) (L.D. 1470) Resolve, Regarding Reimbursement for Providing Inpatient Care to Individuals with Acute Mental Health Care Needs Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-447)**

(H.P. 1158) (L.D. 1553) Bill "An Act To Amend the Law Governing MaineCare Coverage of Chiropractic Treatment" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-443)**

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

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

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

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

(H.P. 12) (L.D. 46) Bill "An Act To Further Protect Consumers from Surprise Medical Bills" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-452)**

(H.P. 117) (L.D. 161) Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-467)**

(H.P. 441) (L.D. 605) Bill "An Act To Amend the Marijuana Legalization Act" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-466)**

(H.P. 1178) (L.D. 1589) Bill "An Act To Ensure Equity in the Cannabis Industry" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-465)**

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

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

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

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting (S.P. 91) (L.D. 202) (C. "A" S-172)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being a Constitutional Amendment, a two-thirds vote of the House being necessary, a total was taken. 76 voted in favor of the same and 59 against, and accordingly the Resolution **FAILED FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions

(H.P. 445) (L.D. 609) (S. "B" S-177)

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

Representative DUNPHY of Old Town **REQUESTED** a roll call on **FINAL PASSAGE**.

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

On motion of Representative DUNPHY of Old Town, **TABLED** pending **FINAL PASSAGE** and later today assigned. (Roll Call Ordered)

Acts

An Act To Include Grandparents under Maine's Family Medical Leave Laws

(H.P. 27) (L.D. 61) (S. "A" S-27)

An Act Regarding Certain Employees of and To Provide for the Payment of Certain Filing Fees to the Public Advocate

(S.P. 194) (L.D. 487) (C. "A" S-169)

An Act To Require the State To Meet the Mandatory 55 Percent Contribution to Schools

(S.P. 377) (L.D. 1114) (C. "A" S-163)

An Act To Address Student Hunger through Expanding Access to Free School Meals

(S.P. 540) (L.D. 1679) (C. "A" S-165)

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

Resolves

Resolve, Directing the Board of Pesticides Control To Research Workable Methods To Collect Pesticide Sales and Use Records for the Purpose of Providing Information to the Public

(S.P. 209) (L.D. 524) (C. "A" S-181)

Resolve, Directing the Maine Community College System To Evaluate the Need To Expand Workforce Training Options in Waldo County

(S.P. 180) (L.D. 814) (C. "A" S-164)

Resolve, Directing the University of Maine System To Study the Potential Effects of the State Adopting Atlantic Standard Time

(S.P. 259) (L.D. 826) (C. "A" S-182)

Resolve, Directing the Department of Transportation To Conduct an Economic Evaluation Study for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area

(S.P. 317) (L.D. 991) (C. "A" S-180)

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

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

CONSENT CALENDAR

First Day

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

(H.P. 42) (L.D. 76) Bill "An Act To Amend the Dental Practice Act To Define 'Supervision' and Authorize Teledentistry" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-484)**

(H.P. 212) (L.D. 299) Bill "An Act To Provide Clarity in the Laws Governing the Profession of Counseling" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-485)**

(H.P. 372) (L.D. 509) Bill "An Act To Protect Teachers from a Decrease in Retirement Benefits Arising from the COVID-19 Pandemic" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-490)**

(H.P. 925) (L.D. 1258) Bill "An Act To Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in Carrier Networks" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-486)**

(H.P. 1082) (L.D. 1466) Bill "An Act To Improve the Efficiency of Certain Consumer Credit Protection Laws" Committee on **HEALTH COVERAGE, INSURANCE AND**

FINANCIAL SERVICES reporting **Ought to Pass as Amended by Committee Amendment "A" (H-483)**

(H.P. 1148) (L.D. 1543) Bill "An Act To Improve and Modernize Home-based Care" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-491)**

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

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

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

COMMUNICATIONS

The Following Communication: (S.C. 634)

**MAINE SENATE
130TH LEGISLATURE**

June 7, 2021

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities" (H.P. 1012) (L.D. 1378) in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

the Honorable John E. Madigan, Jr., of Rumford. Mr. Madigan was a veteran of the United States Army, for which he served as a salvage diver from 1968 to 1971, supervising diving crews in the 523rd Engineering Company, Port and Bridge Construction. He served as a city or town manager in multiple communities in the State, starting with Monson in 1978. He also served as manager of the City of Eastport and of the towns of Rumford, Mexico, Dixfield and Rangeley before retiring in July 2020. He also worked as a facilities site engineer, construction inspector and general contractor throughout the State and New England from 1993 to 2005. He represented Rumford in the Maine House of Representatives during the 128th Legislature. Mr. Madigan will be long remembered and sadly missed by his wife of 46 years, Mary, his family and friends and all those whose lives he touched;

(HLS 299)

Presented by Representative ROCHE of Wells.

Cosponsored by Senator KEIM of Oxford, Representative DOLLOFF of Milton Township.

On **OBJECTION** of Representative HEAD of Bethel, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Bethel, Representative Head.

Representative **HEAD**: Mr. Speaker and Ladies and Gentlemen of the House, I would like to say a few words about Representative John Madigan.

I worked with him. Yes, he was over there, but we worked together and we worked well together because we knew it was for the good of Maine people, which is what we all should be doing? And I also worked with him because he was a selectman; no, he was a town manager in Rangeley and we had a few issues in Rangeley that we needed to work on together. He was a gentleman and always had a calmness about him but always had an idea that would work for the Rangeley people as well as he did when he was here. And he will be greatly missed by many people that knew him. He was just a fine person and I'd like, may God comfort his family at this time in their grief. Thank you very much.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker. I rise to honor the memory of John Madigan. Forty-three years ago, I was a teacher in Greenville and at that time, I found out later, that John took the town manager position in Monson, which is the last town before you hit Greenville on the road to the wilderness, 14 miles down the road, which we had to go through to reach civilization ourselves.

So, when John served in the 128th, he had an understanding of Maine. He served from Rangeley to Eastport as town manager, his hometown was Rumford, but he was the democratic caucus's, well, I'll speak for myself; he was our go-to person if we really had some questions about complexity on municipal issues. And he was, as described by the Good Representative, a gentleman and with a great sense of humor, if you had a chance to spend some time with him, and I want to express my condolences to his family and loved ones. John was a good friend. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Mr. Speaker, my Colleagues. I'm just going to briefly add, very saddened to hear of the passing of John Madigan and just add that this world is a better place because of John and he will be sorely missed.

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

Representative **PERRY**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was a seatmate with John and I learned a great deal from him as we spoke about family and about his experiences in the Vietnam War, and much more about how rich his experiences in life offered the opportunities for us all to be better and we will definitely miss him.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd be remiss if I did not stand and recognize the Honorable John E. Madigan, Jr. of Rumford.

John was a colleague that worked across the aisle with us in the 128th, but he also was my boss in the town of Dixfield

when I was there as the Chief of Police when he was an interim town manager. And John was a man that expected you to do your job, but he let you do your job; he didn't try to micromanage you. John was a person that recognized when a person had skills and talents and did everything he could do to make those come to the surface so that you could be a better person for it. I also worked with John here, as I mentioned, in the 128th and John and I had many talks and many of those talks were on bills and one topic that you all know on the other side of the aisle, I'm sure, is he was a very big advocate for revenue sharing. That was really something he was always constantly working very hard for. I believe John today would be very happy to know that it's at 5%, back where it used to be. I believe that would be a good day for him. But my condolences go to his family, to his wife, Mary. Wherever you saw John, Mary was with him and it's a sad day when we lost him and on the other hand, we're better off for having known him. Thank you very much, Mr. Speaker.

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

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker, I just rise to ask you a question about LD 609 that was under an emergency enactment. You closed the vote without counting the total and announcing the vote and it was tabled. We were voting. Can you please explain what rules you put in place to take care of that?

The SPEAKER: The Chair would advise the Member Rule 510, yeas and nays; a call for the yeas and nays is in order at any time before a vote is made certain and declared.

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

Representative **HEPLER**: Thank you, Mr. Speaker. Had I been present, I would've voted yes on the motion for LD 57, L.D.1498, LD 929, and LD 1323. Thank you.

The SPEAKER: The record shall so reflect.

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

On motion of Representative BICKFORD of Auburn, the House adjourned at 5:34pm until 10:00 a.m., Wednesday, June 9, 2021, in honor and lasting tribute to the Honorable John E. Madigan, Jr., of Rumford.