

ONE HUNDRED AND THIRTIETH LEGISLATURE  
SECOND REGULAR SESSION  
19th Legislative Day  
Tuesday, April 19, 2022

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

Prayer by Pastor Joel Carr, Charleston Church Downeast, Sullivan.

National Anthem by Suzie Edwards, Boothbay Regional High School.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Michael J. Ward, of Oxford, who is retiring as Chief of the Oxford Police Department after 35 years of public service. Chief Ward entered law enforcement in 1987, first working for the Androscoggin County Sheriff's department before moving to the Town of Mechanic Falls Police Department, where he worked from 1998 to 2003. In 2004, he transferred to the Oxford Police Department, and he was appointed chief in 2018. We extend our congratulations and best wishes;

(HLS 788)

Presented by Representative DILLINGHAM of Oxford.

Cosponsored by Senator BENNETT of Oxford.

On **OBJECTION** of Representative DILLINGHAM of Oxford, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER:** The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM:** Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is my pleasure to recognize Oxford Police Chief Michael Ward upon his retirement from law enforcement. As you've just heard, Mike has had a long career in law enforcement and it's important to note that his career did not define him but, rather, he has defined what it means to be a law enforcement officer. To understand that statement, you must know a little bit about Mike. His family and my family have been friends and neighbors for quite some time and I've known Mike I think since I was around sixth grade and, sufficed to say, it's been a long time. Mike's parents raised all three of their boys to be helpers, each never hesitating to help individuals when they are in need, that help coming without need or want of recognition. That is why I'm so very pleased that Mike was able to be convinced to attend today. I know he doesn't like attention, but he does deserve it. This is something that Mike brings to his service of the people of Oxford every day and he did the same when working for Androscoggin County Sheriff's Office and Mechanic Falls Police Department. Over the course of his career, Mike has received numerous letters of commendation and appreciation, but too many to list here. He leads with quiet authority and serves with compassion. He inspires respect and serves as a great role model. Mike is always generous with his time and level-headed with his approach. He treats those that work with him and those that he's had to meet on a professional basis with dignity. He is there with a calming voice and demeanor in a time of crisis.

While serving as a patrol deputy for the Town of Poland, he was also the DARE officer for the Poland schools. Mike built many positive relationships with children, staff and parents. Though no longer a DARE officer, it is not at all rare to have individuals call Mike for guidance with troubled youth and seek his support. Therefore, all this is why I say Mike never let his career choice define him. It was never the badge, never about the traffic stops, tickets or arrests. Mike has continually gone above and beyond to quietly offer aid and guidance to individuals in need, to act as son, brother and uncle to the communities he has served. I am happy to be able to call Mike my friend and I will always consider him family. By the support he has with him today, you can see many others feel the same. William Gagne, Chief Deputy, Androscoggin County Sheriff's Office shared with me his sentiment that Mike is a great guy and someone will have some big shoes to fill. I concur and I wish him the best in his well-deserved retirement, enjoying the time to do the things that he loves to do. Thank you for your service and dedication, Mike. Congratulations and enjoy.

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

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

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**In Memory of:**

Robert Gorham, of Buxton. A recently retired lieutenant of Buxton Fire and Rescue, Mr. Gorham had served his community for 39 years. Toward the end of his career, he was involved with the fire-police unit, maintaining safety at emergency scenes. Mr. Gorham will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 790)

Presented by Representative BLIER of Buxton.

Cosponsored by Senator BAILEY of York, Senator BRENNER of Cumberland, Representative CARLOW of Buxton.

On **OBJECTION** of Representative BLIER of Buxton, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **BLIER:** Thank you, Mr. Speaker. I rise in sadness today for Robert Gorham. He's one of the three casualties a week or so ago in the explosion in Montville. He served the Town of Buxton for 39 years, always willing to help. He had a son that lived in that area and not only was he willing to help in the Town of Buxton but also help in that area where Montville, where his son lived. You know, we always sometimes take for granted our safety. And here's a man that risked his life so ours could be saved. And so, I rise today just out of thank you to him for his service not only to the community of Buxton but also to Montville and risking his life for people like us. And so, I just want to remember him today and thank you for that.

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

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

The following item was taken up out of order by unanimous consent:

**UNFINISHED BUSINESS**

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

Expression of Legislative Sentiment Recognizing the T.W. Kelly Dirigo Middle School Wrestling Team, of Dixfield  
(HLS 751)

TABLED - April 11, 2022 (Till Later Today) by Representative PICKETT of Dixfield.

PENDING - **PASSAGE**.

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

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

**ENACTORS  
Acts**

An Act To Provide Access to Fertility Care  
(H.P. 1144) (L.D. 1539)  
(S. "A" S-566 to C. "A" H-865)

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

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

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

**UNFINISHED BUSINESS**

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

An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine (EMERGENCY)  
(H.P. 1516) (L.D. 2034)  
(C. "A" H-1028)

TABLED - April 18, 2022 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **PASSAGE TO BE ENACTED**.

On motion of Representative HARNETT of Gardiner, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1028)**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-1028)** was **ADOPTED**.

On further motion of the same Representative, Joint Rule 311 was **SUSPENDED** for the purpose of offering an amendment.

The same Representative **PRESENTED House Amendment "A" (H-1032)** to **Committee Amendment "A" (H-1028)** which was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (H-1028) as Amended by House Amendment "A" (H-1032)** thereto was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1028) as Amended by House Amendment "A" (H-1032)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

**REPORTS OF COMMITTEE  
Divided Report**

Eight Members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** report in Report "A" **Ought to Pass pursuant to Resolve 2021, chapter 106, section 3** on Bill "An Act To Reorganize the Provision of Services for Infants, Toddlers and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of Eligibility under the Federal Individuals with Disabilities Education Act to 22 Years of Age"  
(H.P. 1531) (L.D. 2039)

Signed:

Senators:

RAFFERTY of York  
WOODSOME of York

Representatives:

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

Three Members of the same Committee report in Report "B" **Ought Not to Pass pursuant to Resolve 2021, chapter 106, section 3** on same Bill.

Signed:

Representatives:

LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "A" (H-1031) pursuant to Resolve 2021, chapter 106, section 3** on same Bill.

Signed:

Senator:

DAUGHTRY of Cumberland

Representative:

MILLETT of Cape Elizabeth

Representative BRENNAN of Portland moved that the House **ACCEPT** Report "A" **Ought to Pass pursuant to Resolve 2021, chapter 106, section 3**.

Representative JAVNER of Chester **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass pursuant to Resolve 2021, chapter 106, section 3**.

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 Brennan.

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. I rise in support of this motion and I urge everyone for the good of Maine families and children to support this initiative. A recent report that we received in the Education Committee, Maine is not 10th in the country, we're not 20th in country, we're not 30th in the country. In fact, we're the only State in the country that provides child development services the way that we do. Thirty-nine other states align their child development services with their local school district. Again, we're the only State in the country that has an antiquated, outdated and fragmented system here in the State of Maine. And we don't need another study. In the last three years, we have spent over \$550,000 on consulting firms, task forces and advisory groups. Between 2007 and 2019, there were over 10 different reports that were done on early childhood services within the State of Maine. The Education Committee went through all those reports, went through the recommendations of the advisory committee of the Department of Education and you now have the bill that is before you that provides the statutory framework for Maine to come in the mainstream of what other states across the country have been doing with early childhood development services. It creates a timeframe of a transition to 2024, we have two years, to address outstanding issues and the final transition occurs by 2026. And by doing this, we will be in a position to make sure that the 3400 youth/children that are currently receiving services will continue to receive services and to receive better services. Everything, not only in the State of Maine but across the country, in terms of where public policy is moving is further alignment with school districts for the zero to five population. That's why we have kindergarten, that's why we have pre-K, that's why we have Head Start. This initiative in this bill would continue that trend and allow us to have a seamless system of identifying and assisting students that have special needs before they enter school and to make a seamless transition into school.

Now, there have been a lot of concerns that have been raised in terms of funding. In the Majority Report, it very clearly says 100% of funding for all the services to local school districts will be provided by the State. And that will be a combination of federal money, state money and Medicaid or MaineCare money that will help make sure that no school district has to increase property taxes or has additional expenses as a result of assuming these responsibilities. There's also been questions about whether or not families or students may; I'm sorry, young people/children might lose services. These services are mandated by the federal government through IDEA. We have an obligation and will continue to make sure that every child and family continues to receive services because we're required to by the federal government. That does not go away by anything that we do in this particular bill. So, I hope you will look at the months of reports, I mean the months of work, the various task force reports, the advisory committees that we've had and recognize this bill as a culmination of a lot of discussion, very purposeful thinking and very thoughtful approach for how we can take our

child development system now that doesn't work very well and make it one of the best in the country. Thank you very much.

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

Representative **MILLETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I take no pleasure in rising in opposition to this motion. During my service here in the State House, I've been working on this issue with my education colleagues for nearly six years, maybe even more. And, indeed, we have had many studies. Last year, we passed a number of resolves to continue our work and to hopefully allow us to finally resolve some of the outstanding issues that have been confounding us. Indeed, it was the first time that I saw light at the end of the tunnel, a very dark tunnel, to finally comprehensively with great quality address the needs of our children. Unfortunately, this session, the committee was not provided with the information that we requested last year in those resolves. And what did come to us came so late in our session that we were not able to report out a bill and then hold a public hearing on that bill in the normal legislative process. Many of you may be aware that an LD number only became available last night and the Minority Report only became available this morning. It's a very concerning process. I would like to say yes, let's go forward, we feel good about this, we have all of our questions answered, but I cannot. There remain over 20 major operational issues. We don't know how superintendents' agreements will work. We don't know how we're going to assess a district's administrative capacity, their staffing capacity.

Yes, indeed, our children are mandated to get services. Right now, that liability rests with the State and we're not doing a great job because we have a serious workforce issue. This bill proposes to move that liability from our State to our local districts in the middle of a significant workforce issue. We don't know about administrative oversight. We don't know how data systems are going to be handled. We don't know about health and safety related considerations are going to be handled. We don't have steps, benchmarks, milestones for the department, the child development services systems and the SAUs to meet before and during any transition. I could go on, unfortunately. There are so many more. I do not think it is in the best interests of our families, our children, to put into Statute that we are going to make this change until we have involved all stakeholders with the department in finding answers and developing policies and creating plans. Unfortunately, the bill as written does not require the involvement of stakeholders in any of this work. And, to me, that is bad public policy. So, ladies and gentlemen, I ask that you defeat this current motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Williams.

Representative **WILLIAMS**: Thank you, Mr. Speaker. I rise today to speak against LD 2039. I just found out about this bill, as did everyone else. I have long been a legal advocate for children with special needs. I've litigated in this area all the way up to the First Circuit in Boston. I won most of the cases that I brought. I never, though, had to litigate against CDS, Child Development Services. We were always able to settle either in mediation or even just informal discussions. The problem I see with this bill is it will eventually eliminate CDS,

which I found much more approachable and much less bureaucratic than the Department of Education. Rather, that would be eliminated and our families with young children, our youngest children with special needs, would be put in a situation where if they had a disagreement with the Department of Education and I know it well, would be forced to litigate. And this is very, very different than what they have now. What they have now is the opening of informal discussions with CDS to smooth out any difficulties that are arising in their child's education. So, please vote Ought Not to Pass on this bill. Thank you.

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

Representative **STEARNS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't plan to spend a long time on this complex bill this morning. However, I would like to take a minute to compliment all of the child care advocates, CDS employees, the Department of Education, fellow committee members, no matter which side of this bill that you fell on and our impartial staff members for a lot of work done in a fairly brief period of time. Although, as the Good Representative from Portland stated, not a new issue and not one that hasn't been studied and discussed for a long time. I'm pleased that the amendment shows a great deal of respect for the existing early childhood employees and members of CDS. There's some fairly specific transition language that's going to keep them whole. There's absolutely no doubt that in the State of Maine we have a shortage of experts and employees in that area. That won't change. But we also have built in to the system new opportunities for education, building a pipeline so that we no matter who's responsible for those services, that we have good people doing that. The bill also, as the Good Representative from Portland mentioned, shows the respect for the local taxpayers and the local school budgets. This is a State cost and right up till the last minute, personally, I was still nervous about the language that was in the bill, but there's no doubt in my mind that at the State level, it's very much like the local level --

The SPEAKER: The Member will defer. It is very difficult to hear the Member because there seems to be a lot of side conversations. If you'd like to have a side conversation, please go behind the glass or out in the hallway. This Body is for deliberating over the bill before us and if we can't hear Members speaking, we can't consider the bills appropriately. The Member may proceed.

Representative **STEARNS**: Thank you, Mr. Speaker. Some of that might be when a guy stands up and says he's going to be brief and then goes on for about five minutes, but, anyway, I'll cut to the chase. It's for this reason that at this time the Maine Superintendents Association, the Maine School Board Association, the Maine Special Ed Directors Association, all stand in support of this measure and I urge you to follow my light. Thank you.

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 to oppose this motion. We definitely all agree that there is a serious issue that has to be addressed. However, I believe there were some flaws in the process. I'm very concerned about potential

jeopardy to positions and services to children. I believe the workers that do this job should've been more involved in this process and I believe the right way forward is another option and that is investing more in the people and the department that's already doing this job. So, for those reasons, I will be opposing this motion and I hope others will as well. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Osher.

Representative **OSHER**: Thank you, Mr. Speaker. I've heard from constituents who both work in the system providing care for children with disabilities and parents of children with disabilities who live in my district. They do not feel that this is ready to go and encouraged me not to vote for this and I will not be voting for this.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Dolloff.

Representative **DOLLOFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe this bill has a good start. The issue that I have with it and this comes from a personal experience, that if we were taking care of the children now with these special needs that they have, giving them the help or the equipment that they need to succeed in school that are already in school that have IEPs, I'd say okay, we could add more children. The problem is school districts don't have the money or the kids are coming in with their IEPs and the school just can't provide what they need. We need to already provide for the children that we have in the school system with their needs before we add more children to a program such as these. 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 this. I've had a lot of folks down home have reached out concerned over what this would do but I say that having come here eight years ago as a strong proponent of local control and our local schools and over that eight years there's been a lot of tug back and forth, push and pull, if you will. But I find it ironic that hopefully my last speech here will be a defense of our local schools. As some have said, this will not solve the employment crisis in our schools. I have a feeling it will make it worse. I have a feeling bringing 3-year-olds with special needs potentially into the school system will, at the very least, make those jobs less desirable. And it will, indeed, create an even bigger employment crisis in our schools. And that won't serve the kids or the parents or the school community itself. So, I am definitely going to be voting against this motion and would encourage others to do so as well. Thank you.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I rise in opposition to the pending motion and I would like to mention a part that I don't think it has been mentioned this morning and that is the homeschool aspect. Right now, there are currently the 6-year-olds that are homeschooled from 2019 to 2020 jumped from 219 to 1,001. That's a 357% increase. There were 12,000 kids homeschooled from 2020 to 2021 and those are children and parents that have a

relationship with child development services that may choose to not use the public school system but are working very well with the system that's in place now and I don't think that we should remove that system that's in place and transfer it over to the public school system. So, I urge the Members to vote no on the pending motion.

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. I rise in support of the pending motion. I know you all know by now I am an early childhood educator. I'm also a behavioral health professional. I also have a child who has needed IEPs and I have nieces and nephews who also need these services. This particular bill, this amendment that we're voting on right now, will allow for the administration aspect of these services to transfer from CDS to SAUs. Parents of 3-year-olds will have the option to continue utilizing CDS services or they can have their student go to the SAUs. This is not forcing them to do that. And to correct a statement that I've heard, this does not put 3-year-olds in public school districts, 3-year-olds do not qualify for public school district services right now. This is the administration aspect. The other thing is, if you've ever had to go through the process of having an IEP for your child, the transition from a private entity to the SAU or RSU is incredibly difficult. And I see this as an avenue for parents like myself who have had to go through this to allow for a more seamless transition from your private or homeschooling areas into the public school districts where they will go unless you are staying in homeschooling. I urge you to please support this motion and help these services and make it an easier transition for parents, for educators and for our workers in this field. Thank you.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Dodge.

Representative **DODGE**: Thank you, Mr. Speaker, Men and Women of the House. LD 2039 is a reasonable approach to the reorganization of child development services. The program and services are not going away, they are federally mandated. The bill is supported by the majority of the education committee. The federal government recommends this shift. Maine is currently an outlier. The unserved kids in both age spans of Part B and Part C are part of the strong evidence for the need for this change to enhance client transition. This process has been discussed and prepared through committee as well as through the studies previously mentioned. The bill articulates the commitment to full funding through state, federal and Medicaid money. Some SAUs already have public pre-K programs and a growing number of districts have experience with 4- and 5-year-olds. Community providers will remain an essential part of the delivery of this system. The bill has been shepherded through multiple amendments to address the concerns brought forward by multiple stakeholders. Over the past four years, I have heard many of my experienced colleagues in this Body make the following statements. We've done enough studies, it's time to take action. Please respect the hours of testimony, learning and compromise that produces a 12-1 bipartisan report. Trust the work of your committees and chairs. The Education Committee has done its work, I believe, Mr. Speaker. We have

the roadmap. I support the pending motion. Thank you, Mr. Speaker.

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

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. I'd like to make a couple clarifying comments. If somebody were to look through the report that was done by the policy consulting group, it's almost 150 pages, they would find not only a detailed analysis of our current system but also an implementation plan for how to move forward. That's why we don't need another report, we don't need another study, that is there and that is before us. The second thing is that there was a comment made about why it took so long for the bill to get before this Body. One of the reasons is that the advisory group that was working with the Department of Education asked for an extension and in order to get input and to get their views on the table, we provided an extension and it pushed back some of the work of the Education Committee on the bill. The other thing I would point out, the IEU, the intermediary education unit, will have a new governing board that will be made up of parents, stakeholders and other people that have expertise in the CDS system. So, there will be ample opportunities for people of the public, parents and those involved to have input going forward. There was also a question raised about employment. All the employees who are currently in Part C of CDS will keep their jobs. Those that are in Part B, there will be a portion of those that we hope will retain their jobs and the other ones will have ample opportunity to make a transition to SAUs. And, finally, and this is similar to what the Representative from Belfast, Representative Dodge, mentioned, at least on two other occasions, we have gotten to this point of offering the opportunity to make this transition of the CDS system to school-based system. On both occasions the Legislature said more study, more time, we need to wait. We cannot wait anymore. We've had enough study, we've had ample time, this is the time for the Legislature to act and to make sure that those children and families that are affected by these services have all the expertise and resources they need. So, I urge you to support this motion.

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

Representative **MILLETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just a couple points of clarification. The independent unit addresses Part C services, that's zero to two. It does not involve the children three to five that would be transferred to our school districts. As the bill is written, school districts may choose to provide services to children with their staff or may choose to contract out. And, lastly, Mr. Speaker, I feel deeply the urge to make progress on this issue. I truly thought we were going to be ready this year. With all my being, I wish we were. But I cannot in good conscience support a bill that moves into Statute the transference of the liability of free and appropriate public education for 3- to 5-year-olds when there remains so many outstanding issues that don't necessarily need to be studied anymore but actually have policies and plans and implementation mechanisms developed. Thank you, Mr. Speaker.

Representative TEPLER of Topsham **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of Report "A" Ought to Pass pursuant to Resolve 2021, chapter 106, section 3. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 582**

**YEA** - Arata, Bickford, Bradstreet, Brennan, Caiazzo, Cardone, Carmichael, Cloutier, Collamore, Corey, Craven, Crockett, Dodge, Downes, Evangelos, Fay, Geiger, Hall, Hanley, Harrington, Lemelin, Lyford, Martin, McCrea, Melaragno, Millett, O'Connell, Pebworth, Perry, Pierce, Poirier, Salisbury, Skolfield, Stearns, Tucker, Underwood, Wadsworth, Wood, Zager, Mr. Speaker.

**NAY** - Alley, Andrews, Arford, Austin, Babbidge, Bell, Bernard, Berry, Blier, Blume, Boyle, Bryant, Carlow, Collings, Connor, Copeland, Costain, Crafts, Cuddy, Dillingham, Dolloff, Doudera, Drinkwater, Ducharme, Dunphy, Evans, Faulkingham, Foster, Gere, Gramlich, Greenwood, Griffin, Grohoski, Haggan, Harnett, Hasenus, Hepler, Hutchins, Hymanson, Javner, Kessler, Kinney, LaRochelle, Libby, Lookner, Lyman, Madigan, Martin R, Martin T, Mason, Mathieson, Matlack, McCreight, McDonald, Meyer, Millett, Morales, Moriarty, Morris, Nadeau, Newman, O'Connor, O'Neil, Osher, Parry, Paulhus, Perkins, Pickett, Pluecker, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Rudnicki, Sachs, Sampson, Sheehan, Stetkis, Stover, Supica, Tepler, Terry, Theriault, Thorne, Tuell, Warren C, Warren S, White B, White D, Williams, Zeigler, Madam Speaker.

**ABSENT** - Brooks, Cebra, Gifford, Grignon, Head, Landry, Ordway, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 40; No, 94; Absent, 13; Vacant, 4; Excused, 0.

40 having voted in the affirmative and 94 voted in the negative, 4 vacancies with 13 being absent, and accordingly Report "A" **Ought to Pass pursuant to Resolve 2021, chapter 106, section 3** was **NOT ACCEPTED**.

Subsequently, on motion of Representative BRENNAN of Portland, Report "B" **Ought Not to Pass pursuant to Resolve 2021, chapter 106, section 3** was **ACCEPTED** and sent for concurrence.

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

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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.

**HOUSE DIVIDED REPORT** - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-947)** - Minority (5) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness"

(H.P. 1463) (L.D. 1968)

**TABLED** - April 7, 2022 (Till Later Today) by Representative MEYER of Eliot.

**PENDING** - **ACCEPTANCE OF EITHER REPORT**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-947)** was **READ** by the Clerk.

Representative TALBOT ROSS of Portland **PRESENTED House Amendment "A" (H-1030)** to **Committee Amendment "A" (H-947)**, which was **READ** by the Clerk.

Representative JAVNER of Chester **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-1030)** to **Committee Amendment "A" (H-947)**.

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

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

Representative **JAVNER**: Thank you, Mr. Speaker, Men and Women of the House. Not very often do I get to be a real cheerleader for our Department of Health and Human Services, but with this bill, with this amendment and what is before us, the Department has been making this a real priority. I really want to give credit where credit is due. None of us wants this desire to see our friends, neighbors, or family members languishing in emergency departments or in our correctional facilities waiting for treatment. However, there are some major pieces here that the department has very clearly stated that they are working on. They have a report that is going to show a clearer picture of what the gaps in the care are. They're implementing a real-time treatment locator tool. They are also working again on their rate reform. This is a real key piece in what this bill is asking for, an 1115 waiver to allow more licensed beds per facility was recently approved by CMS, the crisis receiving center recently opened in Cumberland County, DHHS is engaged in a crisis service rate study at present enhanced through securing CMS mobile crisis planning grants. Last year, OMS promulgated rules to ensure that individuals with serious mental illness could not be refused for residential or core community mental health services nor could they be discharged from the same services without authorization from the Office of Behavioral Health. HHS has a number of initiatives aimed at increasing or making better use of inpatient capacity, increased capacity of the Maine crisis line, which will receive calls from 9-8-8 as of July 2022. Please, I would ask that you follow my light and allow the department to complete these policy pieces and then collect the vital data necessary to bring light to any remaining gaps. I just really want to thank the department for their part in making this a priority. Thank you.

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

Representative **TALBOT ROSS**: Members of the House. I rise in support of the pending motion. Maine is suffering from a mental health emergency, period. Too many people with serious and persistent mental illness and substance use disorder are stranded in Maine's emergency rooms, prisons and county jails, where this population has found themselves all but living when they are not in any other place to go. They are living on our streets, they are languishing in our criminal justice system. Our system is failing them. It is also overburdening our most expensive resources. Being in jail costs as much as \$943 a day. In the hospital, that number can rise to \$3,000 a day. LD 1968 is just a small but critical first

step towards prioritizing this population. It sets a 30-day target for people to be appropriately placed. We recognize that there will be some necessary exceptions but the standard should be getting people matched with and into appropriate treatment, not leaving them to languish in our hospitals and jails. This bill encourages Maine Housing to prioritize its population for permanent supportive housing. Why is this piece so important? Because we know that once they have permanent supportive housing, the likelihood of ending up in the hospital or a jail plummets. According to Community Housing of Maine, a survey of long-term unhoused Mainers found that as of this month, people in this group were 41 times more likely to be in jail when unhoused than when housed. They are also much, much more likely to be in the hospital when unhoused. It also found a 92%, seven-year success rate in housing this population, which means that once housed these individuals tend to stay housed. So, we know that permanent supportive housing is extremely effective both in terms of the outcomes for individuals and communities and for the efficient use of taxpayer dollars.

While the efforts of the Department of Health and Human Services are appreciated, it is not enough. Not at this critical time. Mr. Speaker, we are running out of time. LD 1968 then encourages the department to ensure that Maine has a comprehensive system of residential care for both adults and children. By working with stakeholders to identify and fill gaps in services, it further encourages the department to report back to the Legislature with critical information regarding the availability of treatment beds in each region of the State so that future legislators can make the informed decisions necessary to continue tackling this crisis. Mr. Speaker, this measure is the result of years of hard work by stakeholders that include members of the languishing committee that's led by Justice Nancy Mills, the Cumberland County District Attorney, defense attorneys, NAMI Maine, health care providers, housing advocates, Disability Rights Maine. This is a group of extraordinary individuals who have devoted countless, countless hours of their own time to work on these issues. We should all be very grateful for their dedication. LD 1968 is our opportunity to begin to end the cycle that too many Mainers have been in for years, even decades, cycling through our most expensive emergency services, never receiving the support they need to succeed. I ask you to join me in supporting the pending motion, Mr. Speaker. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-1030) to Committee Amendment "A" (H-947). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 583**

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

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

ABSENT - Brooks, Cebra, Gifford, Grignon, Head, Landry, Ordway, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 78; No, 56; Absent, 13; Vacant, 4; Excused, 0.

78 having voted in the affirmative and 56 voted in the negative, 4 vacancies with 13 being absent, and accordingly **House Amendment "A" (H-1030) to Committee Amendment "A" (H-947) was ADOPTED.**

**Committee Amendment "A" (H-947) as Amended by House Amendment "A" (H-1030) thereto was ADOPTED.**

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-947) as Amended by House Amendment "A" (H-1030) thereto and sent for concurrence.**

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

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Bill "An Act To Prohibit Solitary Confinement in Maine's Corrections System"

(H.P. 508) (L.D. 696)

- In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-846) AS AMENDED BY HOUSE AMENDMENT "A" (H-1008) thereto on April 14, 2022.**

- In Senate, Senate **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-846) AS AMENDED BY SENATE AMENDMENT "A" (S-540) thereto in NON-CONCURRENCE.**

TABLED - April 18, 2022 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **FURTHER CONSIDERATION.**

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

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

Representative **WARREN**: Thank you, Mr. Speaker. As Kenny Rogers once sang, you gotta know when to hold 'em and know when to fold 'em. And we've sent this back and forth down the hall and we've done it a few times and I'm not going to fight the insist motion today. But I can't let it die without making a few comments. Because it truly is a shame. What we're trying to get passed right now is simply an act to define solitary confinement. Just to define it. Mr. Speaker, over 90% of the folks that head to our facilities of incarceration are going to come back and be our neighbors. It's not like we send them away and they just are gone. And what we know about solitary confinement is that it's referred to by United Nations as torture. It actually creates severe psychosis. We have research that

shows that that's happening. Mr. Speaker, I don't usually share the kind of stories that we have to hear in our committee here on the House floor because it's really tough to hear about people that are in solitary confinement and pull their own eyeballs out. It is very difficult to hear about people that are in solitary confinement and swallow pieces of metal. They swallow pieces of metal so that their bowels will become obstructed so that they'll be removed --

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

Representative **WARREN**: Thank you, Mr. Speaker. It is really important that children don't hear about this. It is really important that we as a Body start to work on this but, as we know, today we are insisting, which means we aren't even taking action to define solitary confinement. A gentleman that just was released and only was released because a prosecutor got involved because she realized how much torture this person was going through, we on the committee got letters from all of his teachers. His teachers signed letters to us and said please help him. I'm not going to talk about the disabilities that he has. Mr. Speaker, he cut his own arm out and impacted it with feces, his own, so that he would get infections so they would let him out of solitary confinement. And we cannot even define it. So, as Kenny Rogers sang, you need to know when to walk away and I'm saying that today by this insist motion, we are walking away, but we are coming back. And I hope that everyone will help us. We cannot turn a blind eye on what is happening. Thank you, Mr. Speaker.

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

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

**REPORTS OF COMMITTEE**  
**Divided Reports**

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1033)** on Bill "An Act To Protect against Discrimination by Public Entities"

(H.P. 728) (L.D. 982)

Signed:

Senators:

CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden  
LIBBY of Auburn  
POIRIER of Skowhegan  
THORNE of Carmel

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-1033)** Report.

**READ.**

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

Representative LIBBY of Auburn **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. 584**

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

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

ABSENT - Brooks, Cebra, Gifford, Grignon, Head, Landry, Ordway, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester, Tucker.

Yes, 78; No, 55; Absent, 14; Vacant, 4; Excused, 0.

78 having voted in the affirmative and 55 voted in the negative, 4 vacancies 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-1033)** 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-1033)** and sent for concurrence.



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

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Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass pursuant to Resolve 2021, chapter 113, section 1** on Bill "An Act To Maintain a Comprehensive Substance Use Disorder Treatment Program for Maine's Incarcerated Population"

(H.P. 1532) (L.D. 2040)

Signed:

Senator:

LAWRENCE of York

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass pursuant to Resolve 2021, chapter 113, section 1** on same Bill.

Signed:

Senators:

CYRWAY of Kennebec  
DESCHAMBAULT of York

Representatives:

PICKETT of Dixfield  
COSTAIN of Plymouth  
RUDNICKI of Fairfield  
NEWMAN of Belgrade

**READ.**

Representative WARREN of Hallowell moved that the House **ACCEPT** the Majority **Ought to Pass pursuant to Resolve 2021, chapter 113, section 1** Report.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll be real short on this today. This bill is one that we dealt with early-March or about the middle of March, 16th, I believe it was. And the bill was a six-six tie in the committee of whether we were going to move a bill forward. We had a committee meeting yesterday and the bill was moved forward on a seven-six majority vote. So, here we are. We talk about the Department of Corrections many, many times and a lot of times we talk about them not in really good favor. But the Department of Corrections we have in our State is working very hard to make their facility a facility that is going to be a place where people end up going because of choices they make and consequences for those choices but places where they can come back out into society and be able to rehabilitate and be able to have a good opportunity to become citizens in their communities and buy homes and work and all of these things and that's what we all want. So, today we're talking about comprehensive substance use disorder treatment program. The Maine Department of Corrections is in full favor of codifying the robust treatment services they already have been and are providing. However, this bill does not do that. The MDOC has had a comprehensive treatment

program in place for several years, well before Representative Warren's LD 663 resolve that turned into this bill. The MDOC's robust array of services to treat those with substance use disorders including alcohol and opioid use is working well with 600 people a day receiving some form of medication as part of their treatment. The MDOC has worked tirelessly with partners to implement high-quality wraparound services for residents that continue upon release. The MDOC is able to offer residents the three medications currently provided for opioid use disorder; methadone, buprenorphine, probably didn't pronounce that properly and naltrexone without additional funds from the Legislature. The sponsor of this bill rejected numerous attempts by the DOC to codify the department's robust services that we spoke about earlier. The sponsor preferred to put forward the language --

The SPEAKER: The Member will defer. The Chair would remind the Member to not speak about the actions of other Members, what they did, what they did not do. The Member can speak about his own actions, what he has observed, but cannot speak about what other Members may or may not have done. The Member may proceed.

Representative **PICKETT**: So, the language that is in the bill obligates the Department of Corrections to offer all current and future FDA-provided medications regardless of cost, regardless of the appropriateness within a correctional facility and without regard to access correctional clients will have to these medications within the community upon release and that's key. The MDOC has been stymied in the process to codify the services they've worked hard to implement and are implementing at this time. So, pushing into law this version will force current and future taxpayers to pay for medications that may not be the gold standard for treating incarcerated residents and that's what we're trying to do here. This bill is not needed. The program that's in play right now is doing the job and doing it well. I ask you to follow my light and vote this motion down. Thank you, Mr. Speaker.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, this proposal asks for one form of each FDA-approved medication-assisted treatment, one form of each. MaineCare pays for one form of each. There's no fiscal note on this bill and here's the reason that it's most important. Mainers that end up incarcerated are struggling with more than just opioid use disorder. Many of us already know that. I know that because of my family's story. Many folks in Maine are struggling with alcohol use disorder and it's alcohol use disorder that lends itself to their incarceration, I will say. We need to be ensuring that access to medication-assisted treatment for folks who suffer from alcohol use disorder is available when folks leave a facility of incarceration. Folks can get a 30-day injectable that is also available in their community and help them continue their recovery from alcohol. That is a part of this why I have fought so hard to keep this proposal alive, because the truth is yes, DOC is right, they are offering MAT for opioids. I'm thankful for that, it's important. We also need to be offering MAT for alcohol use disorder. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative PICKETT: Thank you, Mr. Speaker. I'll repeat again; the MDOC's robust array of services to treat those with substance use disorders, including alcohol and opioid use, is working well with the 600 people a day receiving some form of medication as part of their treatment. The DOC is working with people to do exactly what we just heard and they're doing it well. I would like to ask for a Roll Call, Mr. Speaker and I also would like to have the Committee Report read.

Representative PICKETT of Dixfield **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass pursuant to Resolve 2021, chapter 113, section 1** Report.

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

Representative PICKETT of Dixfield **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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

Representative RUDNICKI: Thank you, Mr. Speaker. It was mentioned that there's no fiscal note on this. There may not be, but the money's coming from somewhere. And there's actually a shift on the papers that we received yesterday that actually says the controller shall transfer \$460,800 of the funds received pursuant to the multi-state settlement agreement. So, there's still money attached to this and why are we continuing to treat our prisoners better than we do our folks in the nursing home and our veterans? Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass pursuant to Resolve 2021, chapter 113, section 1 Report. All those in favor will vote yes, those opposed will vote no.

#### ROLL CALL NO. 585

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Boyle, Brennan, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, LaRochelle, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Ordway, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Madam Speaker, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, 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, Haggan, Hall, Hanley, Harrington, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Brooks, Cebra, Cuddy, Grignon, Head, Landry, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 78; No, 57; Absent, 12; Vacant, 4; Excused, 0.

78 having voted in the affirmative and 57 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Majority **Ought to Pass pursuant to Resolve 2021, chapter 113, section 1 Report** was **ACCEPTED**.

The Bill was **READ ONCE**.

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

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

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

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#### BILLS RECALLED FROM GOVERNOR

(Pursuant to Joint Order - House Paper 1530)

An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water

(H.P. 662) (L.D. 906)

(C. "A" H-984)

- In House, **PASSED TO BE ENACTED** on April 13, 2022.

- In Senate, **PASSED TO BE ENACTED** on April 14, 2022.

On motion of Representative HARNETT of Gardiner, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENACTED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-984)**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-984)** was **ADOPTED**.

Representative HARNETT of Gardiner **PRESENTED House Amendment "A" (H-1035) to Committee Amendment "A" (H-984)**, which was **READ** by the Clerk.

Representative LIBBY of Auburn **REQUESTED** a roll call on the motion to **ADOPT of House Amendment "A" (H-1035) to Committee Amendment "A" (H-984)**.

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 Adoption of House Amendment "A" (H-1035) to Committee Amendment "A" (H-984). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 586**

YEA - Alley, Andrews, Arata, Arford, Babbidge, Bell, Berry, Bickford, Blier, Blume, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Greenwood, Grohoski, Hall, Harnett, Hasenfus, Hepler, Hymanson, Kessler, LaRochelle, Lookner, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Osher, Parry, Paulhus, Pebworth, Perkins, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stover, Supica, Madam Speaker, Tepler, Terry, Tucker, Underwood, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Bradstreet, Costain, Dolloff, Foster, Gifford, Griffin, Haggan, Hanley, Harrington, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Ordway, Pickett, Poirier, Quint, Rudnicki, Sampson, Stearns, Stetkis, Theriault, Thorne, Tuell, Wadsworth, White.

ABSENT - Cebra, Grignon, Head, Landry, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 104; No, 33; Absent, 10; Vacant, 4; Excused, 0.

104 having voted in the affirmative and 33 voted in the negative, 4 vacancies with 10 being absent, and accordingly **House Amendment "A" (H-1035) to Committee Amendment "A" (H-984) was ADOTPED.**

**Committee Amendment "A" (H-984) as Amended by House Amendment "A" (H-1035) thereto was ADOPTED.**

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-984) as Amended by House Amendment "A" (H-1035) thereto.**

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-984) as Amended by House Amendment "A" (H-1035) thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 587**

YEA - Alley, Andrews, Arata, Arford, Babbidge, Bell, Berry, Blier, Blume, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Downes, Drinkwater, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Hall, Harnett, Hasenfus, Hepler, Hymanson, Kessler, LaRochelle, Lookner, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Osher, Parry, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stover, Supica, Madam Speaker, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Bickford, Bradstreet, Costain, Dillingham, Dolloff, Ducharme, Foster, Gifford, Greenwood, Griffin, Haggan, Hanley, Harrington, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Ordway, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Head, Landry, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 98; No, 39; Absent, 10; Vacant, 4; Excused, 0.

98 having voted in the affirmative and 39 voted in the negative, 4 vacancies with 10 being absent, and accordingly the Bill was **Passed to be Engrossed as Amended by Committee Amendment "A" (H-984) as Amended by House Amendment "A" (H-1035) thereto in NON-CONCURRENCE** and sent for concurrence.

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

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**UNFINISHED BUSINESS**

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

"An Act To Regulate the Use of Biometric Identifiers"

(H.P. 1450) (L.D. 1945)

- In House, Report "B" (5) **OUGHT TO PASS AS AMENDED** of the Committee on **JUDICIARY READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1018)** on April 15, 2022.

- In Senate, Report "A" (6) **OUGHT TO PASS AS AMENDED** of the Committee on **JUDICIARY READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017) in NON-CONCURRENCE.**

TABLED - April 18, 2022 (Till Later Today) by Representative DUNPHY of Old Town.

**PENDING - FURTHER CONSIDERATION.**

On motion of Representative O'NEIL of Saco, the House voted to **RECEDE.**

The same Representative **PRESENTED House Amendment "A" (H-1036) to Committee Amendment "B" (H-1018),** which was **READ** by the Clerk.

Representative DUCHARME of Madison **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-1036) to Committee Amendment "B" (H-1018).**

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 Madison, Representative Ducharme.

Representative **DUCHARME:** Thank you. I rise in opposition to this amendment today. Last week, we heard in this chamber that this bill exempted banks and credit unions. Now we're being presented with an amendment to exempt banks and credit unions. While I appreciate the amendment before us that exempts financial institutions which are subject to Gramm-Leach-Bliley, what else is in the bill that may be a problem? What else will have to be changed after this is passed? Committee Amendment "B" requires that private entities develop a policy regarding the collection, storage, distribution and destruction of such personal nonpublic

biometric data. It also requires that they follow their policy. However, it also allows a private right of action against a company based on the aggrieved individual's interpretation of what that policy means. It will then be the private entity's responsibility to defend themselves in a court of law. Committee Amendment "A" makes this a study to review all the aspects of this legislation, including consulting with experts to determine the effect on a broad range of public entities before making this law. This will most likely result in policy recommendations that I believe that we should be allowing biometric use for security purposes where appropriate but we also have to protect it. Before we make possession of biometric data an unfair trade practice, I would urge this Body to defeat this amendment and concur with the other Body. Thank you.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I rise in support of the pending motion. This amendment addresses the overwhelming concerns of the opponents of this bill, which were the banking industry. The banking industry uses biometric identifiers and have good reason to do those with their customers and for those reasons, that's why this amendment has been brought forth. It explicitly takes financial institutions out of this bill but it is critically important that the people have protections of their biometric identifiers against Big Tech companies, anyone else who would misuse them. These protections are, quite frankly, overdue. The fact that we've let it go so long without, you know, technology just got ahead of us in this case, but we need to implement protections for these things and this bill uses an implementing commission. None of these things will go into effect until 2024 and that is the job of the commission, to make sure that we actually implement these protections and do it in a manner where none of the consequences that have been brought up come forth. So, I ask the Members to vote in support of the pending motion.

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

Representative **MORRIS**: Thank you, Mr. Speaker. I will concur with everything my good friend from Madison said. I would just add, one of the biggest objections that I had is still in the bill with the private right of action. As he said earlier, the issue of businesses having to defend it, it should be noted even if there is an instance where an attorney thinks you may have violated this chapter, decides to bring forth a lawsuit and even if it is determined by the courts that the private entity did not violate the chapter, they still have to pay thousands of dollars in legal fees defending it. This is something that should be a real concern. It's not the way to address this issue. I certainly agree with my good friend from Winter Harbor that we need to do what we can to protect peoples' private data as it relates to biometrics. I think a study and a stakeholder group is the best way to do that. That way, we have an understanding of what the issues are and the best way to address this. I would urge this Body to reject the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Mr. Speaker, Fellow Members of the House. I wish to present a question to the Chair, if I may?

The SPEAKER: The Representative may proceed.

Representative **MORIARTY**: The question is whether with this amendment the effective date of the bill itself still remains January 1, 2024.

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

Representative **O'NEIL**: Thank you, Mr. Speaker. Everything remains the same. This just adopts the exemption for financial institutions in a way that they themselves had phrased it. They were, you know, Maine-based banks and CUs were already exempt from the bill based on the member surveys that they did and shared with me based on our conversations. I am making this accommodation using their own language rather than my own. So, that's the difference.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you once again, Mr. Speaker and I appreciate the answer given by the Good Representative from Saco. I will vote against the motion based upon the moderately small amount of time that we had to deal with this in committee. I don't think that we have enough information to in effect cherry-pick those commercial institutions that ought to be either included or excluded from the effect of the act. There were other commercial interests other than banks and credit unions who expressed strong opinions with regard to this legislation and, in my judgment, given the effective date of 1/1/24, there is plenty of time for us to study the matter, report back and put the horse before the cart in the 131st. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-1036) to Committee Amendment "B" (H-1018). All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 588**

YEA - Alley, Andrews, Arford, Babbidge, Bell, Berry, Blume, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Greenwood, Grohoski, Hanley, Harnett, Harrington, Hasenfus, Hepler, Hutchins, Hymanson, Kessler, LaRochelle, Libby, Lookner, Lyman, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Paulhus, Pebworth, Perry, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sampson, Sheehan, Stover, Supica, Madam Speaker, Tepler, Terry, Thorne, Tucker, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cloutier, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Foster, Gifford, Griffin, Haggan, Hall, Javner, Kinney, Lemelin, Lyford, Mason, Millett, Moriarty, Morris, Nadeau, Perkins, Pickett, Skolfield, Stearns, Stetkis, Theriault, Tuell, Underwood, Wadsworth.

ABSENT - Cebra, Grignon, Head, Landry, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 97; No, 40; Absent, 10; Vacant, 4; Excused, 0.

97 having voted in the affirmative and 40 voted in the negative, 4 vacancies with 10 being absent, and accordingly **House Amendment "A" (H-1036) to Committee Amendment "B" (H-1018) was ADOPTED.**

**Committee Amendment "B" (H-1018) as Amended by House Amendment "A" (H-1036) thereto was ADOPTED.**

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED by Committee Amendment "B" (H-1018) as Amended by House Amendment "A" (H-1036) thereto.**

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed by Committee Amendment "B" (H-1018) as Amended by House Amendment "A" (H-1036) thereto. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 589**

YEA - Alley, Andrews, Arford, Babbidge, Bell, Berry, Blume, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Geiger, Gere, Gramlich, Greenwood, Grohoski, Hanley, Harnett, Harrington, Hasenfus, Hepler, Hutchins, Hymanson, Kessler, LaRochelle, Libby, Lookner, Lyman, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Paulhus, Pebworth, Perry, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sampson, Sheehan, Stover, Supica, Madam Speaker, Terry, Thorne, Tucker, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cloutier, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Fay, Foster, Gifford, Griffin, Haggan, Hall, Javner, Kinney, Lemelin, Mason, Millett, Moriarty, Morris, Nadeau, Perkins, Pickett, Skolfield, Stearns, Stetkis, Tepler, Theriault, Tuell, Underwood, Wadsworth.

ABSENT - Cebra, Grignon, Head, Landry, Lyford, McDonald, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 94; No, 41; Absent, 12; Vacant, 4; Excused, 0.

94 having voted in the affirmative and 41 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED by Committee Amendment "B" (H-1018) as Amended by House Amendment "A" (H-1036) thereto in NON-CONCURRENCE** and sent for concurrence.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, To Help Certain Businesses with Electricity Costs

(S.P. 723) (L.D. 2010)  
(C. "A" S-549)

**FINALLY PASSED** in the House on April 14, 2022.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-549) AS AMENDED BY SENATE AMENDMENT "A" (S-569) thereto in NON-CONCURRENCE.**

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

**Non-Concurrent Matter**

Bill "An Act Concerning Equity in Renewable Energy Projects and Workforce Development"

(H.P. 1464) (L.D. 1969)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-971) in the House on April 13, 2022.**

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-971) AS AMENDED BY SENATE AMENDMENT "A" (S-570) thereto in NON-CONCURRENCE.**

Speaker FECTEAU of Biddeford moved that the House **RECEDE AND CONCUR.**

Representative BRADSTREET of Vassalboro **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR.**

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

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

Representative **BRADSTREET**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. LD 1969 as amended in the other Body still poses problems for I think a lot of people. It still contains the parts that I find most objectionable. Namely, it singles out a fairly small group of people for I think favored status in awarding contracts on the construction projects that the bill covers. I don't question the motives of anybody here but when I get home, my people, the people I represent, are going to question why I did certain things and I can't; why did you vote for something that would cost the taxpayers more money? Why did you vote for something that excludes up to 90% of the construction workforce in the State of Maine? And I won't be able to have a good answer to that if I vote in favor of this motion. So, thank you, Mr. Speaker.

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

Representative **CUDDY**: Thank you very much, Mr. Speaker. Mr. Speaker, this bill has been a compromise bill from day one. It continues to be so and is a compromise even further. The bill excludes, absolutely, not one single person or contractor from bidding or performing work in the State of Maine. There's nothing in the bill that requires anything that isn't already required of contractors in other places. They've shown they can work with it, they've shown they can do it, it won't increase costs, but it will help us provide the workforce that we need to do the work that we need to do in this State. Thank you very much.

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

**ROLL CALL NO. 590**

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, LaRochelle, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Madam Speaker, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, 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, Haggan, Hall, Hanley, Harrington, Hutchins, Javner, Kessler, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, O'Neil, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Head, Landry, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 79; No, 58; Absent, 10; Vacant, 4; Excused, 0.

79 having voted in the affirmative and 58 voted in the negative, 4 vacancies with 10 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

**Non-Concurrent Matter**

An Act To Increase Funding for the Animal Welfare Fund by Increasing Certain Fees

(S.P. 599) (L.D. 1744)  
(C. "B" S-455)

- In House, **PASSED TO BE ENACTED** on March 29, 2022.
- In Senate, **PASSED TO BE ENACTED** on March 31, 2022, in concurrence.
- **RECALLED** from the Governor's Desk pursuant to Joint Order, S.P. 746.

Came from the Senate with the Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY READ AND ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-454) AS AMENDED BY SENATE AMENDMENT "A" (S-562)** thereto in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **RECEDE AND CONCUR**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 591**

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

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

ABSENT - Cebra, Grignon, Head, Landry, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 76; No, 61; Absent, 10; Vacant, 4; Excused, 0.

76 having voted in the affirmative and 61 voted in the negative, 4 vacancies with 10 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

**Non-Concurrent Matter**

Bill "An Act To Advance Health Equity, Improve the Well-being of All Maine People and Create a Health Trust"

(H.P. 1258) (L.D. 1693)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-993) AS AMENDED BY HOUSE AMENDMENT "A" (H-998)** thereto in the House on April 13, 2022.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-993) AS AMENDED BY SENATE AMENDMENT "A" (S-573) AND HOUSE AMENDMENT "A" (H-998)** thereto in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **RECEDE AND CONCUR**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

On motion of Representative DUNPHY of Old Town, **TABLED** pending the motion of Speaker FECTEAU of Biddeford to **RECEDE AND CONCUR** and later today assigned. (Roll Call Ordered)

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

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

Representative HEPLER: Thank you, Mr. Speaker. Request permission to speak on the record?

The SPEAKER: The Member may proceed.

Representative HEPLER: Thank you. As some of you know, I am part of a group of volunteers who have been building a wooden ship. We are plunking it in the water on June 4th, as you may have heard and want to invite all of you to attend. The launch is at 4:30 but festivities will be going on probably starting at noon. 4:30 is because it's slack high tide in the Kennebec and unlike launches you may have attended at Bath Ironworks, come one, come all. Thank you.

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**CONSENT CALENDAR**  
**First Day**

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

(S.P. 528) (L.D. 1643) Bill "An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-571)**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

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

(H.P. 1482) (L.D. 1995) Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1029)**

On **OBJECTION** of Representative PIERCE of Falmouth, was **REMOVED** from the First Day Consent Calendar.

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

Representative PIERCE: Thank you, Mr. Speaker. My apologies. I was so ready this morning and, you know, the lunch delay kind of threw me a little bit, so. Thank you, Mr. Speaker. Over the course of the past two years, this Body has been responsible, cautious steward of our State budget. As Mainers came together to weather the storm of the pandemic, we put strong financial measures in place to ensure that our communities had the resources they need to keep their families safe. Today, in the proud spirit of bipartisanship, the Appropriations and Financial Affairs Committee has come together to present a bipartisan supplemental budget, LD 1995, for the approval of this Body that sets Maine on a path of recovery and strength, recognizing this opportunity to help Mainers prosper while tackling big issues facing our communities head on. We are tackling some longstanding

issues. Those longstanding issues facing Mainers right now include the harmful forever chemicals, PFAS and the need for housing and behavioral health care. All of these are addressed immediately through the supplemental budget. This budget funds PFAS testing, begins abatements and establishes a trust to address contamination, mitigating forever chemicals' harmful effects on our communities as swiftly as possible and making Maine a leader in the nation on this issue. The behavioral health and mental health of Maine people is a critical priority for this Body. We have included funding to close the gaps in Mainers' health care and access to long-term care. The budget compliments substantial investments in treating substance use disorder through supporting community treatment options and providing rate increases for recovery support services made in the biennial budget. This budget supports senior living facilities, direct care workers and Mainers with intellectual disabilities, ensuring access to needed services in this State. This budget supports the cost-of-living adjustments and increased rates to support wages at least 125% for direct care workers who provide quality, compassionate care to Mainers in long-term care.

Mr. Speaker, the people of Maine have contributed to Maine's economic recovery even through uncertain times. This budget provides direct relief checks to more than 850,000 Maine families, recognizing that what they've all been through in recent months, from rising grocery costs to home and rental prices. This budget provides immediate direct relief to help Maine families. This budget keeps our promises to Maine people on expanding property tax relief. After our biennial budget expanded the property tax fairness credit to 83,000 Mainers by providing a boost in maximum benefits, the supplemental budget permanently expands the property tax fairness credit to give eligible working families and older Mainers much needed relief in property tax or rent relief. We will also increase the earned income tax credit to help 100,000 Maine families make ends meet amid rising costs of electricity, gas and child care. The budget makes historic investments in a number of areas to ensure the strongest possible foundation for Maine's children. In the arena of education, the budget supports career and technical programs to let our kids get a jumpstart into the workforce. It prevents tuition increases in our higher education system and ensures that no Maine child go hungry at school in the State. It also continues to look ahead with pride as Maine fulfills the State's commitment to the schools by funding 55% of the K-12 costs. For those with student loan debt, Maine will be a beacon, providing \$2500 per year in student loan relief to those who live and work in Maine after graduation. For young people considering community college, this budget develops a pilot program making it free to go to Maine community colleges full time, a historic opportunity. For children and families, this budget bolsters Maine's commitment to child care workforce, making support we were able to provide through the Maine jobs and recovery plan permanent. We expand health insurance coverage for over 8,000 children who rely on CHIP or CubCare. We rebuild Maine's school-based oral health care program so young children can access dental care during their elementary school years. In addition to all of these investments in Maine's future and many more, we are maintaining strong fiscal responsibility, saving for the future by establishing an education rainy day

fund with \$15 million and keeping our other rainy day fund over \$492 million.

Mr. Speaker, I would like to thank the AFA committee for the unanimous bipartisan support on this supplemental budget. And I want to thank my friend and Good Representative from Waterford for his diligent collaboration. The committee, with the leadership of the Good Representative from Waterford, worked very, very hard into late hours to come to some commonality and some common bipartisanship and I think it speaks for their diligence and commitment to the process. I ask you, Mr. Speaker, along with all my colleagues in this Body, to join me in support of this supplemental budget and for your vote. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative MILLETT: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, would like to commend a lot of people who brought us to this point in the endgame and I thank the Good Representative from Falmouth for her comments. I think this was a collective effort. From the very beginning when we started our public hearings in February, based on an \$822 million revenue forecast in December, received the report back from each of you in the policy committees in March, only to have another change package coming when we saw another revenue bump of \$411 million. All of that produced a \$1.24 billion of new revenue in a very unique way in a second regular session, all placed into a supplemental budget, almost an unheard-of challenge.

So, it was a daunting task from the beginning but I think we all proceeded in our votes as we finally got report backs and right up until last Thursday by making amicable compromises toward a worthy product. And I would just say that the events of last Thursday night into early Friday morning really put the frosting on the cake because we were able to get to consensus almost, well, unanimity on three major issues, which our good chair has commented on, they being the relief checks for 859,000 people; 57,000 people at \$850, hopefully to be distributed in the near term to resident filers who will qualify by \$100,000 minimum or maximum individual income and \$200,000 for a family of two. That didn't come easily. And the other two that I would refer to are the changes to make the COLA that many retired teachers and State employees received last September cumulative and place a growth onto the base salary cap going forward. That was a tough one, a new one, it cost \$104 million, but in the end we came to agreement on it. And the third one was an option of making pension income for, not just those public employees who retired in Maine, but for the private sector employees who do so as well. And that ended up costing us a fair amount of money but we made it happen at the very end. And it would not have happened had it not been for, I think, all 13 of us staying at the table and let me concentrate on those on our end and say that the good chair from Falmouth and my other nine colleagues all stayed at the table, Rs and Ds and we all had, I think, a goal of getting to yes. But I think it was tough right at the very end and I would be remiss if I didn't acknowledge the work that my House Lead, Representative Dillingham from Oxford, who stayed with us through the darkening evening and into the early morning and was enormously helpful to those of us on the Republican side.

And, Mr. Speaker, without you, it wouldn't've happened. I think I can say that without equivocation. There is no way we would've gotten to the point where we are tonight without your help. So, I want to just say thank you to all who have helped us get to this point. There is something in here for all of us and there's also something to dislike. The message we're sending to our population, I think, is a clear one. We took in a lot of money we didn't expect to get, we're giving relief to those of you who are struggling. We're also sending a message to retirees; stay in Maine. Because I think we said that in two different ways. If you're a resident of Maine and you don't take your pension to Florida or elsewhere, you will benefit by the things that we are doing. So, I think it sets a good message, a good result from all of the work that we did. I urge your consideration here this evening and I hope we will get it to engrossment without further delay. So, thank you, all of you and thank you, Mr. Speaker, thank you Kathleen, thank you.

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

Representative EVANGELOS: Thank you, Mr. Speaker, Men and Women of the House. First of all, I do want to acknowledge all the hard work that went in to producing this product. Unfortunately, I'm not able to support it, Mr. Speaker. Mr. Speaker, I'm the product of depression-era parents and that whirring sound I've heard in my ears the last few days is the sound of Frances Perkins and Franklin Delano Roosevelt turning over in their graves. Learning the lessons of that era, I believe in investing in our common working people and investing in my state. But, Mr. Speaker, I just can't bring myself to vote for a budget that includes \$850 payments for people making six-figure salaries. It just runs counter to my upbringing. We have so many unfunded needs, folks. Just take a look at the appropriations table. Mr. Speaker, rents in my district are \$14-1600 a month. This \$850 payment doesn't even cover 40-50% of a security deposit. If we targeted the relief to those making \$30,000 or less, they get a bigger check and those up to \$60,000, they get a check. We take \$400 million and invest it in affordable housing, roads, bridges, elder and disability care and all the pressing needs in our State. We're a country of economic cycles, folks. I've lived through five of them in my lifetime. But we're spending this money like it's the roaring '20s. And, trust me on this, what goes up will come down. I'm not going to file an amendment. Our time is precious and I don't want to tie up our time on something that's going to be dead on arrival, but I am dissenting for the reasons I stated. Thank you, Mr. Speaker.

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

Representative LIBBY: Thank you, Mr. Speaker, Men and Women of the House. I appreciate the hard work of the Appropriations Committee and agree with so much that is included, such as the income tax reduction for retirees and the \$850 checks for Mainers. We have a surplus because we collected too much tax from Mainers and that money should go back to them. Giving much of the money back and beginning to make changes to our burdensome tax code is good, but State government is keeping some of the money and not using it to fund essential needs. The tax revenue that we do keep and spend should be spent judiciously, meeting the needs of our State rather than fulfilling wish lists. In this supplemental



budget, we are prioritizing electric car rebates over ensuring that those caring for Mainers with intellectual disabilities are paid an adequate wage. While Mainers are struggling to pay their electricity and heating costs each month, we are prioritizing millions for various new positions instead of suspending the gas tax and saving Mainers money at the pump. Despite lower workforce participation and higher unemployment and inflation, Maine State government continues to grow. But now, a little *deja vu*. Given the complete lack of funding for the Maine Commission on Indigent Legal Services, MCILS, in the supplemental budget, I am recycling a portion of this floor speech from the floor speech I gave for last year's biennial budget.

I don't think it comes as a great surprise to this Body that our State has not been fulfilling its constitutional obligations to provide indigent legal services to those less fortunate. In fact, as of April 8th, the ACLU of Maine is now suing MCILS over its failure to provide constitutionally adequate legal representation to poor people accused of crimes in Maine. While I may be a fiscal conservative, I hold the constitution as my ultimate guide as a legislator. The Judiciary Committee has worked diligently together since January of 2021 to come to an understanding of the needs of Maine Indigent Legal Services moving forward. We have attempted to balance the substantial financial needs while providing previously lacking accountability. Together, we came up with a largely unanimous report for the Appropriations Committee, yet none of the initiatives that we worked on are found in the supplemental budget itself. Yet again, we will fail to fulfill our constitutional obligations. This supplemental budget does fulfill a number of wish lists, but it fails to provide for some very real and desperate needs in our State. Thank you, Mr. Speaker.

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

Representative WARREN: I rise this afternoon in opposition to the supplemental budget as proposed by the Chief Executive and amended by my respected colleagues of the Appropriations Committee. I believe that climate change is the biggest issue of our time. It is certainly the biggest issue of my generation. Many legislators in this House are 36 years old or 46 or 56 or 66. The Chief Executive is close to 76, where I am only 26. I am just beginning my working life where the largest profession named by my colleagues in this House is retiree. Mr. Speaker, I hope you can understand why I feel I might have a different point of view and a sense of urgency on this issue in this room today. If climate change is a pressing issue for some in this Body for yourselves, for your children, for your grandchildren, this budget does not reflect that view nor that urgency. Now, I grew up hearing about sea level rise, extreme droughts, floods, wildfires, CO2 emissions, icebergs melting in Antarctica, seeing the sand dunes at Pine Point Beach in Scarborough erode every year. Now, I studied International Law at Brandeis University and some might be surprised to know how often climate change comes up in issues of international politics and disputes between nations. Countries literally go to war over water. They live and die over who gets access to rivers and streams and lakes, food sources, clean air and safe shelter.

I spent five months in Jerusalem. What a different experience it was than my hometown in Scarborough,

landlocked populations who have no reliable access to water. Something as simple as water which needs to be conserved, rerouted, rationed and then sometimes made a political chip for the powers that be to play. When I returned home to the State of Maine two years ago, as coronavirus hit our nation, I wasn't sure what I was going to do. I decided, was encouraged to run for the State Legislature and as I went door to door, Mr. Speaker, again and again I heard the same priority; climate change. Yes, it was more so with my generation, but many across age ranges and with kids and without that feel a tremendous responsibility. People are worried. They see our oceans and bays warmer than 40 years ago, they see species extinction, they see water levels that grow higher with their own eyes. They see sand dunes and beach grass choked out, they see longer droughts and floods in ever-erratic turns as our climate continues to change forever.

Now, when I came to Augusta two years ago, I was told by those in my community to fight on climate change and I heard them loud and clear. I have tried to do that. Last year, I had the opportunity to vote on two of the Chief Executive's budgets, each of them I studied carefully and thoughtfully. In both cases, I did not think those documents held adequate provisions for programs to fight climate change, no serious investments towards public transportation infrastructure, no civil emergency preparedness to help us deal with hurricanes or rainstorms or windstorms and power outages, no consumer-owned utility, no green bank, just a lot of standard stuff, as with this budget. Good programs, some great programs, yes, meeting many of the diverse and serious needs of our State, certainly. Yet the lack of climate change programs was then and is now staggering to me. That's why I voted against those budgets and that's why I cannot support this one today. I find myself in the same position. A supplemental budget just as Maine is expected to take at least 1.3 billion more during 2022 and 2023 budget years than originally predicted. That's billion with a B, Mr. Speaker. I've read through this budget and I don't see anything that I can bring home to my constituents and tell them that we are fighting on climate change effectively in Augusta, because we are not. That's why I'm voting against this budget. Climate change is the battle of our lives, Mr. Speaker, as well as the lives of our children and grandchildren. Let's fight it together, as boldly and with the fierce urgency it demands of us all now. Thank you.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on **ACCEPTANCE** of the Unanimous **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 Unanimous Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 592**

YEA - Alley, Arata, Arford, Austin, Babbidge, Bell, Bernard, Bickford, Blier, Blume, Boyle, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evans, Faulkingham, Fay, Foster, Gere, Gramlich, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harrington, Hasenfus, Hepler, Hutchins, Hymanson, Javner, Kinney, LaRochelle, Lemelin, Lyman, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrema, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Parry, Peabworth, Perkins, Perry, Pickett, Pierce, Pluecker, Poirier, Quint, Rielly, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sheehan, Skolfield, Stearns, Stetkis, Stover, Supica, Madam Speaker, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, Warren, White B, White D, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Berry, Evangelos, Geiger, Harnett, Kessler, Libby, Lookner, Lyford, Mason, Osher, Reckitt, Riseman, Sampson, Warren, Williams.

ABSENT - Cebra, Gifford, Grignon, Head, Landry, Paulhus, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 119; No, 16; Absent, 12; Vacant, 4; Excused, 0.

119 having voted in the affirmative and 16 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Unanimous Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-1029)** was **READ** by the Clerk.

Representative WARREN of Scarborough **PRESENTED House Amendment "B" (H-1039) to Committee Amendment "A" (H-1029)**, which was **READ** by the Clerk.

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

Representative **WARREN**: Thank you, Mr. Speaker. I am not requesting a roll call. I understand that I am in quite a minority at this point and at the same time I feel that the amendment that I've brought before us is a very reasonable one and so, I just want to explain it in brief detail. I'm proposing an amendment to use some of the coronavirus check money that has been in the news these past weeks and have that used for climate change programs that I think are much needed in this State. Those that are passed by this Legislature and on our appropriations table. This would amount in moving the income level from \$100,000 to \$75,000, then for those that are heads of household to \$100,000 and moving those joint filings to \$150,000. I think it is quite reasonable to then take about \$100 million of an over billion-dollar surplus and invest it in climate change programs that our bodies have worked on over the past two years, done incredible work and yet I know that I don't have the votes on this today but I hope that I can have your votes perhaps tomorrow or next year or certainly by the end of this decade. I think that we are out of time not to try, not to be as brave and resourceful as we can be. Climate change is the battle of all our lives and I don't seek to be against anything in voting against this budget, I want to be for something. I want to be for the future of Maine people. But that does require us to do

things that are bold and sometimes uncomfortable and prioritize climate change in our budgets as well in our words or in the legislation that we pass but don't fund. I hope that in the future we will fight this fight together. I thank you for your time and consideration.

On motion of Representative DUNPHY of Old Town, **House Amendment "B" (H-1039) to Committee Amendment "A" (H-1029)** was **INDEFINITELY POSTPONED**.

Representative LIBBY of Auburn **PRESENTED House Amendment "C" (H-1040) to Committee Amendment "A" (H-1029)**, which was **READ** by the Clerk.

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

Representative **LIBBY**: Thank you, Mr. Speaker, Men and Women of the House. Our fellow Mainers have been struggling for months under the weight of record-setting inflation. The price of groceries, electricity, heating fuel and gas are placing our friends and neighbors under extraordinary strain. Over the last month and a half, I've heard from hundreds of Mainers eager to see some form of relief at the gas pump. My amendment will give them that relief, suspending the 30-cent-per-gallon gas tax for the remainder of 2022, while ensuring that our roads and bridges will not lose a dime for repairs and upkeep of our infrastructure. This amendment will also not take a penny away from the \$850 checks that should rightfully go out to our fellow Mainers. Suspending Maine's gas tax is good for Maine business and families alike, Mr. Speaker.

On motion of Representative DUNPHY of Old Town, **House Amendment "C" (H-1040) to Committee Amendment "A" (H-1029)** was **INDEFINITELY POSTPONED**.

Subsequently, **Committee Amendment "A" (H-1029)** was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-1029)** and sent for concurrence.

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

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Enact the Maine Psilocybin Services Act"

(S.P. 496) (L.D. 1582)

Signed:

Senator:

MOORE of Washington

Representatives:

MEYER of Eliot  
CONNOR of Lewiston  
CRAVEN of Lewiston  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea  
PERRY of Calais

STOVER of Boothbay

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-464)** on same Bill.

Signed:

Senators:

CLAXTON of Androscoggin  
BALDACCI of Penobscot

Representatives:

MADIGAN of Waterville  
ZAGER of Portland

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-567)** thereto.

**READ.**

On motion of Representative DUNPHY of Old Town, the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

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

**ENACTORS**

**Emergency Measure**

An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine

(H.P. 1516) (L.D. 2034)

(H. "A" H-1032 to C. "A" H-1028)

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. 110 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Increase Funding for the Animal Welfare Fund by Increasing Certain Fees

(S.P. 599) (L.D. 1744)

(S. "A" S-562 to C. "A" S-454)

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.

An Act Concerning Equity in Renewable Energy Projects and Workforce Development

(H.P. 1464) (L.D. 1969)

(S. "A" S-570 to C. "A" H-971)

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

On motion of Representative DUNPHY of Old Town, was **SET ASIDE.**

On further motion of Representative DUNPHY of Old Town, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

**Resolves**

Resolve, To Help Certain Businesses with Electricity Costs

(S.P. 723) (L.D. 2010)

(S. "A" S-569 to C. "A" S-549)

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.**

The Chair ordered a quorum call.

More than half of the members responding, the Chair declared a Quorum present.

**REPORTS OF COMMITTEE**

**Divided Report**

Five Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-550)** on Bill "An Act To Ensure Transmission and Distribution Utility Accountability"

(S.P. 697) (L.D. 1959)

Signed:

Senators:

LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:

CUDDY of Winterport  
SACHS of Freeport  
ZEIGLER of Montville

Four Members of the same Committee report in Report **"B" Ought to Pass as Amended by Committee Amendment "B" (S-551)** on same Bill.

Signed:

Representatives:

BERRY of Bowdoinham  
CARLOW of Buxton  
GROHOSKI of Ellsworth  
KESSLER of South Portland

Four Members of the same Committee report in Report **"C" Ought to Pass as Amended by Committee Amendment "C" (S-552)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter  
GRIGNON of Athens  
WADSWORTH of Hiram

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-550) AS AMENDED BY SENATE AMENDMENT "A" (S-575)** thereto.

**READ.**

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

The same Representative **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 Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a termed-out Member of this Body, I feel like I've made the same floor speech now for the last eight years and here's the gist, Mr. Speaker. I was not sent to Augusta to increase our electric rates. And, to be clear, LD 1959 will increase electric rates. It increases rates both directly and indirectly. Look at the fiscal note, Mr. Speaker; five more lawyers, six more analysts and consultants hired by the PUC to do this work, work that's currently the utility's responsibility. Also, the new integrated grid planning section called for in the Majority Report which did not receive a public hearing requires a 40% increase in the PUC's assessment paid for by CMP and Versant's customers. That's a direct increase in the utilities rates buried in our constituents' electric bill. Regulators should not be creating, let alone implementing grid plans. It should be approving or disapproving the plans created by the utilities based on policy directives and prudence. Bill after bill this session would increase electric rates. From expanding net energy billing and more above-market procurements of renewables to government takeover poles and wires and generation facilities. Holding utilities accountable to provide safe, reliable service at just and reasonable cost is a job for the regulators at the PUC. They have the tools to do it, they are using those tools, let's let them do their job and vote down this bill. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Ellsworth, Representative Grohoski.

Representative **GROHOSKI**: Thank you, Mr. Speaker and good afternoon, House Colleagues. Maine people deserve better than the poor service and high rates our investor-owned monopoly utilities provide. They also deserve better than empty promises from politicians. This amended bill retains its original title, "An Act To Ensure Transmission and Distribution Utility Accountability", despite it doing nothing to ensure any meaningful accountability. This bill tells the Public Utilities Commission to do a few things it is already doing and a few more things it can already do. I apologize for standing before you to debate this bill because it is truly much ado about nothing. The problem is not that our Public Utilities Commission is inept at providing accountability, but rather that the whole system is rigged against them and against us. That's because the regulatory system was set up by the very utilities who it regulates. Surprising no one, it favors guaranteed profits over captive customers like you, me and the Mainers that we serve. There are parts of this report that I like, but they are not confined to this report alone. They are expanded whistleblower protections and grid planning which is, I think, kind of neat, but it would be a stretch to say it will ensure utility accountability. I have been consistently outspoken about the need for true utility accountability in my time serving in this Legislature. If this bill were ensuring

accountability, I'd be all for it. Because it is merely lipstick and has no teeth, I cannot support it. I will not go home to my constituents and say that I supported this bill and that they look forward to better than worst-in-the-nation service and high rates because that would be a false promise and they will not be fooled. And that is why I am opposed to the pending motion. Please join me in voting no, to allow consideration of a different amendment, one that adds a few teeth, not just some lipstick on a pig.

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

Representative **KESSLER**: Thank you, Mr. Speaker. I rise in opposition of the pending motion as well. I fully agree with the Representative from Hiram. The Public Utilities Commission is already doing these things. This version of the bill might spruce things up a little bit, but I agree also with the Representative from Ellsworth that it creates a false promise of accountability. Please join me in supporting a different version of this bill. Thank you very much.

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

Representative **GEIGER**: Thank you, Mr. Speaker. My district is entirely in the CMP service area. To say that the majority of my constituents loathe CMP would not be an exaggeration. To say that they no longer trust CMP to provide them with reliable service at a fair price would not be an exaggeration. We can look to history to see how the market would usually deal with a company that has lost the trust of its customers. When I was growing up, Sears and Roebuck was one of the most trusted names in America, until they began to cheat and deceive their customers. They are a distant memory now. And therein lies the issue here. Public utilities are granted a monopoly by the State of Maine. That monopoly includes a minimum 10% profit. My constituents cannot walk away from their public utility. They are captured. Once public utilities were owned and generated by Maine people. If they stopped investing in their service, they sat in the dark and cold like the rest of us. Now CMP is owned by a multinational corporation in Spain. The majority stakeholder is the country of Qatar. LD 1959 could have finally allowed Maine to face that reality and put guardrails and enforced expectations on our public utility monopolies. It should make clear that this franchise is awarded by the State and can be rescinded. It is not a divine right. It should require information on their performance, on their customer service and that information should be audited since they have proven they are not trustworthy. It should require that these utilities serve the interests of Maine, reinvest in Maine, be full partners in strengthening our grid and preparing us for the future rather than profit taking. Their franchise could come up for renewal every 20 years. Can you imagine the approach to their franchise if they knew that they faced a possible nonrenewal? To their reinvestment in the grid to their partnership with Maine in designing a grid that meets the future, can you imagine them ignoring their customers' bills as they have over the last several years? This could be one of the most powerful bills we pass this session, but not in its current form. Please join me in voting down Amendment "A".

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Williams.

Representative **WILLIAMS**: Thank you, Mr. Speaker. I rise in opposition to this motion. The power sector is in transition yet this bill utilizes traditional utility reliability factors. It does not include climate change and the integration of renewable energy into the grid beyond just how to connect to the grid. Nor does it suggest any processes for innovation in electrification. While this bill institutes quarterly reporting by utilities, this period is likely too short a period to identify meaningful changes in key metrics. And Maine's utilities have shown that they are far from expert in information systems and data transparency. In addition, the PUC is understaffed so that it is no guarantee that the information gathered is reliable. Since the need for additional information will increase costs for both the utilities and the PUC and will therefore significantly increase electric bills. This bill proposes significant State policy determinations and these proposals should be proposed and decided upon by electric policymakers, not administrative agencies. Agencies can advise and supply technical expertise, but the ultimate decision should be made by the legislators. In essence, this bill continues to include the same obsolete view of the electric power sector and Mainers' interest when it characterizes net benefits simply as, quote, lower rates and better service. No mention of climate change, electrification, load shaping, technological innovation, risk, resilience and so on. I urge my colleagues to vote Ought Not to Pass on this matter. Thank you.

The SPEAKER: The Chair recognizes the Representative from Montville, Representative Zeigler.

Representative **ZEIGLER**: Thank you, Mr. Speaker and Fellow Legislators. I truly did not plan on speaking today, I thought we'd be speaking tomorrow on this issue.

I came to the Legislature, like our Good Representative Wadsworth, where are you from again? I'm sorry, I'm 72 years old and sometimes I forget where 151 of us come from. I speak for this bill. We shouldn't leave this chamber without this bill being passed. Amendment "A" is the way to go forward. It will move forward and we will have a bill that we can work. If we leave in the next few days and we don't have oversight on our utilities and the PUC does have the ability to do that and has the ability to do that, it's also mentioned in another amendment and there's no change in that. But we need to pass this bill and Amendment "A" is the best way to pass it. We will have oversight. We have worked this bill for many, many days and this is the way to go. Thank you for indulging me and, again, Representative Wadsworth, I apologize for not knowing you're from Hiram, even though you sat next to me in the last session.

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

Representative **TUCKER**: There are two big ways at looking at the electrical generation and distribution of power. There's the paradigm that we have currently of a regulated monopoly. The other paradigm is where we have a citizen-owned generation and distribution system. For those who believe strongly, as I do, in having a citizen-owned and run distribution and –

Representative **BICKFORD**: Point of Order.

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

Representative **BICKFORD**: A citizen-owned utility is not germane to this bill.

The SPEAKER: The Member may resume.

Representative **TUCKER**: Because there are two ways of regulating, I think we should be careful looking for the perfect theoretical solution should be the enemy of what is possible. I think that this Legislature can walk and chew gum at the same time. It's going to take years to put in a theoretical solution but we need to start making changes to the grid immediately and that's what this bill would lead to. Certainly, there are those who think this bill is not tough enough and maybe it could be tougher, but the criticism that I'm hearing in the debate today is that the critics want to have a whole new paradigm system. Are we going to do nothing? Are we simply going to, because some of us believe in a future that's in the distance, because they want to do that, that we do nothing?

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

Representative **SACHS**: Thank you, Mr. Speaker. I rise in support of the pending motion. I serve on the EUT committee and carefully looked at all of the many reports coming out and I rise in support of the current motion. The bill before us will help us hold Maine's utilities, investor-owned utilities accountable for poor performance. This bill will also help Maine plan, design and modernize our electrical grid for an energy future much different and I agree with my good friend from Bar Harbor, an energy future that is much different from what we have today, reliant on expensive fossil fuels. This future involves distributed renewable energy generation, large energy storage systems and the electrification of transportation and heating, all with significant health and climate benefits that come along with them. This bill will help us get there. Regarding utility accountability, Maine people deserve much better service than they have been getting in recent years. Our investor-owned utilities have received failing grades, but mostly, Mr. Speaker, on one aspect; customer service, which is noted as poorest in the nation. This can't go on. We deserve, as Maine people, reliable service, accurate bills, timely customer service and constructive involvement in achieving a clean energy future and we need it now. This bill will create a report card system for utilities with consequences, real consequences for poor performance, including the ultimate consequence of being replaced. This amendment put forward, Mr. Speaker, is the only one that after that report card also says that ratepayers need to be included in that equation. It spells it out, Mr. Speaker, in this amendment. This bill requires that the PUC establish unambiguous service standards and thresholds of a performance in critical areas of utility operations and activities. This bill doubles the penalties that the PUC can impose and the financial penalties will be mandatory. This bill will also include strong whistleblower protections for utility employees and contractors so that they can report wrongdoing or fraud, Mr. Speaker. This provision could deliver significant savings to ratepayers.

The other big part of this bill which has been mentioned, Mr. Speaker, involves integrated grid planning, which holds the potential to save millions of dollars for Maine ratepayers. We are in the midst of a transition to a new dynamic grid powered

by clean energy. We need holistic grid planning. This process to build that modern grid in the most cost-effective fashion possible. But if we succeed, Mr. Speaker, we can do it at lower costs, reduce our pollution, enable distributed energy, our load flexibility and smart technologies across the State, but we need this bill, Mr. Speaker, in order to do that. Multiple stakeholder groups in recent years have come together and identified grid planning as a top priority and this bill, this amendment, Mr. Speaker, responds to those recommendations by putting such a process into motion and into law. Right now, utilities do all that planning behind closed doors, if they do it all, with no public involvement and no public directives, no policy. They're free to focus on what makes the most money for their shareholders, not what's best for the rest of us. The status quo, Mr. Speaker, is a gift to CMP and to Versant and I am not interested in giving that gift. We need a grid that is a product of broad input from the Office of the Public Advocate, the Chief Executive's Energy Office and outside experts and stakeholders to achieve the most cost-effective transformation possible as we move to a clean energy future. These provisions in this amendment, Mr. Speaker, are building on pilot projects that we've done in Boothbay which is projected to save an \$18.7 million over a 10-year period and another project is currently under final review by the PUC for Topsham and Brunswick, close to my home district of Freeport, is projected to save \$10 million. This bill. This bill, Mr. Speaker, is about performance standards, performance accountability and planning accountability. This is an urgent issue and we cannot afford to fail to act. We can't afford to wait. I urge my colleagues to stand up for Maine ratepayers and join me in supporting this motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, I've served now for 14 years in this Body. Eight of them have been on the committee on Energy, Utilities and Technology. I've thought a lot about accountability. What I fear most about the measures that we pass or consider in this Body is accidentally doing more harm than good. I fear that fake accountability can be worse than doing nothing. Because what matters most of all to me, Mr. Speaker, is that the people of our State have faith in us and can believe our words. There are a couple of flaws, others have pointed out many, in the measure before us. It's true that grid planning, divestiture, penalties, report card can, much of it is being done now by the Public Utilities Commission. But there are two flaws that have not come up that I think are worth considering. A vote for the motion before us is a vote for a report card written by the utility itself. There is no requirement, none that that data be audited. The utility writes the report card, the penalties follow from the report card, if there are any. The utilities write the report card. Secondly, a vote for this bill, for the measure before us, is a vote for penalties that are 95 times harder on our smaller utilities than on Central Maine Power. And that is due to the \$1 million cap. It is less than .1% of CMP's revenues. Ninety-five, we'll round to a hundred times easier on CMP, to put it in the converse, than on our smaller utilities. Mr. Speaker, I cannot support an amendment of that kind and I will be voting no on the pending

motion in hopes of being able to make a better one soon. Thank you.

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

Representative **KESSLER**: Thank you, Mr. Speaker. I rise a second time just to address some of the comments that were made by the Representative from Brunswick and I can say that I agree with the Representative from Auburn on his Point of Order. This is not about two paradigms, about investor-owned utilities versus consumer-owned utilities. We cannot predict the future in terms of which way we're going to go with the referendum but we do know that this is what we will be stuck with into the future. And if we are going to have an investor-owned utility, we need the strongest accountability possible to ensure that service quality and affordability are top priorities and that the PUC actually enforces the Statutes and enforces the rules. So, that was all I needed to say. Thank you very much, Mr. Speaker.

Representative FOSTER of Dexter **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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

Representative **CUDDY**: Thank you very much, Mr. Speaker. I appreciate your recognition. So, I rise in support of Committee Amendment "A" to LD 1959. One of the things that I like about this bill is this bill was drafted in large part by Bill Harwood. Bill Harwood is our Public Advocate. Bill Harwood's job is to represent the people of the State of Maine at the PUC. His very nature is to hold the utilities accountable. In his testimony in support of LD 1959 in its original form, he says; as Public Advocate, I welcome these new provisions and urge the Legislature to adopt them so that the Office of the Public Advocate can use them to better serve and protect Maine ratepayers. That's his job. He was involved in every aspect, not only of the drafting of this legislation, but he was involved in the meeting that we had in the regular legislative committee process to amend the original legislation. The report that is before us today is the process report. It is the report that came about from those meetings. From talking to people on all sides. It is the report that is the compromise. Now, all of us in this Body are very familiar with the various bills that we've had of how you compromise, how you work through the issues that you have and you come up with the best to serve as many people as possible. I can't improve at all on the list that you were given by my good friend, the Representative from Freeport. What she said covered this bill extremely well. But at its heart, at the very core of this bill are the words of a man whose job is to protect the ratepayers of the State of Maine. A man that we put our faith in by voting him in, by hearing him in our committee, a man who is there for this sole reason. The bill will do what its title says. It will ensure the accountability of these utilities and I hope that my friends and colleagues in this Legislature will support Amendment "A".

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. 593**

YEA - Alley, Blume, Boyle, Brennan, Caiazzo, Cardone, Cloutier, Corey, Crafts, Craven, Crockett, Cuddy, Doudera, Dunphy, Evans, Fay, Gere, Hasenus, Hepler, Hymanson, LaRochelle, Lyford, Madigan, Martin J, Martin R, Matlack, McCreight, McDonald, Meyer, Millett, Moriarty, Perry, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Tepler, Terry, Tucker, White, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Arford, Austin, Babbidge, Bell, Bernard, Berry, Bickford, Blier, Bradstreet, Brooks, Bryant, Carlow, Carmichael, Collamore, Collings, Connor, Copeland, Costain, Dillingham, Dodge, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Foster, Geiger, Gramlich, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harnett, Harrington, Hutchins, Javner, Kessler, Kinney, Lemelin, Libby, Lookner, Lyman, Martin, Mason, Mathieson, McCrea, Melaragno, Millett, Morales, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Pebworth, Pickett, Poirier, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren C, Warren S, White, Williams, Madam Speaker.

ABSENT - Cebra, Gifford, Grignon, Head, Landry, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 51; No, 83; Absent, 13; Vacant, 4; Excused, 0.

51 having voted in the affirmative and 83 voted in the negative, 4 vacancies with 13 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **NOT ACCEPTED**.

Subsequently, Representative BERRY of Bowdoinham moved that the House **ACCEPT** Report "B" **Ought to Pass as Amended**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **Ought to Pass as Amended**.

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

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

**ROLL CALL NO. 594**

YEA - Arford, Babbidge, Bell, Berry, Blume, Brooks, Bryant, Carlow, Collings, Copeland, Crockett, Dodge, Evangelos, Geiger, Gramlich, Grohoski, Harnett, Hasenus, Kessler, LaRochelle, Lookner, Madigan, Mathieson, McCrea, McDonald, Melaragno, Millett, Morales, O'Neil, Osher, Pebworth, Perry, Pluecker, Poirier, Reckitt, Rielly, Riseman, Supica, Warren C, Warren S, Williams, Zager, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Boyle, Bradstreet, Brennan, Caiazzo, Cardone, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Crafts, Craven, Cuddy, Dillingham, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evans, Faulkingham, Fay, Foster, Gere, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Hepler, Hutchins, Hymanson, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Matlack, McCreight, Meyer, Millett, Moriarty, Morris,

Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Pickett, Pierce, Quint, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sampson, Sheehan, Skolfield, Stearns, Stetkis, Stover, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White B, White D, Wood, Zeigler, Mr. Speaker.

ABSENT - Cebra, Gifford, Grignon, Head, Landry, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 43; No, 91; Absent, 13; Vacant, 4; Excused, 0.

43 having voted in the affirmative and 91 voted in the negative, 4 vacancies with 13 being absent, and accordingly Report "B" **Ought to Pass as Amended** was **NOT ACCEPTED**.

Subsequently, Representative BERRY of Bowdoinham moved that the House **ACCEPT** Report "C" **Ought to Pass as Amended**.

Representative BERRY of Bowdoinham, moved that the Bill be **TABLED** until later in today's session pending his motion to **ACCEPT** Report "C" **Ought to Pass as Amended**.

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **TABLE** the Bill until later in today's session pending the motion of Representative BERRY of Bowdoinham to **ACCEPT** Report "C" **Ought to Pass as Amended**.

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

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

**ROLL CALL NO. 595**

YEA - Arford, Babbidge, Bell, Berry, Blume, Brooks, Collings, Copeland, Dodge, Doudera, Evangelos, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hepler, Kessler, Lookner, Madigan, Mathieson, Melaragno, Morales, Moriarty, O'Neil, Osher, Pebworth, Reckitt, Rielly, Riseman, Sachs, Tepler, Warren, Williams, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Boyle, Bradstreet, Brennan, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Evans, Faulkingham, Fay, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Hutchins, Hymanson, Javner, Kinney, LaRochelle, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Matlack, McCrea, McCreight, McDonald, Meyer, Millett H, Millett R, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perry, Pickett, Pierce, Pluecker, Poirier, Quint, Roberts, Roeder, Rudnicki, Salisbury, Sampson, Sheehan, Skolfield, Stearns, Stetkis, Stover, Supica, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, Warren, White B, White D, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Cebra, Gifford, Grignon, Head, Landry, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 36; No, 98; Absent, 13; Vacant, 4; Excused, 0.

36 having voted in the affirmative and 98 voted in the negative, 4 vacancies with 13 being absent, and accordingly the motion to **TABLE** the Bill until later in today's session pending the motion of Representative BERRY of Bowdoinham to **ACCEPT** Report "C" **Ought to Pass as Amended** **FAILED**.

Subsequently, Representative DILLINGHAM of Oxford moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

Representative BERRY of Bowdoinham **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.

The **SPEAKER**: The Chair would inquire as to why the Representative from Topsham rises.

Representative **TEPLER**: Mr. Speaker, my question is a vote of yea is to indefinitely postpone the measure, a vote of nay is to not indefinitely postpone the measure?

The **SPEAKER**: The Chair would answer in the affirmative. 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. 596**

YEA - Alley, Andrews, Arata, Arford, Austin, Bell, Bernard, Berry, Bickford, Blier, Boyle, Bradstreet, Brennan, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Corey, Costain, Craven, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Foster, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harrington, Hasenfus, Hepler, Hutchins, Hymanson, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Madigan, Martin R, Martin T, Mason, Matlack, McCrea, McCreight, McDonald, Meyer, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Pickett, Pierce, Poirier, Quint, Roberts, Roeder, Rudnicki, Salisbury, Sampson, Sheehan, Skolfield, Stearns, Stetkis, Stover, Supica, Madam Speaker, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, Warren, White B, White D, Zager, Zeigler, Mr. Speaker.

NAY - Babbidge, Blume, Brooks, Copeland, Crafts, Crockett, Dodge, Doudera, Geiger, Gere, Gramlich, Harnett, Kessler, LaRoche, Lookner, Martin, Mathieson, Melaragno, Millett, Morales, Moriarty, O'Neil, Osher, Pebworth, Perry, Pluecker, Reckitt, Rielly, Riseman, Sachs, Tepler, Warren, Williams, Wood.

ABSENT - Cebra, Gifford, Grignon, Head, Landry, Paulhus, Perkins, Perry, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 100; No, 34; Absent, 13; Vacant, 4; Excused, 0.

100 having voted in the affirmative and 34 voted in the negative, 4 vacancies with 13 being absent, and accordingly the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in **NON-CONCURRENCE** and sent for concurrence.

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

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**ENACTORS**

**Emergency Measure**

An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023

(H.P. 1482) (L.D. 1995)  
(C. "A" H-1029)

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. 114 voted in favor of the same and 6 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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**Act**

An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws

(S.P. 528) (L.D. 1643)  
(C. "A" S-571)

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.

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

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

An Act Concerning Equity in Renewable Energy Projects and Workforce Development

(H.P. 1464) (L.D. 1969)  
(S. "A" S-570 to C. "A" H-971)

Which was **TABLED** by Representative DUNPHY of Old Town pending **PASSAGE TO BE ENACTED**.

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

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

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

Bill "An Act To Advance Health Equity, Improve the Well-being of All Maine People and Create a Health Trust"

(H.P. 1258) (L.D. 1693)

Which was **TABLED** by Representative DUNPHY of Old Town pending the motion of Speaker FECTION of Biddeford to **RECEDE AND CONCUR**. (Roll Call Ordered.)

On motion of Representative TALBOT ROSS of Portland, the House **RECEDED**.

On further motion of the same Representative **House Amendment "A" (H-998)** was **INDEFINITELY POSTPONED**.



Senate Amendment "A" (S-573) to Committee Amendment "A" (H-993) was READ by the Clerk and ADOPTED.

Committee Amendment "A" (H-993) as Amended by Senate Amendment "A" (S-573) thereto was ADOPTED.

Subsequently, the Bill was PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-993) as Amended by Senate Amendment "A" (S-573) thereto in NON-CONCURRENCE and sent for concurrence.

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

**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill An Act To Expand the Address Confidentiality Program to Victims of Certain Human Trafficking Crimes (EMERGENCY)

(S.P. 684) (L.D. 1943)  
(C. "A" S-541)

PASSED TO BE ENACTED in the House on April 13, 2022.

Came from the Senate PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-572) in NON-CONCURRENCE.

The House voted to RECEDE AND CONCUR.

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

**Non-Concurrent Matter**

Bill "An Act To Implement the Recommendations of the Secretary of State Regarding Notarial Acts"

(H.P. 1503) (L.D. 2023)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-983) in the House on April 11, 2022.

Came from the Senate PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-983) AS AMENDED BY SENATE AMENDMENT "A" (S-576) thereto in NON-CONCURRENCE.

The House voted to RECEDE AND CONCUR.

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

**ENACTORS**  
**Acts**

An Act To Protect against Discrimination by Public Entities

(H.P. 728) (L.D. 982)  
(C. "A" H-1033)

An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness

(H.P. 1463) (L.D. 1968)  
(H. "A" H-1030 to C. "A" H-947)

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

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

**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act To Enact the Maine Psilocybin Services Act" (S.P. 496) (L.D. 1582)

Majority (9) OUGHT NOT TO PASS Report of the Committee on HEALTH AND HUMAN SERVICES READ and ACCEPTED in the House on April 19, 2022.

Came from the Senate with that Body having INSISTED on its former action whereby the Minority (4) OUGHT TO PASS AS AMENDED Report of the Committee on HEALTH AND HUMAN SERVICES was READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-567) thereto in NON-CONCURRENCE.

The House voted to INSIST.

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

**ENACTORS**  
**Acts**

An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water

(H.P. 662) (L.D. 906)  
(H. "A" H-1035 to C. "A" H-984)

An Act To Maintain a Comprehensive Substance Use Disorder Treatment Program for Maine's Incarcerated Population

(H.P. 1532) (L.D. 2040)

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

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

**ORDERS**

On motion of Representative KESSLER of South Portland, the following Joint Order: (H.P. 1536)

ORDERED, the Senate concurring, that Bill, "Resolve, Regarding Monitoring of and Reporting on Energy Use Data Standards and Online Energy Data Platforms," H.P. 1499, L.D. 2017, and all its accompanying papers, be recalled from the Governor's desk to the House.

READ and PASSED.  
Sent for concurrence.

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

**SENATE PAPERS  
Non-Concurrent Matter**

Bill "An Act To Reorganize the Provision of Services for Infants, Toddlers and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of Eligibility under the Federal Individuals with Disabilities Education Act to 22 Years of Age"

(H.P. 1531) (L.D. 2039)

Report "B" (3) **OUGHT NOT TO PASS pursuant to Resolve 2021, chapter 106, section 3** of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ and ACCEPTED** in the House on April 19, 2022.

Came from the Senate Report "C" (2) **OUGHT TO PASS AS AMENDED pursuant to Resolve 2021, chapter 106, section 3** of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1031)** in **NON-CONCURRENCE**.

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

Representative MILLETT of Cape Elizabeth moved that the House **RECEDE AND CONCUR**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. I hope that you will oppose this motion. I hope that we will stand by our previous decision of Ought Not to Pass on this bill. Amendment "C" does two things. One, it creates a taskforce that looks at the issue of CDS and, unfortunately, it almost cuts out the involvement of the Department of Education in participating in the task force and helping to develop a system for administering programs through CDS. There are only two people from the Department of Education that are on the task force. That's a problem. We shouldn't be moving forward with the task force and talking about how we want to reform CDS and not involve the agency that's going to be responsible for implementing that program. Secondly, if you read the amendment, the consultant or facilitator for this task force would be paid for out of existing resources within the Department of Education. Based on past experiences, that could be anywhere from tens of thousands of dollars to hundreds of thousands of dollars for a task force, when I mentioned in other comments, there was spent \$500,000 just within the last two years. So, I hope that you will oppose the Recede and Concur motion.

The SPEAKER: The Chair would remind Members to address their comments through the Chair.

The Chair recognizes the Representative from Cape Elizabeth, Representative Millett.

Representative **MILLETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We heard a lot earlier today about how we needed to address many problems that exist within CDS. And before us now is a choice; to do nothing or to try to move ahead with the involvement of a full stakeholder group, including the Department of Education, the Department of Health and Human Services, superintendent of a rural school, principal of an urban public elementary school, a teacher in a public pre-K program, a special education director, two parents, Head Start program, etcetera. It's important that everyone have a voice and a role in addressing

the issues that we had identified in the resolves that we passed last year that remain unanswered. If we genuinely want to see progress made, then we must be assured that the work will happen. And, unfortunately, last year after we passed the resolves, the work did not happen and this is our opportunity to make sure that it will. Now, what's interesting is that in the documents provided by the Department of Education to the committee around the plan for the transition, the department did identify the hiring of an independent project manager. Hence the language for utilizing existing resources. This has already been budgeted. If you look at the fiscal note, it reflects that reality. So, I would ask everyone to please follow my light and allow us to make a genuine effort at addressing child development services. Thank you, Mr. Speaker.

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

Representative **SALISBURY**: Thank you, Mr. Speaker. I rise today opposing this motion and it's taken a long time to get to this point. I've only been in the Legislature for two years and I've been on the Education Committee and this was the hardest bill that we addressed this session. And I also look at this bill, not only from the position of a legislator, but as a school committee member. And I had major concerns when we first started talking about this bill and the capacity for school districts to take on this responsibility. But through the work that we did, the conversations that I had, I felt comfortable voting to move forward. When I first started on the Education Committee, the consistent theme that I heard was that there was a problem in CDS and children were not receiving the services they needed. And I heard this has been going on for six years, for 10 years we've been talking about this. In that time, we've had task forces, we've had studies, we had a resolve. I just don't believe that having another task force is the right answer. I'm sorry that this work might get delayed further if we don't take action, but I don't believe that a task force is the appropriate response. Thank you.

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

**ROLL CALL NO. 597**

YEA - Alley, Arford, Berry, Blume, Boyle, Brooks, Bryant, Collings, Copeland, Crafts, Crockett, Cuddy, Doudera, Dunphy, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, LaRochelle, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McDonald, Meyer, Millett, Morales, O'Neil, Osher, Pebworth, Reckitt, Rielly, Roberts, Roeder, Sachs, Sheehan, Supica, Tepler, Terry, Tucker, Warren, White, Williams, Wood, Zeigler, Madam Speaker.

NAY - Andrews, Arata, Austin, Babbidge, Bell, Bernard, Bickford, Blier, Bradstreet, Brennan, Cardone, Carlow, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Craven, Dillingham, Dodge, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, McCreight, Melaragno, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce, Pluecker, Poirier, Quint, Riseman, Rudnicki, Salisbury, Sampson, Skolfield, Stearns, Stetkis, Stover, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren, White, Zager, Mr. Speaker.

ABSENT - Caiazzo, Cebra, Evangelos, Gifford, Grignon, Harrington, Head, Landry, Paulhus, Perry A, Perry J, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 55; No, 76; Absent, 16; Vacant, 4; Excused, 0.

55 having voted in the affirmative and 76 voted in the negative, 4 vacancies with 16 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

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

### ENACTORS

#### Emergency Measure

An Act To Expand the Address Confidentiality Program to Victims of Certain Human Trafficking Crimes

(S.P. 684) (L.D. 1943)

(S. "A" S-572)

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. 118 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.

### Act

An Act To Implement the Recommendations of the Secretary of State Regarding Notarial Acts

(H.P. 1503) (L.D. 2023)

(S. "A" S-576 to C. "A" H-983)

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

On motion of Representative DILLINGHAM of Oxford, was **SET ASIDE**.

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

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

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

### ROLL CALL NO. 598

YEA - Alley, Andrews, Arata, Arford, Austin, Babbidge, Bell, Bernard, Berry, Bickford, Blier, Blume, Boyle, Bradstreet, Brennan, Brooks, Bryant, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evans, Faulkingham, Fay, Foster, Geiger, Gere, Gramlich, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harnett, Hasenfus, Hepler, Hutchins, Hymanson, Javner, Kessler, Kinney, LaRochelle, Lemelin, Libby, Lookner, Lyford, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, H, Millett R, Morales, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Pebworth, Perkins, Pickett, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sampson, Sheehan, Skolfield, Stearns, Stetkis, Stover, Supica, Madam Speaker, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - .

ABSENT - Caiazzo, Cebra, Evangelos, Gifford, Grignon, Harrington, Head, Landry, Paulhus, Perry A, Perry J, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 131; No, 0; Absent, 16; Vacant, 4; Excused, 0.

131 having voted in the affirmative and 0 voted in the negative, 4 vacancies with 16 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

The following item was taken up out of order by unanimous consent:

### UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Report "A" (5) **Ought to Pass as Amended by Committee Amendment "A" (H-1025)** - Report "B" (4) **Ought to Pass as Amended by Committee Amendment "B" (H-1026)** - Report "C" (2) **Ought to Pass as Amended by Committee Amendment "C" (H-1027)** - Report "D" (2) **Ought Not to Pass** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Update the Regulation of Public Utility Monopolies"

(H.P. 764) (L.D. 1026)

TABLED - April 18, 2022 (Till Later Today) by Representative BERRY of Bowdoinham.

### PENDING - ACCEPTANCE OF ANY REPORT.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** Report "C" **Ought to Pass as Amended**.

Representative WADSWORTH of Hiram **REQUESTED** a roll call on the motion to **ACCEPT** Report "C" **Ought to Pass as Amended**.

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

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

### ROLL CALL NO. 599

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins,

Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Caiazzo, Cebra, Evangelos, Gifford, Grignon, Head, Landry, Paulhus, Perry A, Perry J, Prescott, Roche, Sharpe, Stanley, Sylvester.

Yes, 74; No, 58; Absent, 15; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 58 voted in the negative, 4 vacancies with 15 being absent, and accordingly Report "C" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "C" (H-1027)** was **READ** by the Clerk.

Representative CUDDY of Winterport **PRESENTED House Amendment "A" (H-1041)** to **Committee Amendment "C" (H-1027)**, which was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "C" (H-1027) as Amended by House Amendment "A" (H-1041)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "C" (H-1027) as Amended by House Amendment "A" (H-1041)** thereto and sent for concurrence.

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

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**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act To Restore to the Penobscot Nation and Passamaquoddy Tribe the Authority To Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010"

(H.P. 428) (L.D. 585)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020)** in the House on April 15, 2022.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020) AS AMENDED BY SENATE AMENDMENT "B" (S-577)** thereto in **NON-CONCURRENCE**.

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

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

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**ENACTORS**  
**Acts**

An Act To Advance Health Equity and Improve the Well-being of All Maine People

(H.P. 1258) (L.D. 1693)  
(S. "A" S-573 to C. "A" H-993)

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.

An Act To Enhance Tribal-State Collaboration, To Revise the Tax Laws Regarding the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and To Authorize Casinos, Off-track Betting Facilities, Federally Recognized Indian Tribes and Certain Commercial Tracks To Conduct Sports Wagering

(H.P. 428) (L.D. 585)  
(S. "B" S-577 to C. "A" H-1020)

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

On motion of DILLINGHAM of Oxford, was **SET ASIDE**.

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

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

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

**ROLL CALL NO. 600**

YEA - Alley, Andrews, Arford, Bell, Berry, Blier, Blume, Boyle, Brennan, Brooks, Bryant, Cardone, Cloutier, Collamore, Collings, Connor, Copeland, Crafts, Crockett, Cuddy, Dodge, Doudera, Drinkwater, Dunphy, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Harrington, Hasenfus, Hepler, Hymanson, Kessler, LaRochelle, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Newman, O'Connell, O'Connor, O'Neil, Osher, Pebworth, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stover, Supica, Madam Speaker, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Babbidge, Bickford, Bradstreet, Carlow, Carmichael, Corey, Dillingham, Downes, Ducharme, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Bernard, Caiazzo, Cebra, Costain, Craven, Dolloff, Evangelos, Gifford, Grignon, Head, Landry, Lookner, Ordway, Paulhus, Perry A, Perry J, Prescott, Riseman, Roche, Sharpe, Stanley, Sylvester, White.

Yes, 82; No, 42; Absent, 23; Vacant, 4; Excused, 0.

82 having voted in the affirmative and 42 voted in the negative, 4 vacancies with 23 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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On motion of Representative ROCHE of Wells, the House adjourned at 11:50 p.m., until 10:00 a.m., Wednesday, April 20, 2022, in honor and lasting tribute to Robert Gorham of Buxton and Florence Cecilia Hludik of Wells.