

ONE HUNDRED AND THIRTIETH LEGISLATURE
FIRST SPECIAL SESSION
13th Legislative Day
Wednesday, June 30, 2021

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

Prayer by Honorable Holly B. Stover, Boothbay.

National Anthem by Honorable Lydia C. Blume, York.

Pledge of Allegiance.

The Journal of Thursday, June 17, 2021 was read and approved.

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

ORDERS

On motion of Representative McCREIGHT of Harpswell, the following Joint Order: (H.P. 1297)

ORDERED, the Senate concurring, that Bill, "An Act To Expand Recovery Services to Persons on Probation," H.P. 626, L.D. 858, 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.**

CONSENT CALENDAR

First Day

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

(H.P. 156) (L.D. 221) Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-735)**

On motion of Representative KESSLER of South Portland, was **REMOVED** from the First Day Calendar.

The Committee Report was **READ** and **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-735)** was **READ** by the Clerk.

Representative KESSLER of South Portland **PRESENTED House Amendment "A" (H-740) to Committee Amendment "A" (H-735)**, which was **READ** by the Clerk.

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

Representative **KESSLER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I sincerely appreciate the bipartisan work that was completed on this change package budget. However, I feel that there is one item that was left out of this budget that desperately needs our attention today and that is children's mental health. This amendment is essentially rolling in LD 496, which increases rates for social workers providing mental health services to children and providing at-home services for children. It has a \$9 million per year fiscal note with a \$20 million or a \$21 million per year federal match. I think that we can all agree that this pandemic has taken a

serious toll on children's mental health and the mental health and well-being of families across the State. I can tell you right now that families who are seeking counseling for their children through MaineCare cannot get it because providers are not willing to accept the low level of reimbursement. We have many families in crisis that need our help right now and we have the resources to address this in this budget. I'm not an expert in this particular line of work but I know that there are others that can speak more eloquently to the need for this. So, I request that you please vote with me to accept this amendment and thank you, Mr. Speaker.

Representative DUNPHY of Old Town moved that **House Amendment "A" (H-740) to Committee Amendment "A" (H-735)** be **INDEFINITELY POSTPONED.**

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Mr. Speaker and I would like to let my colleagues in this chamber know I have nothing but the utmost respect for the work that members of the Appropriations Committee did. I sit on the Health and Human Services Committee and what this amendment does was a bill we had in the HHS committee and it received unanimous support. And I mean no disrespect to anyone in this chamber but I want to explain it to people because most of you haven't worked in this field and I have. I'm a licensed clinical social worker and I have provided mental health services for children and worked as a home and family community services clinician in the State. So, I want to explain to you kind of what this bill does. These services are provided to children for whom counseling once or twice a week in an office that are clinic-based is not enough to keep them in their homes. These services are for children that often wind up in our emergency rooms and interim patient psychiatric units and sometimes they're even placed out of State. We have heard numerous people here, colleagues here and perhaps you've heard from parents in your district who identify that this is a problem. It's a problem because the rates haven't been raised in many years and what that means is the services has shrunk. The area in which they serve has shrunk. And as someone who used to run a mental health services program, I can tell you exactly why that is; because the rate does not allow agencies to pay for their outpatient providers to travel that far, particularly in rural areas, to the next client. So, what happens is that the services shrink until they're just basically surrounding where the agency is located, which is great if you happen to live in a town that's along the I-95 corridor, but if you live in a rural area, chances are your child is going to be on a waitlist for six months, a year and some families decide why even put their child on a waitlist because they're never going to be able to access those services. So, when we talk about the lack of these services, these are the children that often wind up in our emergency rooms for days/weeks on end with no place for them to go. They wind up in inpatient psychiatric units or waiting for a bed at a residential care unit or being placed out of State. That actually costs a lot more money than what this bill does and it's actually less effective.

The body of this amendment that was a bill in HHS committee received a unanimous report. These children deserve to get the services they need, families deserve to have their children access these services. These rates haven't been raised in a number of years. I cannot vote to indefinitely postpone this because I have worked in this field and treated these children. And these families are not the ones that often show up here because they can't afford to or they live very far. All these are MaineCare families. I think it's really important that at this time, in this budget, we make this a priority. I often take

calls from families who aren't in my district whose children have wound up in the emergency room and they don't know what to do. A number of children's case managers call me, not in my district, because they don't know what to do, the kids they serve can't get the services they need. And at this time, I think we need to make it a priority. Because we've talked about it for a long time, right? As long as I've been here, we've talked about it. As long as I've worked in the field, people have said we really need to change this so that these services are available. I can remember 25 years ago there was another movement to bring the kids home from out-of-State placements and sometimes it flummoxes me that once again we're in the same spot we were 25-30 years ago.

I have great respect for the work the department is doing but I want to be really honest because I've worked in this field long enough to know that we used to have some of the services that the department is reinvesting in. Fifteen years ago, it was really easy for me working as a clinician in Kennebec County to find an intensive outpatient program for a child with either mental health or substance use disorder issues. Those don't exist anymore and that was because the rates dropped. The same thing is happening in slow motion for the services this amendment addresses and if we don't address it, if we wait for the rate study, they may well not be available at all. Because remember there was a rate study five years ago that actually turned out the information wasn't correct and then we didn't do anything about those rates. So, once again, we said 30 years ago we were here, five years ago we were here, so I guess I'm being a historian today to remind you how long this has been going on. The families in your districts can't wait and, frankly, it's costing us more money to address it the way we're doing now. So, I will not be voting to indefinitely postpone this amendment because I think this is the time now to help those families and children.

Representative **KESSLER** of South Portland **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-740) to Committee Amendment "A" (H-735)**.

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 Old Orchard Beach, Representative Gramlich.

Representative **GRAMLICH**: Thank you, Mr. Speaker, my Esteemed Colleagues in the House. I rise in support of this amendment. Like my friend and colleague from Waterville, I, too, am a social worker, as many of you know. The difference between the Representative from Waterville and myself is I am not a clinician. I'm a licensed master social worker who's been working in the public policy arena in the State of Maine for nearly 40 years. I've been working off and on in this building before I became a Member for nearly 20 years, advocating on behalf of children in need of behavioral health care services. Like the Good Representative from Waterville, I will take a very, very minor trip down memory lane in terms of some of the historical perspective relative to this issue. As an advocate, I proposed initiatives and supported initiatives that would provide prevention-based services for children in need of mental health services and every two years, when the budget was initiated and passed, children in need of behavioral health care services did not get the funding they need. I respect and appreciate the good hard work that our Appropriations Committee made on this budget with a bipartisan support out of committee. There are a lot of really great things in this budget which I support. As a social worker, I support funding for eldercare, for people with developmental disabilities, to increase rates for private

nonmedical institutions and the whole list that we all agreed upon in the Appropriations Committee that is included in this budget.

But the one piece that is not in this budget is to increase reimbursement rates for providers and for individuals providing home and community treatment support for children. These are children with behavioral health care needs. These are children who, if given the proper supports, can stay in their homes. And we know that is far, far more affordable for the State of Maine to keep these children in their homes. If we're able to increase reimbursement rates for providers to provide these community-integrative wraparound services for kids, it may very well prevent children from needing residential treatment. It may prevent children from being hospitalized. It may prevent children from being involved in the criminal justice system. This is a critically important prevention-based initiative. There are currently over 600 children waiting for these services. How much longer do these kids and families have to wait to get the services that they need to keep them in their homes and to grow to be successful and healthy adults? These kids are our future and if we are able to prioritize funding for these children, the likelihood of us needing additional funds for adults is going to decrease. That's an investment and that's a good return on our investment, in my opinion.

The other component of this amendment includes increasing reimbursement rates for providers for both adults and children in need of outpatient therapy. Now, this is not intensive outpatient therapy, this is regular outpatient therapy that any one of us may need at any given time as we struggle with issues that impact our lives. And we know that these issues have been exasperated by COVID. We don't have the providers in the State of Maine because we're not providing adequate reimbursement so that they can function in their businesses to provide these services. Twenty years without an increase in rates and there's been plenty of studies, I've seen them over and over again as an advocate working in this building. The time for studies is over. We know what the issues are. We need to prioritize this as a funding initiative that will prevent bigger-picture issues from happening in the future. I really hope that we can begin a dialogue and continue a dialogue that prioritizes this issue. I feel that it is critically important, Mr. Speaker. These kids are counting on us. Presently, we have over 70 children that are receiving residential treatment outside of the State of Maine. There are kids as far away as Utah and Arkansas, whose families can't be with them, can't be part of their treatment plan and who may very well have been able to stay in the State of Maine if we had been able to provide the proper rates so that they could get the community integrative wraparound services to stay in their homes. I feel very, very strongly about this, Mr. Speaker and I really hope that we will be able to pass this amendment and I thank the Body for your indulgence.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. LD 496 is a very good bill. It needs to be funded. It's unbelievably pathetic that children come last. And, remember, the State is currently out of compliance with federal law. Knowing that, it's important that we send this to the Appropriations Committee, let them do their work when they run the table. It's not something that can be in the budget. These people on Appropriations, my friends, worked day and night to put this together to get a unanimous Committee Report. A unanimous Committee Report is important. That tells us that both sides agree with the funding in this supplemental budget. Mr. Speaker, please support

indefinite postponement and let this go to the Appropriations Table where it needs to be vetted thoroughly and funded. Thank you.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I agree one hundred percent with the Good Representative from Old Orchard Beach. Year in and year out, we have passed a bill similar to this, very close, sometimes exactly and every year it gets sent to the Appropriations Table and every year it dies on the Appropriations Table because it's too much money. Well, frankly, when it's our children, it is not too much money. When it is our children's mental health, it is not too much money. Thank you, Mr. Speaker.

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

Representative **MORALES**: Thank you, Mr. Speaker. I agree with a lot of the comments that have been said so far. I believe particularly that we haven't valued our children, particularly the poorest children who end up in our systems. These are the children who without these services, they fall through the cracks. They get suspended from school, they're out in the streets, they enter into the criminal justice system. We cannot wait, though, any longer, Mr. Speaker, because even six months in the life of a small child is an astronomical number in what can happen to them if we do not provide these services. And I just want to make a comment about the providers who are doing this work, this community-based wraparound; they are saints. They are not compensated for the work that they are doing, Mr. Speaker and the result of that is that there's incredible turnover within these services. And that's an injustice to the children and an injustice to the parents. So, I strongly believe that we really need to fund behavioral health services now. I believe it should be in our budget because that's our expression of our value, but I'm pleased to hear the comments from all Members of this Body that this is a priority for us. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-740) to Committee Amendment "A" (H-735). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 386

YEA - Alley, Andrews, Arata, Austin, Bickford, Blier, Bradstreet, Brennan, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Craven, Dillingham, Dolloff, Downes, Drinkwater, Dunphy, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Hasenfuls, Head, Hepler, Hutchins, Hymanson, Javner, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Mason, Matlack, McCreia, Melaragno, Meyer, Millett, Moriarty, Morris, Nadeau, Newman, Ordway, Parry, Perkins, Pickett, Pierce, Poirier, Prescott, Quint, Rielly, Roberts, Roche, Rudnicki, Sheehan, Skolfield, Stanley, Stetkis, Talbot Ross, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White, Wood, Mr. Speaker.

NAY - Arford, Babbidge, Bailey, Bell, Bernard, Berry, Blume, Brooks, Bryant, Cebra, Collings, Copeland, Crafts, Crockett, Cuddy, Dodge, Doudera, Evangelos, Geiger, Gere, Gramlich, Grignon, Grohoski, Harnett, Johansen, Kessler, Lookner, Madigan, Martin, Mathieson, McCreight, McDonald, Millett, Morales, O'Connell, O'Connor, O'Neil, Osher, Pebworth, Perry A, Perry J, Pluecker, Reckitt, Riseman, Roeder, Sachs, Salisbury, Sampson, Stearns, Stover, Supica, Sylvester, Warren C, Warren S, White, Williams, Zager, Zeigler.

ABSENT - Doore, Ducharme, Evans, Harrington, Kryzak, Paulhus, Sharpe, Tuttle.

Yes, 85; No, 58; Absent, 8; Excused, 0.

85 having voted in the affirmative and 58 voted in the negative, with 8 being absent, and accordingly **House Amendment "A" (H-740) to Committee Amendment "A" (H-735) was INDEFINITELY POSTPONED.**

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (H-735).**

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 Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Mr. Speaker. I want to start by thanking the Appropriations Committee for their hard work on this budget. I truly wanted to be able to support it. I would like to recap a few things. In January, we passed a bipartisan supplemental budget for Maine, giving people on unemployment a \$10,200 tax credit, but not people who continued to work and sacrifice for the people in Maine, including doctors, nurses, many factory workers, store clerks, business owners, direct care workers, nursing home workers, many laborers, linemen, police officers and firefighters. I spent countless hours last year meeting with business owners in my district about the sacrifices they had to make to continue to survive. I'm glad that the committee found a way to give some money back to the Maine people, but do you honestly think that \$300 in December for those making under \$75,000 who filed a tax return is fair? Is it fair that those who make over \$75,000 who worked and paid taxes to not receive any tax break or refund? It's the principle of the thing. If someone worked for one, two, three months in 2020 and then collected unemployment for nine, 10, 11 months and received the extra \$300 a week from the federal government and received a tax credit are eligible under this plan, is that fair to those who sacrificed for the State, their families and worked the whole time?

Many of my colleagues sacrificed time and money and the indignity of wearing masks or shields to represent their constituents in the normal fashion by coming to Augusta to work even though it was on Zoom. Zoom affected the ability of all legislators to interact and negotiate positively in a bipartisan fashion both on bills and the budget. It's also affected how we as a Legislature interact with the Maine people. In March, the Maine people were told by this leadership through the media that they were afraid that my side of the aisle would not negotiate to pass a bipartisan budget so it was going to be a majority budget with 400 towns not being represented. That budget increased over \$400 million over the last biennium. Now you want me to support a change package that will increase the biennium another \$170 million? Mr. Speaker, in March, we adjourned sine die and I protested every day on Zoom because the definition of sine die in legislative terms is without day, our work is done. However, we were required to continue hearing bill after bill. Our work was not done and we lied to the Maine people. So, to recap --

The SPEAKER: The Member will defer. The Chair would remind the Member to not impugn the character of other Members in the chamber.

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

The SPEAKER: The Member may proceed.

Representative **RUDNICKI**: So, to recap, since I was elected to office three years ago, the biennium has increased by almost a billion dollars. Mr. Speaker, Maine is already the third-highest tax State in the nation. We are also one of the oldest states. At the rate we are going, we are going to be number one in both categories and become a socialist State because no one wants to live and pay taxes here. I am a fifth generation Mainer. I love the State and have never lived anywhere else, even though I've traveled the country extensively. However, at the rate we are going, we are driving true Mainers out. This budget is unsustainable. We should be looking for ways to reduce the budget and give the Maine people a tax cut, such as reducing the sales tax down to 5%, not increase the fees and fines. Let's not forget, we voted to fine people for releasing balloons and how about the Department of Labor adding a fee to businesses to help with the administrative costs on unemployment even though we assured the businesses there would be no increases to their unemployment costs. These are just a couple of the increases. Mr. Speaker, I urge you to vote down this change package and stick with the already passed biennium. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of Committee Amendment "A" (H-735). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 387

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

NAY - Andrews, Cebra, Drinkwater, Faulkingham, Fecteau, Foster, Greenwood, Grignon, Hanley, Harrington, Javner, Johansen, Libby, Lyford, Mason, O'Connor, Prescott, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stetkis, Wadsworth, Warren.

ABSENT - Doore, Ducharme, Grohoski, Kryzak, Paulhus, Sharpe, Tuttle.

Yes, 119; No, 25; Absent, 7; Excused, 0.

119 having voted in the affirmative and 25 voted in the negative, with 7 being absent, and accordingly **Committee Amendment "A" (H-735) 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-735)** and sent for concurrence.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Thursday, June 17, 2021, 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 Create the Pine Tree Power Company, a Nonprofit Utility, To Deliver Lower Rates, Reliability and Local Control for Maine Energy Independence

(H.P. 1269) (L.D. 1708)

(C. "A" H-640)

- In House, **PASSED TO BE ENACTED** on June 17, 2021.

- In Senate, **FAILED OF PASSAGE TO BE ENACTED in NON-CONCURRENCE.**

TABLED - June 18, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **FURTHER CONSIDERATION.**

On motion of Representative BERRY of Bowdoinham the House voted to **RECEDE.**

Representative BERRY of Bowdoinham presented **House Amendment "B" (H-738) to Committee Amendment "A" (H-640)**, which was **READ** by the Clerk.

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, the amendment before you would require that the Pine Tree Power Company as created in the bill pay property taxes in full on all current and future property. Thank you very much. I hope you can support the adoption of this amendment.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "B" (H-738) to Committee Amendment "A" (H-640).**

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. About 10 days ago, we had Members pleading in this chamber at 1:15 a.m. to not adjourn because of an amendment. Well, here it is and this is what we're waiting for? This amendment changes the status of the Pine Tree Power Company from a nonprofit corporation to some vaguery. They only benefit to the Pine Tree Power Company was that it was going to be nonprofit. Now we're increasing costs on the ratepayer from the original bill that was passed through this chamber and ditching the nonprofit status. This amendment now raises more questions, Mr. Speaker. If the company is quasi-governmental and quasi-for-profit, who's going to buy the \$14 billion in bonds needed to buy the infrastructure? There was no other entity to compare this to out in the bonding markets. This is absolutely too risky for my constituents.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand opposed to this motion. I've tried to speak to this chamber with facts that I felt would help as you make your decisions, but faced with this amendment, I think the facts do speak for themselves but we also have to look

at the what-ifs. This is definitely a government takeover of an entity and I believe that the quick manner that this amendment was filed and the complete change that was made in this particular item in this vast bill shows what politics will play in the future of this entity. I feel that the cost will be prohibitive. I'm not sure that a government entity can file a property tax against its citizens in this manner because that will be a government company and I ask that you follow my light and vote against this and we will see this go behind us. Thank you.

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

Representative **BERRY**: Thank you, Mr. Speaker and I appreciate the remarks of my friends from Hiram and from Dexter. Just to clarify, this idea is not new. It was, in fact, presented to me two years ago by representatives of the Maine Municipal Association. At the time, my thinking was much the same as the thinking of the Representatives from Hiram and Dexter as they just expressed them. What I have learned since, just in the last two weeks, from bond counsel to the State Treasurer and from another bond counsel, Nixon Peabody in Washington D.C., is that this does work. That we can require full property tax payments of the Pine Tree Power Company of a consumer-owned utility and exempt it from income tax, which benefits all of us because it can then issue tax exempt revenue bonding. We are not pumping hundreds of millions of dollars out of the State if we go forward in this direction. We are, instead, reinvesting those in our municipalities. We are not depending on a grid which is owned and run by those from far away who may have no interest in our future, in our energy decisions here in Maine and who require as a benefit of their equity investments a guaranteed rate of return of between 9% and 14%. Instead, we will finance our energy future, our monopoly grid at two or three percent interest, cutting the cost of capital in half, refinancing the grid that we all share at roughly half the cost of capital. That economic magic still happens in this bill. And, in fact, it's not magic, Mr. Speaker, it's math. So –

Representative **BICKFORD**: Point of Order.

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

Representative **BICKFORD**: Mr. Speaker, we're speaking on an amendment that has to do with property taxes. We are not speaking on the primary bill. Can the Member please make his remarks to the amendment?

On **POINT OF ORDER**, Representative BICKFORD of Auburn asked the Chair if the remarks of Representative BERRY of Bowdoinham were germane to the pending question.

The SPEAKER: The Chair would remind Members of the chamber to direct their comments to the matter before us.

The Chair reminded all Representatives to stay as close as possible to the pending question.

The SPEAKER: The Member may proceed.

Representative **BERRY**: Thank you, Mr. Speaker and I appreciate my friend from Auburn's concern. This is, in fact, is directly related to the amendment because the question that we just heard was how is it possible to create an entity that is required to pay property taxes and yet is able to access tax exempt revenue bonding. And that is, in fact, the matter before us. As I have just outlined, bond counsel to the State Treasurer, bond counsel Nixon Peabody based in Washington D.C. have affirmed that this works. So, I'm very pleased, Mr. Speaker, to be able to bring this amendment to provide greater certainty, greater peace of mind to our municipal leaders as they requested of us before. I quite honestly didn't think it was

possible, either and so, it's especially gratifying, Mr. Speaker, that we're able to move forward in this way today. Thank you very much.

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

Representative **FOSTER**: Thank you, Mr. Speaker, for allowing me to rise a second time. I apologize for that. Mr. Speaker, again, this amendment addresses only one of the many issues in a very large and complex bill with a lot of ramifications for the State of Maine. But I would again point out the birth of this amendment came about in very short order, there are very few reviews of what it will exactly entail for our communities and the ratepayers and if rumors are true that the property tax payments will actually be 120% of what they are today, then I know my good friend from Milford is envious of this last-minute tactic as even a used car salesman would find it quite extraordinary that we are throwing this out there at this time to try to gain support for a bill that should not pass. Thank you, Mr. Speaker.

The SPEAKER: The Chair would remind Members to not project on to other Members their motives for the matter before the Body. The Chair recognizes the Representative from Lewiston, Representative Cloutier.

Representative **CLOUTIER**: Thank you, Mr. Speaker. I'd like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **CLOUTIER**: I just would like to clarify that under this amendment the consumer-owned utility would fall under municipal taxation authority. Thank you.

The SPEAKER: The Representative from Lewiston, Representative Cloutier has posed a question to any Member who may care to respond. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Mr. Speaker, that is correct. It would, in fact, be required to pay all property taxes under municipal authority. And if I may, Mr. Speaker, to avoid rising a second time --

The SPEAKER: The Member will defer. Does the Member request unanimous consent to rise for a third time? Hearing no objection, it is so ordered.

Representative **BERRY**: Thank you, I've lost count. The Good Representative from Dexter mentioned a different amendment. There are two amendments and so the confusion is understandable. The 120% amendment that he referred to House Amendment "A". We are currently discussing House amendment "B". Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "B" (H-738) to Committee Amendment "A" (H-640). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 388

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

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

ABSENT - Doore, Ducharme, Kryzak, Paulhus, Sharpe, Tuttle.

Yes, 77; No, 68; Absent, 6; Excused, 0.

77 having voted in the affirmative and 68 voted in the negative, with 6 being absent, and accordingly **House Amendment "B" (H-738) to Committee Amendment "A" (H-640) was ADOPTED.**

Subsequently, **Committee Amendment "A" (H-640) as Amended by House Amendment "B" (H-738) thereto was ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-640) as Amended by House Amendment "B" (H-738) thereto in NON-CONCURRENCE** and sent for concurrence.

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

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

Representative **MORIARTY**: Thank you, Mr. Speaker. I had anticipated that there would be a separate vote on engrossment and that's why I punched my button, possibly not in time.

At this point, the Speaker recognized the Representative from Athens, Representative GRIGNON and he was added to the roll call of the First Special Session of the 130th Legislature.

**REPORTS OF COMMITTEE
Divided Report**

Majority Report of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-737)** on Bill "An Act To Authorize General Fund Bond Issues To Improve Transportation and National Guard Infrastructure and To Promote the Conservation of Land, Working Waterfronts, Water Access and Outdoor Recreation" (H.P. 1265) (L.D. 1702)

Signed:

Senators:

BREEN of Cumberland
BAILEY of York
DAVIS of Piscataquis

Representatives:

PIERCE of Falmouth
ARATA of New Gloucester
CARDONE of Bangor

CLOUTIER of Lewiston
COREY of Windham
FAY of Raymond
HYMANSON of York
MARTIN of Eagle Lake
MILLETT of Waterford

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

Signed:

Representative:

FECTEAU of Augusta

READ.

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

Representative DILLINGHAM of Oxford **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. 389

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

NAY - Andrews, Bernard, Bradstreet, Carmichael, Cebra, Connor, Costain, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hutchins, Javner, Johansen, Lemelin, Libby, Lyford, Mason, Nadeau, Newman, O'Connor, Ordway, Perkins, Prescott, Quint, Rudnicki, Sampson, Stanley, Stetkis, Thorne, Underwood.

ABSENT - Doore, Drinkwater, Ducharme, Kryzak, Paulhus, Sharpe, Tuttle.

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

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

The Bill was **READ ONCE. Committee Amendment "A" (H-737) 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-737)** and sent for concurrence.

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

SENATE PAPERS
Non-Concurrent Matter

An Act To Amend the Law Regarding Advance Health Care Directives (EMERGENCY)

(H.P. 822) (L.D. 1144)
(C. "A" H-720)

FAILED of **PASSAGE TO BE ENACTED** in the House on June 17, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-720) AND SENATE AMENDMENT "A" (S-353)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act To Facilitate Maine's Climate Goals by Encouraging Use of Electric Vehicles

(H.P. 245) (L.D. 347)
(C. "A" H-651)

PASSED TO BE ENACTED in the House on June 17, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-651) AS AMENDED BY SENATE AMENDMENT "A" (S-340)** 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 to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 390

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

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

ABSENT - Ducharme, Kryzak, Millett, Osher, Paulhus, Sharpe, Stetkis, Tuttle.

Yes, 81; No, 62; Absent, 8; Excused, 0.

81 having voted in the affirmative and 62 voted in the negative, with 8 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To Reestablish Parole"

(H.P. 610) (L.D. 842)

Report "A" (7) **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-717)** in the House on June 17, 2021.

Came from the Senate with that Body having **INSISTED** on its former action whereby Report "C" (3) **OUGHT NOT TO PASS** of the Committee on **JUDICIARY** was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Representative EVANGELOS of Friendship moved that the House **RECEDE**.

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

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

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

ROLL CALL NO. 391

YEA - Alley, Andrews, Arford, Babbidge, Bailey, Bell, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Libby, Lookner, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Berry, Ducharme, Foster, Kryzak, Landry, Millett, Paulhus, Sharpe, Tuttle.

Yes, 82; No, 60; Absent, 9; Excused, 0.

82 having voted in the affirmative and 60 voted in the negative, with 9 being absent, and accordingly the House voted to **RECEDE**.

Representative EVANGELOS of Friendship **PRESENTED House Amendment "A" (H-736) to Committee Amendment "A" (H-717)**, which was **READ** by the Clerk.

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

Representative **EVANGELOS**: Thank you, Mr. Speaker, Women and Men of the House. This simple amendment creates a study commission that will concentrate a good part of its work on studying Colorado's successful parole system. A point of

clarification; the original bill I submitted and had drafted was based on the Colorado system. Yesterday, I phoned Colorado and spoke to their parole board and they are willing to Zoom in to the study commission and tell them what's working right and what's working wrong with their system. Anybody can verify this; the phone number is 719-583-5800. And so, I would ask you to please support this effort. Just to be clear, it's not to establish parole in Maine but to have a study commission analyze Colorado's system and report back in January. Thank you, Mr. Speaker.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-736) to Committee Amendment "A" (H-717)**.

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-736) to Committee Amendment "A" (H-717). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 392

YEA - Alley, Andrews, Arford, Babbidge, Bailey, Bell, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Newman, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Berry, Ducharme, Foster, Kryzak, Paulhus, Sharpe, Tuttle.

Yes, 85; No, 59; Absent, 7; Excused, 0.

85 having voted in the affirmative and 59 voted in the negative, with 7 being absent, and accordingly **House Amendment "A" (H-736) to Committee Amendment "A" (H-717)** was **ADOPTED**.

Committee Amendment "A" (H-717) as Amended by House Amendment "A" (H-736) thereto was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-717) as Amended by House Amendment "A" (H-736)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

Non-Concurrent Matter

Bill "An Act To Prevent Increased Heating Fuel, Natural Gas, Gasoline and Diesel Fuel Pricing in Maine by Prohibiting Adoption of Rules Limiting Greenhouse Gas Emissions"

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

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ** and **ACCEPTED** in the House on June 8, 2021.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-435)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

COMMUNICATIONS

The Following Communication: (H.C. 183)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 23, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 417, *An Act To Protect Maine's Drivers from Pretextual Traffic Stops*.

This legislation, with its incorrect definition of "pretextual stop," assumes that law enforcement officers today may pull a vehicle over for no reason and look for evidence of a crime to be used against the driver or occupant.

To the contrary, the law requires an officer to have an objectively reasonable, articulable suspicion that criminal conduct, or a civil violation, or a threat to public safety has occurred, is occurring, or is about to occur to justify the stop of a vehicle. *Whren v. United States*, 517 U.S. 806, 819 (1996) (unanimous Supreme Court); *State v. Sasso*, 2016 ME 95, ¶ 14, 143 A.3d 124, 129. The standard is an objective one and is used in courts across the state every day.

This bill would prohibit a stop if the officer had anything in mind other than the immediate reason for the stop. This prohibition is overbroad, unrealistic and dangerous, putting at risk the safety of innocent victims of crime whose circumstances are often uncovered through legitimate traffic stops.

This bill goes further than prohibiting a traffic stop when the officer is also looking for evidence of other crimes. It also prohibits a law enforcement officer in *any* traffic stop from asking questions or engaging in any conduct that is not related to the original purpose for the stop. This provision too is dangerous, unrealistic and unworkable.

In real life, it is not uncommon for traffic stops to result in the discovery of human trafficking, domestic violence, sexual assault, operating under the influence, robbery and other serious crimes, sometimes on the basis of observation and simple questions. The uncovering of crime is a continuum which does not stop at the approach to a vehicle.

The question, "Is that blood on your shirt?," for instance, is a legitimate one, which may lead to evidence of murder, assault or other violent crime, whether or not the officer has an articulable suspicion of criminal activity at the time of the question. This bill, however, would not only prohibit the question but would make any evidence acquired after the question "inadmissible in any criminal proceeding." To restrict what a police officer can do or say following a traffic stop thwarts legitimate, constitutional public safety practices and the rights of the general public.

Deterring bias based stops, which appears to be the intent of the bill, is a laudable goal. Such stops are offensive, potentially illegal, and always against public policy. That is why Maine's law enforcement policies, Academy and field training all require an officer to base a stop on the conduct of the driver and not on the basis of race, ethnicity, gender, sexual orientation, gender identity, religion, socioeconomic status, age, national origin or ancestry.

While there may be more work to do in addressing such stops, this bill is an overcorrection that will cause more harm than good. For these reasons I return L.D. 417 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Protect Maine's Drivers from Pretextual Traffic Stops

(H.P. 301) (L.D. 417)
(C. "A" H-623)

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

Representative **MORALES**: Thank you, Mr. Speaker. This veto message today misunderstands the times we are in and this veto message misunderstands the people of Maine, Mr. Speaker. The people of Maine do not want law enforcement to take shortcuts in their work. They do not want law enforcement to rely on their implicit bias and hunches to pull drivers over, particularly since the Criminal Justice Academy provides very little training on this and, particularly, when law enforcement holds the most awesome liberty-restricting powers of search and seizure, arrest and use of deadly force. Why do we know Maine people do not want law enforcement to take shortcuts? Because the people of Maine have spoken through this Body and the other Body. The people of Maine have said loud and clear that they understand the harm and potential loss of life caused to our black and brown neighbors, our poor neighbors, our young people when we allow law enforcement to pull them over for suspected criminal activity that the officers have no evidence of. Specifically, no evidence that would stand up in court at the time of the stop. The people of Maine also understand that crafting our State's criminal laws is squarely within each State's rights under the U.S. Constitution. The practice of pretext driving stops, which this veto signifies an approval for, shocks the conscience of Maine people and erodes Maine peoples' trust in our system of public safety, Mr. Speaker. I ask this Body to listen to Maine people and to vote to override this veto. Thank you, Mr. Speaker.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 393V

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

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Copeland, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stover, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White B, White D.

ABSENT - Berry, Ducharme, Fay, Kryzak, Paulhus, Sharpe, Supica, Tuttle.

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

68 having voted in the affirmative and 75 voted in the negative, with 8 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 184)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 23, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 418, *An Act to Create a Graduate Real Estate Transfer Tax*. L.D. 418 would increase the real estate transfer tax on certain property transactions. The problem with this bill is twofold. First, it is a tax increase. As Governor, I have remained steadfast in my commitment not to raise taxes on Maine people and businesses, especially at a time when the Maine economy is attempting to recover from the economic impact of the pandemic. Avoiding tax increases is important for positioning the State's economy to rebound quickly and strongly. Second, the bill is unnecessary to achieve its intended purpose. L.D. 418 is designed to provide additional dedicated revenue for the Housing Opportunities for Maine (HOME) Fund to support low-income and affordable housing. But the HOME Fund is financially sound and not in need of the relatively modest increase in revenue this bill would yield.

A result of Maine's booming real estate market, in FY21 the Real Estate Transfer Tax is projected to generate \$4.5 million more for the HOME Fund than in FY20. By comparison, L.D. 418 would be projected to raise only an additional \$749,000 for the HOME Fund during its first full fiscal year in effect, less than 3% over currently forecasted revenues in the same year. It is more

effective, and less detrimental to the broader economy, to support the HOME Fund and the important purposes it serves by managing the State budget responsibly as well as using new federal funds for housing needs, rather than raising taxes. For these reasons, I return L.D. 418 unsigned and vetoed, and I urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Create a Graduated Real Estate Transfer Tax

(H.P. 302) (L.D. 418)
(C. "A" H-373)

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 394V

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

NAY - Alley, Andrews, Arata, Austin, Bailey, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Crockett, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Madigan, Martin J, Martin T, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stover, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Ducharme, Fay, Gramlich, Harnett, Kryzak, Paulhus, Sharpe, Supica, Tuttle.

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

65 having voted in the affirmative and 77 voted in the negative, with 9 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 185)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 23, 2021

The 130th Legislature of the State of Maine

State House

Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D.

847, *An Act To Divert Young Adults from the Adult Criminal Justice System*.

L.D. 847 would all but immunize "young adults," ages 18 to 25, from the consequences of committing any Class E crime and it would require a law enforcement officer, the prosecutor and the court each to "determine" in any Class C felony or Class D or E charge against a young adult "whether diversion, instead of a prosecution, is a more appropriate course of action."

The bill ignores the fact that neither a police officer, nor a prosecutor nor a judge can legally inquire of an accused about the facts of a case or about the individual's circumstances, for whatever purpose, without violating that individual's Fifth Amendment right.

The bill also assumes that all persons of that age group are amenable to social service intervention, that "diversion" is available and effective in all cases and in all areas of the state, and that social services are a more appropriate option, regardless of the nature of the crime, the wishes of the victim or the needs of the community or the threat to public safety.

The bill also disregards the necessary and important role police officers play in diffusing volatile situations before they escalate into violence, and is procedurally unworkable.

When officers arrive on the scene of a disturbance, for instance, they often rely on the Class E crimes of Disorderly Conduct or Criminal Trespass to arrest and remove from the scene the person causing the problem, if necessary, thus preventing a situation from spiraling out of control. Under L.D. 847, an officer could only issue a warning to a person who claims to be under the age of 25. This bill would deprive citizens of the protection police afford in circumstances that are all too common and that can prevent further harm.

Finally, the bill also states that an officer, prosecutor or judge has to determine *before* a criminal proceeding whether it should be dismissed in favor of "diversion". The bill defines "diversion" as simply providing information on certain community-based services. "Diversion," therefore could consist merely of handing out a pamphlet and dismissing a case, which is not a meaningful response to criminal behavior.

For these reasons I am returning L.D. 847 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Divert Young Adults from the Adult Criminal Justice System

(H.P. 615) (L.D. 847)
(C. "A" H-551)

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

Representative **MORALES**: Thank you, Mr. Speaker, Friends and Colleagues. To say I was disappointed to read this veto letter is an understatement. In fact, it came as a complete shock. Why? Because this bill received no opposition in committee, Mr. Speaker. I was also not provided notice of any opposition after the committee vote and the bill is consistent with best practices and science. This bill is simple. It recognizes that young people ages 18-25 as they transition to adulthood are biologically different from adults, particularly because the risk-taking portion of their brain is in the final stage of development. Yet, Mr. Speaker, the current punitive adult criminal system treats them exactly the same as if they were an adult. For the lowest levels of offenses, ones that do not impact public safety, this bill diverts young people from the criminal justice system and follows best practices, which has the result of reducing

recidivism and preventing harm caused by having a criminal record for the rest of their lives. With a recidivism rate in Maine of over 70% for adults and this age group representing 8% of our population yet committing 25% of the lowest levels of offenses in Maine and this age group making up the largest age group that is not in school and not working, Mr. Speaker, the status quo must change. Unfortunately, this veto rejects the data and supports the status quo. The veto supports using the same law enforcement tools we've been using for decades for young adults, which according to our Maine data and practitioners, does not work. What works is in this bill. It is an evidence-based proven strategy and, most important, the people have spoken through this Body and the other Body that they want Maine to adopt best practices when it comes to our young people. I ask you all to vote with me to override this veto. Thank you, Mr. Speaker.

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

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to point out that in committee this bill was objected to; it was an eight to five divided report and the five were Ought Not to Pass. Thank you, Mr. Speaker.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 395V

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

NAY - Andrews, Arata, Austin, Babbidge, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Martin R, Martin T, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White.

ABSENT - Ducharme, Gramlich, Harnett, Johansen, Kryzak, Matlack, Paulhus, Sharpe, Supica, Tuttle.

Yes, 70; No, 71; Absent, 10; Excused, 0.

70 having voted in the affirmative and 71 voted in the negative, with 10 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 186)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 23, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1253, *An Act To Add a Faculty Member and Nonfaculty Staff Member to the Board of Trustees of the University of Maine System (UMS)*.

LD 1253 is contrary to longstanding UMS Board of Trustees policy that guards against Trustees having real or perceived conflicts of interest in which they benefit financially or otherwise from Board action. This policy is consistent with Title 17, Section 3104, which serves as conflict of interest law for trustees of State offices and public institutions. Additionally, UMS Board of Trustees policy explicitly bans Trustees from being employed by the UMS during their service or for one full year following its conclusion. This prohibition goes beyond just preventing trustees of a public institution from voting on contracts in which they have a direct or indirect pecuniary interest; it prohibits them from serving at all. Furthermore, this policy automatically voids any contracts made while persons with such conflicts serve as trustees. Simply put, it is bad public policy to require active employees to serve on a board that makes decisions that set their salaries and otherwise directly impact them.

Around the country, the vast majority of higher education governing boards do not include current faculty and staff because of the inherent conflict. During the public hearing for LD 1253, West Virginia was highlighted as an example of a state where active employees serve as voting members of the university system board. However, West Virginia University System employees are not part of an employee union, so the board does not participate in collective bargaining negotiations. In Florida, Kentucky and Pennsylvania, faculty and staff members serve as full voting members of the system board, but the Board of Governors of the State University System of Florida, the University of Kentucky Board of Trustees and the Penn State University Board of Trustees do not participate in collective bargaining negotiations. And in Oregon, where faculty and staff members serve on the Board of Trustees of the University of Oregon, the collective bargaining responsibilities belong to the University President, not the Board. Seven additional states have faculty and staff members on their university system boards as non-voting members. If this legislation were to become law, Maine would become the first state in the country with active employees serving as full voting members of a state university system board that serves as the bargaining agent for salary negotiations. This presents a clear conflict of interest that will undermine the trust and confidence of the public in this Board.

In Maine, no other large public employer is currently required - or allowed - to hold active employees on their Board, including the Maine Community College System, Maine Maritime Academy, or any K-12 school board.

At the same time, I firmly believe the UMS Board of Trustees would benefit from a more informed understanding of higher education and daily operations at the System's campuses, centers, and distance learning platforms. To this end, my administration strongly supports an enhanced role for non-

voting faculty and staff members on the Board. I believe their perspective is critical to the work of the Board and I encourage the Board to review its policies for receiving and acting upon input from current faculty and staff to ensure a thorough and inclusive process.

For these reasons, I return LD 1253 unsigned and vetoed and I strongly urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge and inquires as to why he rises.

Representative **BABBIDGE**: I would like to ask a question to the Speaker. Having voted on the prevailing side, is it possible to reconsider the question of the veto?

The SPEAKER: The Chair would answer in the affirmative.

Representative **BABBIDGE**: Mr. Speaker, having voted on the prevailing side, I ask to reconsider the previous motion.

The SPEAKER: The Chair would inform the Member that you will have to wait until we are between items in order to make the motion that you're discussing. There's an item before the House currently, item 2-7.

Subsequently, the Communication was **ORDERED PLACED ON FILE.**

The accompanying item An Act To Add a Faculty Member and Nonfaculty Staff Member to the Board of Trustees of the University of Maine System

(H.P. 919) (L.D. 1253)
(C. "A" H-508)

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 396V

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

NAY - Andrews, Arata, Austin, Bailey, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hutchins, Hymanson, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin J, Martin T, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry A, Perry J, Pickett, Poirier, Prescott, Quint, Reckitt, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Ducharme, Johansen, Kryzak, Matlack, Paulhus, Sharpe, Tuttle.

Yes, 73; No, 71; Absent, 7; Excused, 0.

73 having voted in the affirmative and 71 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED.**

The Following Communication: (H.C. 187)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 21, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1668, *Resolve, To Develop a Plan to Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth.*

L.D. 1668 is fundamentally flawed because it forces the closure of the State's only secure confinement option for juvenile offenders before safe and appropriate alternatives will be available. If this bill were to become law, Maine would become the only state in the nation without a secure facility to serve the needs of youth who require detention for some period because they represent a risk to themselves or others in the course of their rehabilitation. Responsible juvenile justice reform also takes into account the needs of public safety. I object to this legislation for its failure to do so.

My Administration has demonstrated deep commitment to bringing necessary change to Maine's juvenile justice system. The Department of Corrections (DOC) has engaged with the 32-member Maine Juvenile Justice System Assessment and Reinvestment Task Force, and collaborated with experts at the Center of Children's Law and Policy and the Juvenile Justice Research and Reform Lab at Drexel University, to identify, develop, and implement a suite of systemic reforms. These include shifting \$6 million in DOC's juvenile budgetary resources to community based programs and services; opening two community-based residences, one for boys and one for girls, as transitional living options for youth returning home after a stay at the Long Creek Youth Development Center (Long Creek); and shifting funding for 14 vacant positions assigned to Long Creek to programs that promote restorative justice, deliver therapy and other wrap-around services, and establish youth advocacy and mentorship programs. DOC has also reworked training curricula and certification standards to provide new focus on adolescent brain development, adolescent trauma, mental health and substance abuse counseling, suicide prevention, and cultural competency, with particular attention to youth of color and LGBTQIA youth.

These initiatives have already shown real results. DOC's expansion of community-based programs and services statewide has undoubtedly prevented numerous at-risk youth from entering the system. And the judges of the Maine District Court, with DOC's active support, are using commitment to Long Creek only sparingly. There are currently only 31 youth detained in that facility, while hundreds of others are on informal adjustment, probation, or otherwise under court-ordered supervision either before or after adjudication, for whom that supervision is made meaningful because of the existence of

Long Creek. If Long Creek did not exist for those who failed to take the conditions of their release seriously, there would be little incentive to do so.

L.D. 1668 represents a simplistic solution to a complex issue. A more thoughtful and balanced approach is set forth in L.D. 546, *An Act To Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force*. L.D. 546, in contrast, takes a constructive approach to holding DOC accountable for the most effective use of the \$6 million in resources the agency has reallocated to community-based programs, enhancing the effectiveness of proven child-serving support systems.

For these reasons, I return L.D. 1668 unsigned and vetoed, and I urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth

(H.P. 1239) (L.D. 1668)

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

Representative **WARREN**: Thank you, Mr. Speaker. As they say, you don't need a weatherman to see which way the wind is blowing today. So, I'm not going to spend a lot of time on this, but I will say that a society is judged on how it treats its children. And this bill is precisely that; this bill is about how we treat our children. You know, some people believe that there's no crying in baseball and I believe that there's no crying in politics and I've always believed that. But I remember that seven years ago when I first joined the Criminal Justice and Public Safety Committee, one of the things that we are charged to do is to go around and tour our facilities of incarceration. We go to a couple county jails and we go to the State prison in Warren and we go to the correctional center in Windham and we go to Long Creek. And I went to Long Creek. And I was supposed to attend a tour after of another facility and do you know that experience where you have a lump in your throat that's so large that you can't even talk to anyone? That's what I had that day. I had that because as I walked around Long Creek and I looked at the children, I looked at the children there and I thought about my babies, my nieces and my nephew that are about that same age, all I wanted to do was sit down and cry. But because I believe that there's no crying in politics, I waited until I got back in my car and I skipped the second tour and I cried all the way from South Portland to Hallowell. And I decided that day that one of the reasons that I was placed on the Criminal Justice and Public Safety Committee was to figure out a way to close that terrible, terrible, terrible place. That place where we say to children, children who have already been failed, children who have been failed by our systems already, we say to them this is what we think you deserve. And I am telling you nobody wants to be in that place.

Again, it doesn't take a weatherman to see which way the wind is blowing today, so, I just will do a couple of things. I will invite our Chief Executive to please meet with the former incarcerated youth that comprise the Maine Youth Justice that wrote this bill. They have asked numerous times. They have come to the State House, they have asked to meet with the Chief Executive. It is their belief that in their sharing of their stories they might be able to move her. I ask that she meet with them and that she hear their stories. Furthermore, I ask that she join

with us on the Criminal Justice and Public Safety Committee. Let's make a plan. Let's move forward. Let's close this place which we are spending over \$600,000 per year per child. A terrible, terrible, terrible place. Let's make a plan together. I almost held up my calendar but I know I'm not supposed to use props so I won't do that, but what this letter doesn't talk about, Mr. Speaker, is it doesn't talk about our children. And that's what we need to do. We need to figure out a way to help the children who have been failed. And that means having a plan to eventually close Long Creek. We wanted that plan for in three years because we all know how it goes around here. If you don't put it in Statute, it's not going to happen. So, I've issued very publicly two invitations to the Chief Executive and I mean them. I hope that we can work together to do the right thing for the children of Maine. Thank you, Mr. Speaker.

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

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's no question about it that no one likes to see young people incarcerated, but there are young people that need to be incarcerated. That's just a fact of life there is. But the bottom line here on this particular veto, Mr. Speaker, is we just heard from my good friend and Representative from Hallowell, extending an invitation to the Chief Executive to meet with us and come up with a plan. Well, there is a plan. A plan that we already are working on, a strategic plan that we discussed. In committee, this was a six to six vote in committee. There is a plan and it's based on another bill from one of the Representatives that sat on the opposite side of the aisle from me in this Body and there is a plan, it's an action, but the reason why this veto is here is because that plan is in action and it's going to go and close Long Creek but it's going to close Long Creek when it's not necessary, but when it is available to be closed in the right manner by using best practices and all of the other things that goes with that. So, that's why we're here today and I will be voting to sustain the veto. Thank you, Mr. Speaker.

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker. May I pose a question for clarification to the Chair?

The SPEAKER: The Member may proceed.

Representative **DILLINGHAM**: As the previous speaker referenced and reading in this veto letter reference actually LD 546. And, just for clarification, was the language of LD 546 included in 7-1, LD 221, which is the budget bill that we voted on?

The SPEAKER: The Representative from Oxford, Representative Dillingham has posed a question to any Member who may care to respond. The Chair recognizes the Representative from Portland, Representative Lookner.

Representative **LOOKNER**: Thank you, Mr. Speaker. I don't rise to answer the question, but you just heard it from the Good Representative from Dixfield that there's a plan to have Long Creek empty within a few short years and this bill is nothing more than creating a plan to close that facility for good. It's not about anything else; it's about making a plan, nothing more, nothing less. And, as you've heard, if the measures are implemented, which the Department of Corrections has already put forward and that this Body has approved, that place is going to be empty. So, why are we dragging our feet when it comes to creating a plan to close this place of trauma and hurt when there are so many other desperately underfunded services like mental health supports for children that are in need of funding?

The State of Maine's entire approach to corrections for youth, which is one of locking them up, is fundamentally flawed and overly simplistic. Locking up children is not a viable approach to building strong adults. It is not a viable approach to preventing crime. In the long run, our current approach of institutionalizing youth is making us less safe, when considering that while institutionalized, that's when most criminals learn their craft. The data shows that people who are institutionalized, including youth, will become more likely to recidivate in adulthood. The Department of Correction is ill-equipped to provide the needed mental, emotional and physical support that juveniles who make mistakes need. If we are serious about providing for public safety, we will invest in housing, mental health services, substance use treatment and educational opportunities for young people, not in institutionalization. Once again, this bill is about making a plan to do so and I am confident that one way or another, we will soon find consensus in the State of Maine about the need to close Long Creek and finally get it done. Thank you.

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

Representative COREY: Thank you, Mr. Speaker. I rise to answer the Representative from Oxford's question. There's language surrounding the juvenile justice system and reinvestment in part KKK of the budget we just passed. Thank you.

After reconsideration, the House proceeded to vote on the question, 'Shall this Resolve become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Resolve become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 397V

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Brennan, Cardone, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Hymanson, Javner, Johansen, Kinney, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Ducharme, Kryzak, Matlack, Paulhus, Sharpe, Tuttle.

Yes, 73; No, 72; Absent, 6; Excused, 0.

73 having voted in the affirmative and 72 voted in the negative, with 6 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 188)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 25, 2021

The 130th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 130th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 920, *An Act To Promote Oversight of and Competitive Parity among Video Service Providers*.

L.D. 920 attempts to implement new consumer fees on some streaming services, expands consumer costs to fund Public, Educational and Governmental (PEG) studios and adds a layer of regulation to these services funded by an assessment paid to the Public Utilities Commission (PUC). I am deeply concerned that if this bill were to become law, it could make digital streaming services more costly and reduce service options for Mainers.

This bill expands the obligation of the video service provider to fund technology upgrades and expansion of local television/PEG operators. This expansion is substantial and will result in higher fees passed down to consumers. This is both a local control issue and a consumer cost issue. Cable customers already contribute more than \$10 million per year in franchise fees to local municipalities and many hundreds of thousands more in PEG capital fees. Only a small fraction is dedicated by municipalities to PEG operations. Additionally, L.D. 920 grants oversight of streaming websites to the PUC and requires the video service providers to offset those oversight and enforcement costs by paying a fee which I am concerned could be passed on to their subscribers.

My Administration worked in good faith with the sponsor to agree on legislation I feel would have accomplished the intent of the underlying bill. Our proposal offered the funding that local access channels need while ensuring municipalities had the authority to make that decision for their communities, instead of giving the PUC regulatory authority over streaming services.

L.D. 920 would also make Maine an outlier by imposing franchise fee obligations related to the access of public right of ways over streaming websites, raising costs for consumers and negatively impacting the State's efforts to expand broadband across Maine.

For these reasons, I return LD 920 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Promote Oversight of and Competitive Parity among Video Service Providers

(H.P. 676) (L.D. 920)
(H. "A" H-635 to C. "A" H-528)

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

Representative **KESSLER**: Thank you, Mr. Speaker. I appreciate the Representative from Hallowell's comment about which way the wind's blowing, but I've just got to get something off my chest before we dispense with this item here as I refer to the Chief Executive's veto letter. I'm frankly scratching my head on this one. The letter states that her administration worked in good faith. Mr. Speaker, I'm scratching my head. When work

has been done on a bill consulting with both sides throughout the process, that's good faith. But making changes at the 11th hour that completely neuters the intent of the bill and then saying my way or the highway, that's not good faith, in my book. And when we have a newly-appointed Public Utilities Commissioner who is readily available to consult, who has experience in this line of work, who would've been valuable insight, not consulted, I feel like that was an oversight. But, at the same time, when I shared the floor amendment the other week with the administration and then literally 10 minutes later, I see the Deputy General Counsel of Verizon trying to access it and yet there's no communication with the Community Television Association of Maine, I'm scratching my head. This bill provides the absolutely necessary oversight of companies like Spectrum who are blatantly violating franchise agreements, the same agreements that we depend on to maintain public educational and governmental programming so we can stay tuned in to what's happening with our local governments. So, Mr. Speaker, pressing the green button is going to be a vote for providing oversight which is being currently done by volunteers; a push of the red button is going to be a continuation of the status quo and, frankly, it's going to be an increase in our property taxes down the line because if we're not going to pay five cents a month to ensure hundreds of thousands of dollars in savings; that's all I've got, Mr. Speaker. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker. I rise to urge this Body to sustain the veto as requested by the Chief Executive. This bill dramatically expands the number of municipalities where streaming services require franchise fee and are subject to those fees. Two, the bill applies to popular streaming services like Peacock and HBO Max but not Netflix or Hulu; that's not fair. And, finally, LD 920 limits local control and replaces it with a State-mandated system. Please follow my light.

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 rise in favor of an override of this veto and I urge my colleagues to join me in that action. LD 920 as amended and as passed in both this Body and the other Body, would provide rural Maine communities with additional State-level enforcement and legal resources when they attempt to go toe to toe with giant telecommunications industries who are conducting business along the public right-of-way, our public right-of-way, for commercial profit in our communities. LD 920 would reject the profit-oriented recommendations of the cable industry, whose documented record for noncompliance and obfuscation in local cable franchise matters has justified the need for oversight by a State-level entity such as the PUC as envisioned in this bill and is already in place in 28 other states. LD 920 would correct an error in Maine Statutes which is in violation of federal law. LD 920 would secure millions of dollars in future right-of-way rental income for municipalities from all video service providers with ownership of facilities in the public right-of-way but only if that municipality chooses to implement that portion of the bill. The bottom line on the subscriber's bill, Mr. Speaker, will be whatever the market will bear, regardless of any small fee the town may require of its own volition for use of the public right-of-way. Mr. Speaker, cable industry representatives have not proven to be impartial sources of information in franchise negotiations and this situation in which the House finds itself today is no different. If there are portions of this legislation that

are not clear, there was an opportunity to work together to resolve that. Unfortunately, that is not what occurred. I urge my colleagues to vote in favor of this legislation, in favor of our communities and in favor of providing them the resources they need to negotiate with the cable and telecommunications giants. Thank you.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 398V

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

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

ABSENT - Ducharme, Kryzak, McDonald, Paulhus, Sharpe, Stearns, Tuttle.

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

78 having voted in the affirmative and 66 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 189)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 25, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the Authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1134, *An Act to Amend the Bail Code Regarding Certain Conditions of Release*.

L.D. 1134 would remove consequences for the violation of certain conditions of release by a person who has been granted pre-conviction or post-conviction bail. By their nature, bail conditions are designed to ensure responsible behavior pending trial. These conditions constitute court orders. It is essential that law enforcement has the ability to arrest someone engaging in behavior in violation of their conditions of release even if that

behavior would not otherwise constitute a violation of law. It is all too common, for example, for domestic violence to be tied to alcohol abuse. A defendant who is charged with related offenses that were committed while intoxicated may be released on the condition that they not possess alcohol. A law enforcement officer who observes that person drinking heavily in escalating circumstances must be able to make an arrest in the interest of public safety. Denying law enforcement that ability deprives the officer of a critical tool to intervene and prevent violence and further victimization.

I agree with the sponsor that many of the 19 conditions of release serve little practical purpose and should be revisited; but leaving them in statute and unenforceable makes no sense. The Legislature should consider ways to ensure that the conditions of release that are imposed are not arbitrary, and explore ways to give greater guidance to bail commissioners to place conditions of release on a person that are related to the underlying offense. Not everyone who is granted pre-conviction release should have a condition to avoid alcohol placed upon them. But if alcohol fueled the original offense, it is reasonable and appropriate to demand a person take certain steps to help conform their behavior while they await disposition of their charge. This provision of law can be beneficial, should be used sparingly and ought to remain an option in the right cases. For these reasons I return LD 1134 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Amend the Maine Bail Code Regarding Certain Conditions of Release

(H.P. 812) (L.D. 1134)
(C. "A" H-703)

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 399V

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin T, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White.

ABSENT - Copeland, Ducharme, Gramlich, Kryzak, McDonald, Paulhus, Sharpe, Stearns, Tuttle.
Yes, 71; No, 71; Absent, 9; Excused, 0.

71 having voted in the affirmative and 71 voted in the negative, with 9 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 190)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 23, 2021

The 130th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 710, *An Act Regarding the Criminal Code*.

L.D. 710 was drafted originally by the Criminal Law Advisory Commission (CLAC), a commission comprised of defense attorneys, judges and prosecutors. CLAC is tasked by law to review the Criminal Code, make such recommendations as they deem advisable and to recommend legislation to the Legislature. CLAC members are the foremost experts in our state on the Criminal Code and Criminal Procedure, and I take their recommendations seriously. However, the Committee amendment changes this CLAC bill in one significant respect that requires me to veto the bill.

Current law imposes strict liability on a sexual act committed with a child under the age of fourteen, a reflection of the long-standing tenet of criminal law that children do not have the capacity to consent to sexual acts. This bill as enacted however, creates an exception from the strict liability crime if the actor and the victim are both younger than 14 years of age. In other words, the bill gives immunity from prosecution to an adolescent who commits an act of gross sexual assault with a child absent "compulsion." Young children can be easily pressured and manipulated, emotionally and otherwise; but manipulation is not compulsion under the law.

This bill will make it legal for a 13-year-old to engage in a sexual act with a 4-year-old, undermining the ability of the court to intervene in that 13-year-old's life or to protect the 4-year-old. At the same time, a 14-year-old committing the same act commits a Class A offense and is subject to the intervention of the Juvenile Court.

Strict liability law exists in statute now because it has long been the view that children of this age are unable to give consent to sexual acts. We cannot afford, as a society, to forfeit the protection of our youngest citizens and leave them at risk of sexual exploitation. This amendment was not what CLAC intended when it proposed this otherwise laudable bill to clarify certain provisions of the Criminal Code.

For these reasons, I return L.D. 710 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act Regarding the Maine Criminal Code and a Period of Suspension under the Motor Vehicle Statutes

(H.P. 523) (L.D. 710)
(C. "A" H-538)

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

Representative PERRY: Thank you, Mr. Speaker and Members of the House. I get up to speak in support of an override.

This bill; let me start again. In the Chief Executive's description of the abuse, I --

The SPEAKER: The Member will defer. The House will be in order. It's difficult to hear. Thank you. The Member may proceed.

Representative PERRY: In the letter, the described ages of perpetrator, I look at this as each of those children are victims. Having worked as a nurse practitioner and a nurse for many years, working with families with issues, I think that we have to look at are we going to incarcerate our children or are we going to help them and treat them? We've had this issue throughout today and I'm hoping you will vote to override and we can bring our children the help that they need before they become true adults with problems.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 400V

YEA - Babbidge, Bailey, Bell, Brennan, Brooks, Bryant, Collings, Crockett, Cuddy, Dodge, Doudera, Evangelos, Geiger, Grohoski, Harnett, Hymanson, Kessler, Lookner, Melaragno, Morales, O'Neil, Osher, Pebworth, Perry, Pluecker, Reckitt, Supica, Sylvester, Talbot Ross, Warren C, Warren S, Williams, Wood, Zager.

NAY - Alley, Andrews, Arata, Arford, Austin, Bernard, Berry, Bickford, Blier, Blume, Bradstreet, Caiazza, Cardone, Carlow, Carmichael, Cebra, Cloutier, Collamore, Connor, Copeland, Corey, Costain, Crafts, Craven, Dillingham, Dolloff, Doore, Downes, Drinkwater, Dunphy, Evans, Faulkingham, Fay, Fecteau, Foster, Gere, Gifford, Gramlich, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Matlack, McCrea, McCreight, McDonald, Meyer, Millett H, Millett R, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Pierce, Poirier, Prescott, Quint, Rielly, Riseman, Roberts, Roche, Roeder, Rudnicki, Sachs, Salisbury, Sampson, Sheehan, Skolfield, Stanley, Stearns, Stetkis, Stover, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White B, White D, Zeigler, Mr. Speaker.

ABSENT - Ducharme, Kryzak, Mathieson, Paulhus, Sharpe, Tuttle.

Yes, 34; No, 111; Absent, 6; Excused, 0.

34 having voted in the affirmative and 111 voted in the negative, with 6 being absent, and accordingly the Veto was **SUSTAINED**.

The Following Communication: (H.C. 191)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 25, 2021

The 130th Legislature of the State of Maine
State House

Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1160, *An Act to Reduce the Burden on Courts and Promote the Resolution of Civil Cases*.

L.D. 1160 proposes to increase pre-judgment and post-judgment interest paid by a losing party. Currently, the rate paid on pre-judgment interest is an amount equal to 3 percent plus the one-year U.S. Treasury bill rate (currently less than 0.09 percent) and the post-judgment rate is 6 percent plus the one-year U.S. Treasury bill rate. L.D. 1160 proposes to increase both of these rates to 10 percent. L.D. 1160 also proposes to establish a \$20,000 threshold before a casualty insurer may subrogate, or have priority over, a payout for its insured member's medical costs that the insurer has already paid for their insured member. These provisions will penalize a party who wants to take a case to court, rather than settle, would allow someone to receive effectively double payment and will likely combine to increase insurance premiums.

The first provision of the bill will increase - potentially dramatically - the interest a losing party will have to pay on an award if they choose to take a case to trial and lose. People have a right to their day in court and that may not always come quickly. And layering costs on to taking a case to trial against a party with insurance will only make insurance more expensive for everyone. While, it may make sense to revisit this interest rate, 10 percent across the board is too high.

The Legislature has enacted (in 2009) and repealed (in 2011) this exact provision in L.D. 1160 regarding subrogation of medical payments less for than \$20,000. Generally, subrogation is a positive thing for not-at-fault insureds, as it assesses the costs of the loss to the responsible party or that person's insurer. For decades Maine allowed an insurer to recoup from a court award or settlement the cost of medical care payments the insurer made on behalf of their insured member. This makes sense and avoids a windfall to the insured. Insurance companies use subrogation to recoup costs they have incurred in compensating their insured which, in turn, keeps premiums lower for everyone else.

An example illustrates the point. Assume a policy holder with \$20,000 in medical payment coverage is involved in an accident that is not their fault, and their insurer covers medical treatments costing \$20,000. Under current law if the policy holder settles a case against the at-fault driver for \$40,000, the insurance company that paid the medical bills would recoup the \$20,000 they paid out, and the rest would be divided by the driver and their attorney. But if this bill were to become law, the entire \$40,000 (plus interest) would be divided by the driver and their attorney, and the insurance company that paid medical bills that were not the fault of their insured member would be left to absorb that cost. Those costs will inevitably be passed onto every other policy holder.

For these reasons I return LD 1160 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Reduce the Burden on Courts and Promote the Resolution of Civil Cases

(H.P. 838) (L.D. 1160)
(C. "A" H-590)

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 401V

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

NAY - Andrews, Arata, Austin, Bailey, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Hymanson, Javner, Johansen, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin T, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Quint, Reckitt, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cuddy, Ducharme, Kryzak, Paulhus, Prescott, Sharpe, Tuttle.

Yes, 71; No, 73; Absent, 7; Excused, 0.

71 having voted in the affirmative and 73 voted in the negative, with 7 being absent, and accordingly the Veto was **SUSTAINED**.

COMMUNICATIONS

The Following Communication: (H.C. 193)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 28, 2021

The 130th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 130th Legislature:

By the authority conferred by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 1592, *An Act to Remove Punishments for Sex Selling and Decrease Demand by Increasing Penalties for Sex Buying*.

As Governor, as Attorney General, as a former defense attorney, and as a former District Attorney, I have long been concerned about the prevention of human trafficking, the prosecution of traffickers, and the protection of survivors.

Beginning in 2007, the Attorney General's Office hosted a Working Group on Human Trafficking, meeting with the US Attorney's Office, victim advocates, law enforcement, legislators, Immigration & Customs officials, Dept. of Justice Civil Rights personnel, and others.

In its 2010 report the working group determined that many in law enforcement were unaware of the true nature of human trafficking, so they helped develop a curriculum for the Maine Criminal Justice Academy, and this curriculum is now part of the mandatory field training for all law enforcement officers.

The group also encouraged more aggressive community education, including outreach to those most likely to encounter evidence of human trafficking - not just the police, but postal delivery people, real estate agents, cosmetologists, hair dressers, landlords and others who should be alert to signs that someone is being held to do the bidding of others.

The group recommended more training and awareness of human trafficking for prosecutors, judges, defense attorneys, as well as outreach to civic organizations, teachers, doctors, nurses and ambulance personnel.

With the help of the Criminal Law Advisory Commission, the Maine Criminal Code was amended to specifically define "human trafficking." It is now a Class B felony to traffic a person under the age of 18 or to compel prostitution by using force or threats or extortion or withholding alcohol or drugs to an addicted person, or withholding government IDs or threatening deportation.

Additionally, a law enacted in 2014 increases and mandates certain fines for human trafficking and allows survivors to access the Victims Compensation Fund administered by the Attorney General's Office.

As Attorney General, I used settlement funds to establish the first emergency safe-house for survivors of human trafficking. I also sponsored a public education outreach campaign to combat human trafficking, and I worked with other Attorneys General to pressure entities like Craigslist, Google, and Backpage.com to end human trafficking on their sites. I joined a multi-state coalition urging Congress to affirm law-enforcement authority to fight sex trafficking.

As Governor, I signed onto the U.S. Department of Transportation's "Transportation Leaders Against Human Trafficking" initiative that calls on the transportation industry to educate members on how to recognize and report signs of human trafficking and to raise awareness among the traveling public about human trafficking.

Additionally, my Administration has taken steps to address some of the underlying issues that affect human trafficking, including expanding Medicaid to provide health care services to more people, including victims of crime, and expanding access to treatment options generally for those who are struggling with addiction. The state budget includes additional funds for sexual assault services, and other bills enhance remedies and services for survivors of sex crimes and domestic violence.

The sponsor of L.D. 1592 has worked hard to address the problem of human trafficking, and I agree that we as a State and as a nation should continue to reduce human trafficking and protect survivors of human trafficking. However, I am not convinced that the approach of this bill is the best path forward. L.D. 1592 proposes to eliminate penalties for a person engaging in prostitution, increase penalties for a person who engages with a prostitute, and set forth a process for a person who was

previously convicted of engaging in prostitution to have their criminal record sealed. Currently engaging in prostitution is a Class E crime, but is punishable only with a fine, while engaging with a prostitute is Class E crime, absent other aggravating factors, and is punishable with jail time. L.D. 1592 would eliminate all penalties for engaging in prostitution and would make engaging a prostitute a Class D crime. (The bill would also increase the penalty for solicitation of a minor to engage in prostitution from a Class D to a Class C crime).

The testimony on this bill from survivors of human trafficking was divided. While some hope this bill will protect the survivors of human trafficking, a goal I share, others fear that sex traffickers will use decriminalization of prostitution as a way to entice more people into their trade; telling their victims that what they are doing is not a problem - a concern that I believe is also legitimate. The concern for the prevalence of human trafficking in Maine has rightly grown in recent years, in part as the Legislature has focused on this problem and police and prosecutors better recognize when a person is being compelled to engage in prostitution. This has allowed us to rightly begin viewing and treating the person as a survivor and provide that person with appropriate services - an approach that I believe is appropriate.

Another bill, L.D. 1455, which recently became law, and which conflicts with this bill, expands the affirmative defense of engaging in prostitution if the person did so to "prevent bodily injury, serious economic hardship or another threat to the person or another person." In my view, the approach taken under L.D. 1455 is a more measured approach for promoting both public safety and compassion for survivors of sex trafficking.

No state in the nation has fully legalized commercial sex work. Even in Nevada, known as the only state to have legal commercial sex work, prostitution is still illegal outside regulated designated facilities in a single county. By contrast, this bill would make Maine the first state in the nation to eliminate all penalties for engaging in sex for money.

While engaging in prostitution is not now a jailable offense in our state, and while courts and prosecutors strive to treat prostitution as a social services issue rather than a criminal problem, fully decriminalizing prostitution, I fear, will only increase demand and encourage the exploitation of young people by those who profit from the mistreatment of others, undermining the free will of those trapped in difficult and sometimes tragic circumstances.

For these reasons I return L.D. 1592 unsigned and vetoed and urge the Legislature to sustain this veto.

Sincerely,
S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The accompanying item An Act To Remove Punishments for Sex Selling and Decrease Demand by Increasing Penalties for Sex Buying

(H.P. 1181) (L.D. 1592)
(C. "A" H-624)

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

Representative RECKITT: Thank you, Mr. Speaker. Sort of unexpected here, so I'll be a little less articulate than usual, I presume. This is clearly my bill and I worked for three years on this thing. When I brought it here the last time, it was not well thought out, it was not organized, it did not have support of the appropriate minds across this country and I am concerned about the veto letter. In fact, the first two pages of it, which articulate

the work that the Chief Executive has done on the issue of trafficking for the last few decades is, in fact, accurate and it is important that it be recognized as important and good work that has been done in this arena. But what has happened once again, even though I've gotten a lot further this time with people understanding what I'm trying to do on this bill, it appears that the Chief Executive has not understood in the tail end of it what I was trying to do, which is to decrease the demand for prostitution. This is a tactic and legislation that's been enacted in six countries; Sweden, Norway, Iceland, France, Canada and Israel. In all of those places, the demand for prostitution has declined dramatically. Unfortunately, the bill continues to be articulated as trying to decriminalize prostitution. That is not what this is doing. It partially decriminalizes it, but it increases the criminality of buying other peoples' bodies. I don't believe that we should in this country, or in this world, frankly, be inclined to agree that it's okay for human beings to be bought or rented for sexual pleasure. And I think that this is not an appropriate action for Maine to undertake.

The veto letter also articulates that there were two sides arguing about this in the survivor community in the testimony at the hearing. There was two and a half hours of testimony in favor of this bill, much of it by survivors. There was zero testimony in opposition. There were a few people who spoke neither for nor against. But the overwhelming belief is that this is the only way you can have the demand for prostitution and trafficking decrease. It has decreased 10% in the first year that Canada adopted a similar bill. It has dropped 40-45% in Sweden, where it was adopted five or six years ago. This is, in fact, the way to get rid of this scourge on our world and on our country and particularly on our State. I urge you to stand behind me on this bill. It's an important piece. It can make a real difference in the lives of people. I'm particularly concerned if it's not enacted because there was a clause in it that said the Department of Human Services cannot use against a person whose being considered to lose the custody of their children that they have engaged in prostitution in the past or currently. Without this law being passed, they could continue to use that as a criteria for taking your children away if 15 years ago you used this means of getting money to feed your kids. I'm not saying that was right to do, I'm saying it's not a reason to take your children away if your life has changed. And, for me, it's really important that you think about the whole of this picture. It does, in fact, say we're not going to arrest people for selling their bodies; I wish they wouldn't, but it doesn't arrest them for that. It arrests the buyers, it penalizes them with significant fines, not jail time and the money would go to the victim compensation fund, which is currently just about out of money, which could be utilized to help the people who have had their lives disrupted in this kind of way. It also seals the records of those who have offended the criminal justice system in the past on this crime and, consequently, they will be able instead of having that follow them their whole life, they'll be able to get a job, they'll be able to go to school, they can put the past behind them and I think that's a critical piece.

I think the last piece of the bill is to have a planning and organizing process in one of the two jurisdictions in Maine where prostitution is heavily engaged in; the City of Portland and the Lewiston-Auburn area. There are many services in both areas, but particularly in the Androscoggin County area, where the District Attorney is very in favor of this approach. There are many services in the area, some of them currently funded by the State, but basically there needs to be a coordination of figuring out how you help people escape this life. It is not good to be a prostitute. It's not good to be prostituted. And it's certainly not

good for people to engage in the buying of other human beings. I will not condone it and I hope that you won't, either. I urge you to overturn this veto and I just hope you will. Thank you very much.

After reconsideration, the House proceeded to vote on the question, 'Shall this Bill become a law notwithstanding the objections of the Governor?' A roll call was taken.

The SPEAKER: The pending question before the House is 'Shall this Bill become a law notwithstanding the objections of the Governor?' All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 402V

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, McCrea, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roberts, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White.

ABSENT - Ducharme, Kryzak, Paulhus, Sharpe, Tuttle.

Yes, 76; No, 70; Absent, 5; Excused, 0.

76 having voted in the affirmative and 70 voted in the negative, with 5 being absent, and accordingly the Veto was **SUSTAINED**.

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

BILLS RECALLED FROM GOVERNOR

(Pursuant to Joint Order - House Paper 1291)

Resolve, To Improve the Individualized Education Program Process

(H.P. 397) (L.D. 552)

(C. "A" H-247)

- In House, **FINALLY PASSED** on June 7, 2021.

- In Senate, **FINALLY PASSED** on June 8, 2021.

On motion of Representative MILLETT of Cape Elizabeth, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **FINALLY PASSED**.

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 Resolve was **PASSED TO BE ENGROSSED** as Amended by Committee Amendment "A" (H-247).

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-247)** was **ADOPTED**.

The same Representative **PRESENTED** House Amendment "A" (H-739) to Committee Amendment "A" (H-247) which was **READ** by the Clerk.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT** House Amendment "A" (H-739) to Committee Amendment "A" (H-247).

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-739) to Committee Amendment "A" (H-247). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 403

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

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

ABSENT - Blume, Copeland, Drinkwater, Ducharme, Gramlich, Kryzak, Paulhus, Pierce, Sharpe, Tuttle, Warren.

Yes, 77; No, 63; Absent, 11; Excused, 0.

77 having voted in the affirmative and 63 voted in the negative, with 11 being absent, and accordingly **House Amendment "A" (H-739)** to **Committee Amendment "A" (H-247)** was **ADOTPED**.

Committee Amendment "A" (H-247) as Amended by **House Amendment "A" (H-739)** thereto was **ADOPTED**.

Subsequently, the Resolve was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-247)** as Amended by **House Amendment "A" (H-739)** thereto 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 Prohibit Offshore Wind Power Development in Territorial Waters and Submerged Lands of the State
(S.P. 512) (L.D. 1619)
(S. "A" S-351 to C. "A" S-316)

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. 111 voted in favor of the same and 13 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act Concerning Climate and Community Investment Projects
(H.P. 902) (L.D. 1231)
(C. "A" H-664)

An Act To Regulate Sports Betting
(S.P. 437) (L.D. 1352)
(H. "A" H-732 to C. "A" S-343)

An Act To Strengthen Protections against Civil Asset Forfeiture
(H.P. 1125) (L.D. 1521)
(C. "A" H-711)

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 Improve Public Sector Labor Relations by Amending the Laws Governing Arbitration under Certain Public Employees Labor Relations Laws
(S.P. 264) (L.D. 677)
(C. "A" S-215; H. "A" H-584)

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

On motion of Representative BRADSTREET of Vassalboro, 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. 404

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Brennan, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Hymanson, Javner, Johansen, Kinney, Landry,

Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Pierce, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Ducharme, Evans, Kryzak, Paulhus, Reckitt, Sharpe, Tuttle.

Yes, 72; No, 72; Absent, 7; Excused, 0.

72 having voted in the affirmative and 72 voted in the negative, with 7 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

An Act To Enhance Enforcement of Employment Laws
(S.P. 525) (L.D. 1711)
(C. "A" S-347; S. "A" S-350)

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. 405

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

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

ABSENT - Ducharme, Johansen, Kryzak, Paulhus, Reckitt, Sharpe, Tuttle.

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

79 having voted in the affirmative and 65 voted in the negative, with 7 being absent, and accordingly the 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**.

ENACTORS

Acts

An Act To Facilitate Maine's Climate Goals by Encouraging Use of Electric Vehicles

(H.P. 245) (L.D. 347)
(S. "A" S-340 to C. "A" H-651)

An Act To Amend the Law Regarding Advance Health Care Directives

(H.P. 822) (L.D. 1144)
(C. "A" H-720; S. "A" S-353)

An Act To Keep All Maine Students Safe by Restricting the Use of Seclusion and Restraint in Schools

(H.P. 1007) (L.D. 1373)
(H. "B" H-729 to C. "A" H-545)

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**.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-97)** on Bill "An Act To Provide Maine Children Access to Affordable Health Care"

(S.P. 158) (L.D. 372)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-98)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

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

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

READ.

On motion of Representative MEYER of Eliot, the Bill and all accompanying papers were **COMMITTED** to the Committee on **Health and Human Services** in concurrence.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Improve the Health of Maine Residents by Closing Coverage Gaps in the MaineCare Program and the Children's Health Insurance Program"

(H.P. 529) (L.D. 718)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-630)** in the House on June 15, 2021.

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

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

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

The Following Communication: (H.C. 192)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

June 30, 2021

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:

on June 28, 2021

Timothy R. Schneider, Esquire of Falmouth, Robert J. Souza of Durham, Michael C. Reed of Palermo, John M. Chandler of Falmouth, Daniel P. Belyea of Vassalboro, Danielle Louder of Cornville and Carlos Javier Barrionuevo of Georgetown for appointment to the Maine Connectivity Authority Board of Directors.

Pursuant to P.L. 2021, ch. 364, §9404 (emergency, effective June 24, 2021), these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Energy, Utilities and Technology.

Sincerely,
S/Ryan M. Fecteau
Speaker of the House

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

The Following Communication: (S.C. 675)

**MAINE SENATE
130TH LEGISLATURE**

June 17, 2021
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought to Pass as Amended by Committee Amendment "A" (H-340) Report from the Committee on Criminal Justice and Public Safety on Bill "An Act Relating to Personnel Working in Public Safety" (H.P. 806) (L.D. 1128), in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 678)

**MAINE SENATE
130TH LEGISLATURE**

June 17, 2021
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act To Establish Resentencing Units in the Attorney General's Office and All Maine Prosecutorial Districts" (H.P. 930) (L.D. 1270) in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 676)

**MAINE SENATE
130TH LEGISLATURE**

June 17, 2021
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act To Prohibit Discrimination in Housing Based on a Person's Participation in a Rental Assistance Program" (H.P. 858) (L.D. 1180) in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Skowhegan Area High School Varsity Softball Team, which won the 2021 Class A State Championship: players Annabelle Morris, Emma Smith, Emily Dunbar, Annah Perkins, Madalynne Morris, Jaycie Christopher, Mariah Whittemore, Reese Danforth, Lillian Noyes, Riley Fitzpatrick, Carlie Jarvais, Sierra Carey, Samantha Thebarga, Logan Wing, Callaway LePage and Kiara Warren; assistant coaches Becca Gilbert, Jessica Strout, Paul McCarty, Kim McEwen, Sam Gray, Steve Gould and Taylor Johnson; and head coach Lee Johnson. We extend our congratulations and best wishes;

(HLS 333)

Presented by Representative POIRIER of Skowhegan.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative POIRIER of Skowhegan, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **POIRIER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I would like to recognize and congratulate the Skowhegan Area High School softball team and coaching staff for their hard work and dedication which led them to a Class A State Championship victory. Our community is so proud of each of these talented players and thankful for the support and encouragement of their families that contributed to their success of the team and of their supportive staff. Again, I express my congratulations to the Skowhegan Riverhawks. Thank you, Mr. Speaker.

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

The Following Communication: (S.C. 677)

**MAINE SENATE
130TH LEGISLATURE**

June 17, 2021
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Labor and Housing on Bill "An Act To Require Responsible Contracting Practices for Public Construction Projects" (H.P. 1217) (L.D. 1633) in non-concurrence.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

Recognizing:

Graffam Brothers Seafood Market, in Rockport, which is celebrating 75 years in business. Founded as Penobscot Bay Ice Company on July 25, 1946 by Maynard Graffam, Sr., the business became a successful lobster shipping business operated by Maynard's sons, Sandy and Jim, who adopted the business's current name in 1972, and today the business is operated by Kimberlee Graffam and has expanded to offer prepared foods and local sundries, as well as a popular and award-winning summertime lobster shack. We extend our congratulations and best wishes;

(HLS 334)

Presented by Representative DOUDERA of Camden.

Cosponsored by Senator MIRAMANT of Knox.

On **OBJECTION** of Representative DOUDERA of Camden, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I rise today to congratulate Graffam Brothers Seafood, a fixture in Rockport and a long-time provider of fresh seafood and lobster and just a great example of the way that Maine family businesses can innovate and stay around. We're talking 75 years, which is just terrific. As you heard, this business was founded by Maynard Graffam, Sr. on July 25, 1946. It was originally an ice company, cutting ice on nearby Lily Pond and supplying it to the local schooners that went up and down the coast. They also ran a fledgling lobster to your door shipping business and quickly became a leader in this field, pioneering new methods of packing and shipping lobster. Following in Maynard Graffam's shoes, his sons took the helm. They really enlarged the seafood business and at one point there were trucks leaving Rockport Harbor daily for Logan Airport, shipping lobster all over the world. They supplied restaurants around the country and for a short period of time they also provided Red Lobster and Kroger Supermarkets with lobster. And Graffam Brothers Lobster, this is from humble little Rockport, was even served at the White House for President Gerald Ford.

With the advent of 9/11, the whole world changed and, once again, this company had to innovate. The early years of online shopping created a new type of customer outreach, leading to the construction of a new retail store on Union Street in Rockport and in 2008 their seafood market was officially opened. Today, the third generation of the Graffam family is in charge under the leadership of Kimberlee, her husband, Lenny and their children, the market at the popular summertime Lobster Shack have opened and both are booming. Their delicious fare has won numerous competitions and awards. I am wearing my lobster dress today, yes, I actually have a lobster dress, in recognition of this successful and well-loved family business and I hope you'll join me in wishing Graffam Brothers Seafood a happy 75th anniversary and best of luck into the future. Thank you very much.

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

Recognizing:

the Dexter Regional High School Softball Team, which won the 2021 Class C North Championship: players Avery Herrick, Jade Wintle, Peyton Grant, Brooklyne Blockler, Makayla Bignell, Lily Bagley, Jillean Poliquin, Jozlyn Paige,

Emma Paige, Elizabeth Kinney, Shelby Dyson, Mazie Peach, Sydney Dyson, Aleaha Richards, Tayler Howell-Hanson, Jasmine Lewis, Mickayla Fogg, Hannah Dean, Cheyenne Beem and Lillian Harris; assistant coach Rob Ranquist; and head coach Jason Hardy. We extend our congratulations and best wishes;

(HLS 336)

Presented by Representative FOSTER of Dexter.

Cosponsored by Senator DAVIS of Piscataquis.

On **OBJECTION** of Representative FOSTER of Dexter, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a great privilege to be able to rise today to congratulate and recognize the Dexter Regional High School Lady Tigers softball team for their victory in the Class C North Championship this year. For many of these young ladies, this is their second in a row as they bookended the COVID shutdown year. So, I offer them a great congratulations. There's a good chance they may have done this three years in a row had they had the opportunity. They're a very gifted and talented team and have a great coaching staff. I would also be remiss if I didn't offer a nod to the Representatives of the sending towns to the Hall-Dale Bulldogs from Hall-Dale High School who defeated my Lady Tigers in a very tough contest. Much congratulations to them and we are, if nothing else, humble in defeat. Thank you.

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

In Memory of:

Janis E. Cummings, of Raymond, a beloved teacher. Ms. Cummings taught several generations of first and second grade students in Raymond over her 38-year teaching career. She was often in her classroom on weekends preparing for the next week. When she wasn't teaching or preparing to teach, she was tutoring or employing young people in her Cottage Industry gift shop, helping them develop life skills. After retiring, she was elected to the Regional School Unit 14 Windham Raymond School Board, which she had been serving as chairperson. She also served as a notary and married many Raymond couples, some of whom were her former students, and was always engaged in local politics, hosting many meet and greets for local candidates. Ms. Cummings will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(HLS 338)

Presented by Representative FAY of Raymond.

Cosponsored by Senator DIAMOND of Cumberland, Representative AUSTIN of Gray, Representative BRYANT of Windham, Representative COREY of Windham.

On **OBJECTION** of Representative FAY of Raymond, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **FAY**: Thank you, Mr. Speaker, Women and Men of the House. Janis E. Cummings was my friend; my dear friend. And if you knew her, she was your friend, too. Ms. Cummings taught two generations of Raymond kids. She was an amazing teacher, but not just for kids. She was a teacher for

adults in town, too. She modeled kindness for all and will be greatly missed. Thank you.

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

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

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

ENACTORS
Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023
(H.P. 156) (L.D. 221)
(C. "A" H-735)

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

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

Representative **PIERCE**: Thank you, Mr. Speaker. Over the course of the past 16 months, Mainers have come together to weather the storm of the pandemic, ensuring that our family, friends and communities were cared for and safe. In that spirit, the Appropriation and Financial Affairs Committee has come together to present a bipartisan budget for the approval of this Body that sets us on a path of strength as we move past the pandemic into a brighter future for our State. Mr. Speaker, for the people of Maine who worked throughout the pandemic, those Mainers who provided for us with services we needed to get through, this budget provides a \$300 check to more than 500,000 workers who kept our economy afloat. The budget makes historic investments in a number of areas. In the arena of education, it is supporting career technical capital upgrades, preventing tuition increases in our higher educational system, ensuring no Maine child goes hungry at school and it critically funds the State's commitment to Maine schools by funding 55% of K-12 public education costs. This marks the first time Maine has met the 55% threshold since voters passed the referendum in 2004. Importantly, this budget keeps our promises to Maine people on property tax relief and will meet revenue sharing goals, making good on the State's commitment to our municipalities by fully investing in revenue sharing by the end of the biennium. The budget will expand the property tax fairness credit to 83,000 Mainers by providing a boost in maximum benefit, achieving a permanent change in eligibility that will expand the program to provide property tax relief and rent relief to more Mainers. We will bolster the successful Maine homestead exemption program as well.

Maine has a long tradition of working to ensure our environment and outdoor natural resources are the best in the nation. The budget preserves and protects Maine's natural resources, marking a historic \$40 million investment in the Land for Maine Futures program. In addition, it funds PFAS cleanup, mitigating forever chemicals' harmful effects in our communities. The health of Maine people is a critical priority for this Body and we have included funds to close the gap in Mainers' health care and access to long-term care. The budget expands preventative dental care to an estimated 217,000 Mainers. The budget makes sustainable investments in treating substance use

disorder by supporting community treatment options and providing rate increases for recovery services. This budget supports senior living facilities, direct care workers and Mainers with intellectual disabilities, ensuring access to needed services in this State. The people doing this work are the unsung heroes in our State, doing the difficult and important jobs of keeping vulnerable Maine people healthy and well cared for. In addition to all of these investments, we are maintaining strong fiscal responsibility so we ensure that the things we are doing today will be able to be sustained for years to come. Mr. Speaker, I would like to thank the work of the AFA committee for the unanimous report on this budget and, in particular, I'd like to thank my friend and counterpart, a true statesman, the Representative from Waterford, who brings years of dedication and knowledge to the important work of our committee and always does it with a little touch of humor. This has been a collaboration in every sense of the word. I hope you, Mr. Speaker, along with my colleagues in this Body, will join me in support of this biennial budget. 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 would like to echo the words of the good Chair from Falmouth, Representative Pierce, in terms of the contents of this major accomplishment that is now before us. I consider it a major accomplishment in that it was just over two months ago when we had a majority start to the biennial budget. A lot of us, I think, assumed that maybe things were in bad shape and we were not going to be, on my side of the aisle, involved in the rest of this supplemental portion. It is a tribute, I think, to the entire committee that we all kept our optimism and our trusting working relationship and came to this point. To actually put together a budget that achieves as much as this one does and have a unanimous report, I think is no small accomplishment.

Let me just speak to a couple of things that are in it that were very important to me and my members and to my caucus. We are actually distributing over \$500 million of tax relief within this budget. The centerpiece for us, of course, is the COVID relief package for those who worked during calendar 2020 when everything was at risk and people were nervous about even going to work. That \$150 million will result in \$300 payments to all of those 500,000 people who filed an income tax return and actually were year-round residents of Maine. And this will be paid in check form in December and will not be taxable on either the federal or State level. Some people think that's a small token, but I never look aside at \$150 million. Above and beyond that, for the property taxpayers who have been watching what we have done and sometimes not done over the last decade or more, we are going to get to full funding on revenue sharing in the second year, \$100 million above and beyond the Chief Executive's initial budget for that purpose, 187 million for general purpose aid, which gets us to 55% in the second year, well, in both years of the biennium, actually. And, on top of that, there is 70-plus million dollars that came through our policy committee, the Taxation Committee, as part of the Chief Executive's change package wherein we actually conform to a couple of very important pieces of the federal law that occurred during the calendar year, namely the earned income tax credit and the child care credit. We actually improve upon the property tax fairness credit and we actually begin the start to getting to 100% on the reimbursement of the homestead exemption. We're at 70% today, we will get to 73% in the second year and the commitment in Statute will be to get the rest of that 27% over the next nine years.

All of that will give the local people a chance to reduce their property taxes. We can't guarantee it, but we know that they will have what we have promised in Statute in years past. There are other critical pieces of this budget that I think we, again, could not have gotten to without being willing to work together. In the nursing home, long-term care and direct care worker category, we've come together to form two \$20 million investments that generate federal money in match that will actually translate into over \$200 million of additional money in the biennium going to those who work in those provider settings and in the care of many different clientele of the State who worked under duress during the pandemic as well. We also have maintained a spending cap, which for me and our caucus was important. And I want to just say that \$8.5 billion was achieved without; it could not have been achieved, without a willingness to work together toward that goal. There are other things that the good Chair from Falmouth mentioned that I won't go into more detail, but I think she covered it and I wanted to just make sure that all of you knew that we did this together. And I would like to acknowledge that I think it was last Thursday, Mr. Speaker, when you entertained us in your suite and it was a unique opportunity for my two leaders, Representative Dillingham and Senator Timberlake from the other Body and you and your cohort, President Jackson and the chairs and lead. And we worked on what are the game plans, how do we get this done on the rest of the weekend that followed. We could not have done it without you. I'd like to thank you, Mr. Speaker, for your role and Representative Dillingham for always being there and hope that all of you will see this as an accomplishment that could not have been done without joint effort. Thank you.

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

Representative **WARREN**: Thank you, Mr. Speaker. I rise in opposition to this motion. I see the word emergency appear on the board and that reminds me of what sent me here, what I think should be a primary issue for every one of us in this institution, Mr. Speaker, it's climate change. I think this budget doesn't go far enough; I don't think it thinks big enough. I think that if we can come out of a global pandemic and not provide MaineCare for all adult immigrants, Mainers in this State, we're not prepared to deal with the serious urgent emergencies of this State and its people. I think if we cannot provide full mental health care for children in this State after the traumatic, difficult year being out of school, away from friends, we're not prepared to deal with the serious crises of Maine people. And I appreciate that there was a significant amount of collaboration and bipartisanship but, frankly, not all of us are part of that. And I appreciate those with experience and a certain amount of power in this Body, but I think there's a diversity of perspective and a way from my perspective, as a young adult here in the State of Maine, looking to the future, I just can't imagine that this Body is yet prepared to meet the scale and scope of the climate crisis that we face and so I can't support this budget and I feel it's not practical, it's not realistic. This is the hottest year on record, we are in the middle of a heatwave. Over the weekend there were rolling blackouts even in my community. We're the oldest State in the nation, we're very rural, I just appreciate the form of this budget, I appreciate the bipartisanship, but its function is the most important thing and the function of this budget is to not make the structural change or begin to do so that I think we need to make that I believe I was sent here to be a part of. And so, I hope that you'll follow my light. There is an enormous emergency, but this does not meet it. Thank you.

Representative **PIERCE** of Falmouth **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.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 406

YEA - Alley, Arata, Arford, Austin, Babbidge, Bailey, Bell, Bernard, Berry, Bickford, Blier, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doore, Doudera, Downes, Drinkwater, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gifford, Gramlich, Griffin, Grohoski, Haggan, Hall, Harnett, Hasenfus, Head, Hepler, Hutchins, Hymanson, Kessler, Kinney, Landry, Lookner, 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'Neil, Ordway, Osher, Parry, Pebworth, Perkins, Perry A, Perry J, Pickett, Pierce, Pluecker, Poirier, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sheehan, Skolfield, Stearns, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Warren, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Cebra, Faulkingham, Fecteau, Foster, Greenwood, Grignon, Hanley, Harrington, Javner, Johansen, Lemelin, Libby, Lyford, O'Connor, Prescott, Quint, Rudnicki, Sampson, Stanley, Stetkis, Wadsworth, Warren.

ABSENT - Ducharme, Kryzak, Paulhus, Sharpe, Tuttle.
Yes, 123; No, 23; Absent, 5; Excused, 0.

123 having voted in the affirmative and 23 voted in the negative, with 5 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**.

ORDERS

On motion of Representative **TEPLER** of Topsham, the following Joint Resolution: (H.P. 1296) (Cosponsored by Senator **SANBORN** of Cumberland and Representatives: **ARFORD** of Brunswick, **BROOKS** of Lewiston, **EVANS** of Dover-Foxcroft, **MATHIESON** of Kittery, **MELARAGNO** of Auburn) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

JOINT RESOLUTION MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO FIX THE SO-CALLED FAMILY GLITCH IN THE FEDERAL AFFORDABLE CARE ACT

WE, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

WHEREAS, under the federal Affordable Care Act, individuals receive subsidies to reduce premium costs for health plans purchased through the marketplace and, in addition, the

lowest-income enrollees are eligible for cost-sharing reductions that lower deductibles and copayments; and

WHEREAS, the so-called "family glitch" in the federal Affordable Care Act prohibits family members from enrolling in marketplace plans with lower premiums and cost sharing if one member of the family has an offer of affordable employer coverage, which is currently defined as affordable if the premium is less than 9.83% of family income; and

WHEREAS, family members are barred from receiving subsidies in the marketplace even if the cost of family coverage offered by the employer is above 9.83% of family income; and

WHEREAS, an April 2021 analysis by the Kaiser Family Foundation estimates that 5.1 million Americans are affected by this provision, including 34,000 residents of Maine; and

WHEREAS, this provision restricts these residents from receiving subsidies and cost-sharing reductions so that they can access affordable and high-quality health care coverage; and

WHEREAS, proposals to fix the "family glitch" are under consideration by the President of the United States and the United States Congress; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States and the United States Congress fix the "family glitch" in the federal Affordable Care Act through administrative action, if permitted, or through the enactment of legislation; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, Jr., President of the United States; the President of the United States Senate; the Speaker of the United States House of Representatives; and each Member of the Maine Congressional Delegation.

READ.

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

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker, this Joint Resolution memorializes the federal government to work to eliminate the so-called family glitch. I will read one paragraph of the Joint Resolution because I feel it pretty much encapsulates the reason for this. Whereas, the so-called family glitch in the Federal Affordable Care Act prohibits family members from enrolling in marketplace plans with lower premiums and cost sharing if one member of the family has an offer of affordable employer coverage, which is currently defined as affordable if the premium is less than 9.83% of family income and the Kaiser Family Foundation estimates that 5.1 million Americans are affected by this provision, including 34,000 residents of Maine. So, we ask the federal government to fix this problem for Maine families so that health insurance can be affordable for everyone. Thank you.

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

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:

**ENACTORS
Bond Issue**

An Act To Authorize a General Fund Bond Issue To Improve Transportation

(H.P. 1265) (L.D. 1702)
(C. "A" H-737)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, a total was taken. 104 voted in favor of the same and 24 against, and accordingly the Bond Issue 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**.

SENATE PAPERS

The following Joint Resolution: (S.P. 585)
JOINT RESOLUTION MEMORIALIZING THE FEDERAL GOVERNMENT TO ESTABLISH A FEDERAL WAIVER PROCESS FOR STATES TO ESTABLISH A UNIVERSAL HEALTH CARE PLAN

WE, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

WHEREAS, the current system of health care coverage in the State does not provide universal coverage for all Maine residents; and

WHEREAS, health care coverage is often unaffordable and causes financial strain for many Maine residents; and

WHEREAS, every person in the State should have access to affordable and high-quality health care; and

WHEREAS, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

WHEREAS, these state efforts are also hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

WHEREAS, proposed legislation was previously introduced in the 116th Congress, H.R. 5010, the State-Based Universal Health Care Act of 2019, and similar legislation is expected to be reintroduced in the 117th Congress that would establish a federal waiver for states interested in establishing a universal health care plan for residents; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States and the United States Congress enact legislation to authorize states to obtain a state universal health care waiver; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, Jr., President of the United States; the President of the United States Senate; the Speaker of the United States House of Representatives; and each Member of the Maine Congressional Delegation.

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

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

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

COMMUNICATIONS

The Following Communication: (S.C. 692)

**MAINE SENATE
130TH LEGISLATURE**

June 30, 2021

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt:

Senate Paper 58, Legislative Document 125, "An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the Senate proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?" 18 voted in favor and 16 against, and accordingly it was the vote of the Senate that the Bill not become a law and the veto was sustained.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

SENATE PAPERS

The following Joint Resolution: (S.P. 586)

**JOINT RESOLUTION EXPRESSING THE HOPE FOR A
SWIFT CONCLUSION TO NEGOTIATIONS WITH THE
MAINE SERVICE EMPLOYEES ASSOCIATION**

WHEREAS, the State, in conjunction with the Maine Service Employees Association, engaged The Segal Group, Inc. to conduct a comprehensive market assessment of the State's executive branch jobs; and

WHEREAS, the study covered market data reflective of 10 public sector employers as well as New England private sector market data, including base pay ranges and compensation practices; and

WHEREAS, the study found that the State's base pay is consistently below the market average at the pay range minimum, midpoint and maximum, with the gap ranging from 13 percent to 17 percent of the overall market average; and

WHEREAS, the Maine Service Employees Association, Local 1989 of the Service Employees International Union, represents more than 12,000 Maine workers; and

WHEREAS, the contract renewal process for these workers is currently underway, and there is an opportunity for the pay gap to be addressed; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to express our hope for a swift conclusion to the negotiations with Local 1989 of the Service Employees International Union and our hope that progress is made on closing the pay gap highlighted in the recent study.

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

READ and ADOPTED in concurrence.

BILLS RECALLED FROM GOVERNOR

(Pursuant to Joint Order - House Paper 1297)

An Act To Limit Reincarceration for Persons on Probation
(H.P. 626) (L.D. 858)
(H. "A" H-683 to C. "A" H-678)

- In House, **PASSED TO BE ENACTED** on June 17, 2021.
- In Senate, **PASSED TO BE ENACTED** on June 17, 2021.

On motion of Representative McCREIGHT of Harpswell, 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-678)**.

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-678)** was **ADOPTED**.

The same Representative **PRESENTED** House **Amendment "B" (H-741)** to **Committee Amendment "A" (H-678)** which was **READ** by the Clerk.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT** House **Amendment "B" (H-741)** to **Committee Amendment "A" (H-678)**.

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 "B" (H-741) to Committee Amendment "A" (H-678). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 407

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Neil, Osher, Peabworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, 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, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley,

Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Bryant, Cebra, Ducharme, Grignon, Harrington, Javner, Landry, Martin, Paulhus, Sharpe, Tuttle, White.

Yes, 78; No, 61; Absent, 12; Excused, 0.

78 having voted in the affirmative and 61 voted in the negative, with 12 being absent, and accordingly **House Amendment "B" (H-741) to Committee Amendment "A" (H-678) was ADOPTED.**

Committee Amendment "A" (H-678) as Amended by House Amendment "A" (H-683) and House Amendment "B" (H-741) thereto was ADOPTED.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-678) as Amended by House Amendment "A" (H-683) and House Amendment "B" (H-741) 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

Bill "An Act To Ensure Parents' Access to Their Minor and Adult Children with Special Needs" (EMERGENCY)

(H.P. 739) (L.D. 1001)

PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-636) in the House on June 16, 2021.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-529) in NON-CONCURRENCE.**

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

Representative DILLINGHAM of Oxford moved that the House **RECEDE AND CONCUR.**

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR.**

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

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

ROLL CALL NO. 408

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

NAY - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett,

Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren, Williams, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Bryant, Cebra, Ducharme, Grignon, Javner, Landry, Martin, Paulhus, Sharpe, Tuttle, White.

Yes, 67; No, 73; Absent, 11; Excused, 0.

67 having voted in the affirmative and 73 voted in the negative, with 11 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED.**

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

Non-Concurrent Matter

Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures

(S.P. 341) (L.D. 1073)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-199) in the House on June 17, 2021.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-199) AS AMENDED BY SENATE AMENDMENT "A" (S-333) thereto in NON-CONCURRENCE.**

Representative BAILEY of Gorham moved that the House **RECEDE AND CONCUR.**

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

Representative **BAILEY**: The last time that this bill was before us, we were moving quickly and making our way through a lot of bills. Unfortunately, in the chaos, I think that there may have been some misinformation communicated, unintentionally so, about LD 1037, a Resolve, Establishing a Commission To Research Effective Strategies and Efficiencies of Legislatures which was introduced by Senator Trey Stewart of Aroostook County and cosponsored by myself and others. This resolve would create a temporary bipartisan commission to research effective strategies and efficiencies regarding how the Maine Legislature operates; everything from pay for legislators to when and how committees meet, from the budget process to the processes for introducing bills and amendments. Basically, an opportunity for Republicans and Democrats to come together to discuss ways in which we might be able to find common ground to preserve, protect and enhance this institution for the future. This bill received unanimous support from the State and local government committee. In fact, the committee voted unanimously to add an emergency rider to the bill so the work of the temporary study group could begin earlier than the original bill plan. That's why I was surprised when this bill came up. I just assumed that it would go under the hammer. But the Senate wanted to make two minor changes to the bill. The first --

The SPEAKER: The Member will defer. The Chair will remind the Member to not refer to the actions of the other Body.

The Chair advised the Representative from Gorham, Representative Bailey that it is inappropriate to refer to the potential action of the office of the executive or the other Body in order to influence the vote of the House.

The SPEAKER: The Member may proceed.

Representative **BAILEY**: The first change here that we're looking at today is to lower the number of commission members by stripping the Chief Executive representative and the Maine Supreme Judicial Court's representative from the study group

but keeping the citizen and tribal representatives on the commission. The second is to add to the list of items studied, including studying the financial note process, fiscal note process and the degree to which the Chief Executive should have influence over the process and also reviewing the process for polling members to determine whether to convene a special session. The amendment was adopted in the other chamber and now has been sent to us with unanimous bipartisan support from that other Body. Let's not kill this good bipartisan idea. Please follow me in voting yes on the Recede and Concur motion so we can learn how to improve our operations, processes and citizen participation in State government. Thank you.

Subsequently, the House voted to **RECEDE AND CONCUR**.

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

COMMUNICATIONS

The Following Communication: (S.C. 691)

**MAINE SENATE
130TH LEGISLATURE**

June 30, 2021
Honorable Ryan Fecteau
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear Speaker Fecteau:
In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 130th Maine Legislature, please be advised that the Senate today confirmed the following nomination:
Upon the recommendation of the Committee on Agriculture, Conservation and Forestry, Peter Pray of Millinocket for reappointment to the Maine Land Use Planning Commission.
Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

On motion of Representative DUNPHY of Old Town, the following item was **REMOVED** from the Special Study Table:

Joint Study Order, To Create a Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature

(S.P. 578)

- In Senate, **READ** and **PASSED**.

TABLED - June 8, 2021 by Representative DUNPHY of Old Town.

(Pursuant to Joint Rule 353)

PENDING - **PASSAGE**.

READ and **PASSED** in concurrence.

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

BILLS RECALLED FROM GOVERNOR

(Pursuant to Joint Order - House Paper 1288)
An Act Relating to Fair Chance in Employment

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

- In House, **PASSED TO BE ENACTED** on June 8, 2021.
- In Senate, **PASSED TO BE ENACTED** on June 9, 2021.

On motion of Representative TALBOT ROSS of Portland, 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-305)**.

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-305) was ADOPTED**.

The same Representative **PRESENTED House Amendment "A" (H-742) to Committee Amendment "A" (H-305)** which was **READ** by the Clerk.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-742) to Committee Amendment "A" (H-305)**.

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-742) to Committee Amendment "A" (H-305). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 409

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren, 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, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Ducharme, Grignon, Harrington, Javner, Landry, Ordway, Paulhus, Sharpe, Theriault, Tuttle, Warren.

Yes, 80; No, 59; Absent, 12; Excused, 0.

80 having voted in the affirmative and 59 voted in the negative, with 12 being absent, and accordingly **House**

Amendment "A" (H-742) to Committee Amendment "A" (H-305) was ADOPTED.

Committee Amendment "A" (H-305) as Amended by House Amendment "A" (H-742) thereto was ADOPTED.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-305) as Amended by House Amendment "A" (H-742)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

ENACTORS

Emergency Measure

Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures

(S.P. 341) (L.D. 1073)

(S. "A" S-333 to C. "A" S-199)

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. 104 voted in favor of the same and 26 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Evans, who wishes to address the House on record.

Representative **EVANS**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, in reference to Roll Call No. 404 on LD 677, had I been present, I would have voted yes.

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

ENACTORS

Emergency Measure

Resolve, To Create the Commission To Examine Reestablishing Parole

(H.P. 610) (L.D. 842)

(H. "A" H-736 to C. "A" H-717)

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

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on **FINAL PASSAGE.**

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

On motion of Representative DUNPHY of Old Town, **TABLED** pending **FINAL PASSAGE** and later today assigned (Roll Call Ordered).

Acts

An Act To Create the Pine Tree Power Company, a Nonprofit Utility, To Deliver Lower Rates, Reliability and Local Control for Maine Energy Independence

(H.P. 1269) (L.D. 1708)

(H. "B" H-738 to C. "A" H-640)

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

Resolves

Resolve, To Improve the Individualized Education Program Process

(H.P. 397) (L.D. 552)

(H. "A" H-739 to C. "A" H-247)

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.**

SENATE PAPERS

Non-Concurrent Matter

An Act To Preserve Deer Habitat

(H.P. 288) (L.D. 404)

(C. "A" H-254)

PASSED TO BE ENACTED in the House on June 7, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254) AS AMENDED BY SENATE AMENDMENT "B" (S-354)** 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 Limit Reincarceration for Persons on Probation

(H.P. 626) (L.D. 858)

(H. "A" H-683 and H. "B" H-741 to C. "A" H-678)

An Act Relating to Fair Chance in Employment

(H.P. 845) (L.D. 1167)

(H. "A" H-742 to C. "A" H-305)

An Act To Amend Maine's Harness Racing Laws Regarding Race Dates and Pari-mutuel Pools

(H.P. 1200) (L.D. 1611)

(H. "A" H-546 and H. "B" H-687 to C. "A" H-403)

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.**

On motion of Representative FAY of Raymond, the House adjourned at 7:25 p.m., until 3:30 p.m., Thursday, July 1, 2021, in honor and lasting tribute to Aurel Paquette of Biddeford, David Wilder of Dennysville, Janis E. Cummings of Raymond and Peter Bourne Moody of Wells.