

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE
FIRST SPECIAL SESSION
33rd Legislative Day
Tuesday, June 17, 2025

The Speaker resumed the Chair.
The House met according to adjournment and was called to order by the Speaker.
Prayer by Pastor Tony Trussoni, Poland Baptist Church.
National Anthem by Atlantic Harmonies Select Choir, Wells.
Pledge of Allegiance.
The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 204)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

June 16, 2025
Honorable Ryan D. Fecteau
Speaker of the House
2 State House Station
Augusta, Maine 04333
Dear Speaker Fecteau:
Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bill out "Ought Not to Pass:"
Judiciary
L.D. 1224 An Act to Comprehensively Protect Consumer Privacy
Sincerely,
S/Robert B. Hunt
Clerk of the House
READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 547)

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

June 16, 2025
Honorable Ryan Fecteau
Speaker of the House
2 State House Station
Augusta, ME 04333-0002
Dear Speaker Fecteau:
In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 132nd Maine Legislature, please be advised that the Senate today confirmed the following nomination:
Upon the recommendation of the Committee on State and Local Government, Christian J. Cotz of South Bristol for appointment, as the State Archivist.
Best Regards,
S/Darek M. Grant
Secretary of the Senate
READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 549)

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

June 16, 2025
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt:
Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought to Pass Report and Engrossed Bill "An Act to Strengthen Maine Citizens' Second Amendment Rights by Allowing the Discharge of Firearms on Private Property That Is Within 500 Feet of School Property in Certain Circumstances" (H.P. 344) (L.D. 525) in non-concurrence.
Best Regards,
S/Darek M. Grant
Secretary of the Senate
READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 550)

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

June 16, 2025
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt:
Please be advised the Senate today insisted to its previous action whereby it Failed to Enact Bill "An Act to Provide That Spouses and Children of Corrections Officers Who Die in the Line of Duty Receive a Pension" (H.P. 733) (L.D. 1114) in non-concurrence.
Best Regards,
S/Darek M. Grant
Secretary of the Senate
READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 551)

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

June 16, 2025
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt:
Please be advised the Senate today insisted to its previous action whereby it accepted Report "B" Ought Not to Pass from the Committee on State and Local Government on Bill "An Act to Replace Participation Thresholds with Approval Thresholds in Certain School, Municipal and County Measures" (H.P. 1002) (L.D. 1517) in non-concurrence.
Best Regards,
S/Darek M. Grant
Secretary of the Senate
READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 552)

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

June 16, 2025

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Majority Ought to Pass Report and Engrossed Bill "An Act to Allow Municipalities to Prohibit Firearms Within Their Municipal Buildings and Voting Places and at Their Municipal Public Proceedings" (H.P. 1161) (L.D. 1743) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

Representative **FARRIN**: Yes, thank you. I was trying to get ahead to say something about Ina; my friend, Ina. She teaches bilingual classes in Portland. And some students come into her third-grade class not knowing any English at all. Ina infuses her humor to make everyone comfortable around her. I had a house party in her hometown of Wiscasset and we stayed long into the evening and, well, she was the standup comic at the end of the party. You may know Ina, as she's a little famous for her "Lee is for me" TV commercials, and I just wanted to say she got the 2025 Human and Civil Rights Award from the Maine Education Association and I think Maine is a better place when we have people like Ina. Thank you.

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

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

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Desmond J. Robinson, of Solon

(HLS 365)

TABLED - June 16, 2025 (Till Later Today) by Representative CARUSO of Caratunk.

PENDING - **PASSAGE.**

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

Representative **CARUSO**: Thank you, Mr. Speaker. I rise today with great pleasure to recognize Desmond Robinson, an extraordinary senior from Carrabec High School and the recipient of the 2025 Principals' Award from the Maine Principals' Association.

Desmond's accomplishments are remarkable. He serves on the student council and advisory team, has helped lead his math team to multiple championships, is a member of the National Honor Society and has passed seven Advanced Placement exams. He is also a dedicated three-season athlete in cross-country, basketball and track. However, I first met Desmond on a 10U travel soccer team, where he and my son first played soccer together. From the time they were cute little boys running after the soccer ball and through the years up until 2024, when the Carrabec eight-player boys' soccer team won the State Championship, I have watched Desmond grow up while remaining extraordinarily kind, dependable, strong and resilient. He went from being a staunch defender to a successful striker in the Championship year and I remember he scored the first goal in the Regional Championship 2-1 win.

Students like Desmond do not succeed by accident. His parents are also kind, always present and supportive, instilling excellence and encouragement and finding opportunities for success and growth. Carrabec's small community offers an environment that values hard work, high standards and opportunity, and Desmond's story is proof that these efforts matter.

I'm honored to represent my district and to lift up Desmond, a great young man who has clearly a bright future ahead. Please join me in congratulating Desmond Robinson on his hard work and accomplishments in and out of the classroom.

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-746)** on Bill "An Act to Establish the Department of Energy Resources"

(H.P. 845) (L.D. 1270)

Signed:

Senator:

LAWRENCE of York

Representatives:

SACHS of Freeport

GEIGER of Rockland

KESSLER of South Portland

RUNTE of York

WARREN of Scarborough

WEBB of Durham

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

Signed:

Senators:

GROHOSKI of Hancock

HARRINGTON of York

Representatives:

FOSTER of Dexter

MCINTYRE of Lowell

PAUL of Winterport

WADSWORTH of Hiram

READ.

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

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

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

I have great concern about this very large bill and what it now allows the current Governor's Energy Office to do once they become the Department of Energy Resources. Not only will they be able to issue RFPs and have procurement abilities, but with a staff of, I believe, last time I looked, of 22, with not a single engineer or expert in electrical energy on staff, they will continue hiring consultants to do that work as they issue these RFPs and obviously have to pay quite a bit for that.

Just imagine our Department of Transportation without a single civil engineer in that Department, or how about the Department of Education without a single educator in that staff. I would say that the reason that this is named the Department of Energy Resources is because the resources that these experts in accounting and environmental areas will be looking for resources of funding.

Therefore, I would ask that you help me and defeat the pending motion. Thank you, Mr. Speaker.

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

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

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

Representative **SACHS**: Thank you, Mr. Speaker. I rise in strong support of the pending motion that I did not make, but should have, thank you very much.

I believe that the continuity that this provides, that has been talked about for so long, is incredibly important, so that we do not lose the institutional knowledge, the alignment with the State Energy Plan, that we do not lose our place within the regional, because so much of our energy plan is now regional, that we have the ability to do procurements that align with our needs as opposed to at the whim of the Legislature.

For all of these reasons, I stand in strong support for this long-needed but not yet realized goal of having a Department of Energy Resources. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from York, Representative Runte.

Representative **RUNTE**: Thank you, Mr. Speaker. I support LD 1270, "An Act to Establish the Department of Energy Resources." This bill restructures how Maine develops, promulgates and implements energy policy. It mirrors language in the Chief Executive's budget proposal and establishes a Cabinet-level Department of Energy Resources by transferring and enhancing the responsibilities currently held by the Governor's Energy Office into this new department. At its core, this bill concerns applying sound management principles to the State of Maine's approach to energy policy.

We all understand that government and business have different objectives. Corporations measure success by profit and return on investment. Governments, by contrast, are responsible for public outcomes like affordability, reliability and environmental responsibility. But while the goals might differ, the fundamentals of good management, clear accountability, coordinated action and structured decision-making, are essential to both.

Mr. Speaker, that's what LD 1270 is all about. LD 1270 responds to a real organizational challenge. Over the years, we've created energy initiatives through multiple pieces of legislation, each assigning responsibility to different agencies. The result is a patchwork of programs, well intentioned but fragmented. Our energy policy is the sum of many parts without a clear home or structure to ensure it all works together. This bill would fix that by creating a durable, Cabinet-level department with comprehensive oversight allowing for more coherent planning, clearer lines of accountability and better alignment of State efforts with regional and federal initiatives.

Like any well-run organization, the department will operate with a clear plan. The State Energy Plan will serve as the guideposts for everything from electricity procurement to clean energy development and workforce planning. A significant responsibility of the department is to keep the plan updated and ensure its implementation, incorporating public input and coordinating with entities like Efficiency Maine Trust and the Department of Environmental Protection. This plan provides the context and direction for all aspects of energy initiatives, grid planning, procurement of clean energy supplies and management of electricity demand.

Establishing the department gives us a better equipped structure to evaluate emerging technologies, respond to market changes and deliver on policy goals with clarity and consistency. It strengthens the link between planning and execution while keeping regulatory oversight in place. It lays out a transparent framework for how the department will conduct competitive solicitations, guided by the State Energy Plan, to ensure adequate energy supply while controlling energy costs and building Maine's energy economy. This procurement framework includes clear criteria for bidder eligibility, a defined process for evaluating proposals, requirements for public input and coordination with the Office of the Public Advocate.

These are not symbolic gestures, they are functional requirements designed to ensure that ratepayer benefit, not speculation or preference, underlies procurement decisions. It also maintains a strong role for the Public Utilities Commission. The department will conduct solicitations for energy resources, but the Commission must ultimately approve these contracts.

In addition, the bill outlines workforce and equity standards. It maximizes employment opportunities for Maine residents, including those from disadvantaged communities. These standards are realistic, not aspirational, they reflect existing practices and State-funded infrastructure and align our energy investments with broader economic goals.

Mr. Speaker, this bill is not about creating something new for its own sake. It's about organizing what we already do more effectively, so that policy goals are implemented through a clear, coordinated and accountable structure. The bill is merely an application of basic organizational management principles, and for those reasons I respectfully urge the Body to vote Ought to Pass as Amended.

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

Representative **FOSTER**: Thank you, Mr. Speaker. I want to just inform the Body that voting this current motion down does not do away with the Governor's Energy Office. That Governor's Energy Office would continue as it is now, performing the functions that they do now. However, they would still rely on working with the Efficiency Maine Trust as well as the PUC and the EUT Committee, and those other entities have professionals that are knowledgeable in the area of electrical generation, transmission, efficiencies of equipment and so on, that are best staffed to handle these measures. Nothing would change, the

Governor's Energy Office would maintain their role, but they would still have access to those abilities by going as they do now to these other entities. Thank you, Mr. Speaker.

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

ROLL CALL NO. 536

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

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

ABSENT - Copeland, Hymes, Lanigan.

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

77 having voted in the affirmative and 69 voted in the negative, with 3 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-746)** was **READ** by the Clerk.

On motion of Representative SACHS of Freeport, **TABLED** pending **ADOPTION of Committee Amendment "A" (H-746)** and later today assigned.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Exempt Drinking Water from Sales and Use Tax"

(H.P. 699) (L.D. 1077)

Signed:

Senators:

GROHOSKI of Hancock

TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston

CROCKETT of Portland

FRIEDMANN of Bar Harbor

MATLACK of St. George

SAYRE of Kennebunk

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-741)** on same Bill.

Signed:

Senator:

BICKFORD of Androscoggin

Representatives:

LAVIGNE of Berwick

QUINT of Hodgdon

RUDNICKI of Fairfield

SWALLOW of Houlton

WHITE of Ellsworth

READ.

Representative CLOUTIER of Lewiston moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **PERKINS**: Thank you, Mr. Speaker. In my short time here down in Augusta, sometimes I see decisions being made that just make me go, 'huh.'

So, imagine, Mr. Speaker, if you will, and this is rhetorical, but imagine you live in a world where dry dip mix is considered so essential to human life and our well-being that we don't tax it. We understand the importance of that. Imagine the little pre-made coffee drinks in the coolers at the convenience stores are so essential to our life that we don't tax it. We think it's so important that Maine people get that to maintain nutrition and sustenance, that we don't tax that on purpose. Imagine, Mr. Speaker, where salad dressings and a whole bunch of other prepared foods which aren't even really healthy for you are so essential that we don't tax that. But yet, we continue to tax drinking water. I'm not talking about mineral water, flavored water, carbonated water, I'm talking about straight-up water, Mr. Speaker.

We have places in this State, Mr. Speaker, where people cannot drink out of their wells because some agent of the State has gone down there and said, you have too much contamination in your well and you're not allowed to drink out of it, but then we're going to tax them for the water that they actually need to survive. You don't need dry dip mix, you don't need coffee drinks to live, but you need water to live, Mr. Speaker, and there's a lot of people in this State that rely on bottled water to do that. It's so essential, Mr. Speaker, that the federal government recognizes it as an essential grocery, and they don't tax it at any level at the federal government and they allow it to be purchased tax free under WIC and SNAP and other programs.

I'm asking my colleagues in the House to please support the Minority Report, which is to remove the taxation of drinking water. It's far more essential than any of these other things that we deemed we don't need to tax, and it would be a big benefit to the people in all of our districts. Thank you, Mr. Speaker.

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

Representative **CLOUTIER**: Thank you, Mr. Speaker. Mr. Speaker, the intent behind LD 1077 is admirable. However, there are better solutions to the problem it seeks to solve.

The current sales and use tax law already provides two water-related sales tax exemptions. The first exempts residential water, meaning water purchased for use in buildings designed and used for both human habitation and sleeping, with the exception of hotels. This exemption includes both residential water service from a water district and bottled water delivered to a residence, the exact type of water container used in instances of contamination. The second exempts purchases using SNAP benefits, including bottled water, regardless of residential use.

It is also important to note that LD 1077 as drafted would exempt all sales of bottled or packaged drinking water, including those sold to commercial enterprises such as hotels. In addition, since sales tax exemptions apply to all taxpayers regardless of their ability to pay, a better way to provide sales tax relief would be to increase the sales tax fairness credit, which would target relief to those truly overburdened by the sales tax on drinking water.

Mr. Speaker, I urge you to support the pending motion. Thank you.

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

Representative **PERKINS**: Thank you, Mr. Speaker, and I thank you to my colleague from across the aisle there for pointing out that this tax is so ridiculous that if you have the same bottled water delivered to your house, we don't tax it. Because we understand that water that is piped into our homes is essential, we need it. However, not everybody's on municipal water, Mr. Speaker. A lot of people have wells, a lot of people have failed wells, and they rely on that drinking water. But again, we won't tax it if we deliver it to your house or if we pipe it in, but we're going to tax it if you happen to buy it at this place or that place and that, Mr. Speaker, just doesn't make sense to me. I again ask my colleagues in the House to support the Minority Report.

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

ROLL CALL NO. 537

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

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

ABSENT - Copeland, Lanigan.

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

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

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

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Kathy Littlefield, of Waldo

(HLS 351)

TABLED - June 4, 2025 (Till Later Today) by Representative HYMES of Waldo.

PENDING - **PASSAGE**.

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

Expression of Legislative Sentiment Recognizing Shirley Caler, of Waldo

(HLS 352)

TABLED - June 4, 2025 (Till Later Today) by Representative HYMES of Waldo.

PENDING - **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Hymes.

Representative **HYMES**: Thank you, Mr. Speaker. I just wanted to rise really quick today to personally thank both Kelly and Shirley for their 83 years of combined service to our town. It was always fun to walk into the Town Office and say hi to them and get their institutional knowledge, which will sorely be missed in our town, and I wish them the best in their retirement.

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Provide Emergency One-time Relief from the Wild Blueberry Tax for Sellers in Maine and Partial Relief for Processors and Shippers" (EMERGENCY)

(H.P. 908) (L.D. 1386)

Signed:

Senators:

GROHOSKI of Hancock

TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston

FRIEDMANN of Bar Harbor

MATLACK of St. George

SAYRE of Kennebunk

SWALLOW of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-742)** on same Bill.

Signed:
Senator:

BICKFORD of Androscoggin

Representatives:

CROCKETT of Portland

LAVIGNE of Berwick

QUINT of Hodgdon

RUDNICKI of Fairfield

WHITE of Ellsworth

READ.

Representative CLOUTIER of Lewiston moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The SPEAKER: The Chair recognizes the Representative from Harrington, Representative Strout.

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

This is my bill, and it's a repeat of the bill that the Blueberry Commission put in last session and unfortunately at the end of the session, the Chief Executive didn't sign the bill. So, I was very excited to see that the commission supported the opportunity to give blueberry farmers just a one-year break on the taxes that they pay into the commission.

So, the way that this works; thanks to the Tax Committee for learning a little bit about the blueberry industry; harvesters, growers, sellers, processors all pay into this tax of 75 cents for sellers, 75 cents for processors, that goes to the commission. The intent of the commission is to promote research and marketing of the blueberry industry.

So, from the last bill, the blueberry industry has not thrived in any way. They still get paid low amounts of money per pound for their harvest, because the marketing is not sufficient to sell all of the crop that's harvested. So, what this bill does not do, this bill does not remove the commission in any way, it's not the intent to remove the commission. There were processors that testified and appreciated the work that the commission does for the research and sharing that and working on the grants. This does not prohibit people from paying into the commission. If those blueberry growers and sellers want to sell, they can still pay into the commission.

And this bill does not save the blueberry industry. The only way to save that industry is to sell more blueberries. So, what the bill does do is it gives those farmers a little bit of a break for one year on the tax they pay in. It will help with the inflation costs and the tariffs for all of their parts they have to purchase over in Canada, most of them come in that way, and some of the processors, you've heard before on other bills, the cost of the electricity for their freezers has gone quadruple.

So, this allows those processors to keep half of their tax that will allow for electricity costs, Paid Family Medical Leave and just an opportunity to say thank you for continuing to stick with us in Maine and sell the blueberries that are the best in the country. So, I hope that you will defeat this motion and support the Ought to Pass. Thank you.

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

Representative **MINGO**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I just want to add a couple of points to the Good Representative from Harrington, so we all understand what the blueberry crop actually is.

It's a biannual crop, meaning that a grower has to work two years to see the benefits of that two years in their crop. Blueberries have been around a lot longer than we have. They weren't engineered genetically in a lab, they are a wild berry, which increases the challenges that a grower has to get their crop.

And I want to apologize if I'm looking that way, I just got to get out of that habit, I'm used to public speaking, so, I apologize to everybody on that.

The climate change challenges that we've had over the last decade have been; it's been a burden on the growers. In 1980, my very first crop was the same price that we got paid in 2023, almost four decades later. The cost of growing a pound of blueberries has gone up almost 200%. This agreement is between the processors and growers for research and marketing, as was mentioned, but it was us that helped develop that law. I was president of a blueberry co-op at the time, and we were all in favor of it because it was going to help with the expansion of marketing throughout beyond this country, to push it around the world. But what's happened to our markets is that the high bush, which is cultivated year-round now, depending on where it's coming from, so, it's not just a seasonal crop, it's a year-round crop and it's forcing our markets to get tighter and tighter and tighter. The challenges for the process to sell is getting harder and harder every year.

I would ask this Chamber to look at this as not as a tax break for us, but it's small relief for the obligation that was created by us and maybe simply as some growers as helping; help us pay our property taxes at the end of the year. It may be the only crop in the United States that, going into the harvest, we don't know what we're getting paid. After two years of work, it's uncertain what the bottom line will be. The only thing a grower will know for sure going into this year's crop, if this bill was to pass; or if this bill was to fail is that there will be one less obligation a grower will have to worry about by the end of the season.

Our crops are based on volume. Volume is everything. If you don't have; Mother Nature is not in your favor that year, the volume's going to be down, meaning your margin's going to be down and it's getting tougher and tougher. This is just one year to try and give a break for the last couple years of depressed price. So, I hope people follow my light and vote against this bill. Thank you.

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

Representative **CLOUTIER**: Thank you, Mr. Speaker. Mr. Speaker, while I greatly appreciate and respect the efforts of the Good Representative from Harrington, the Wild Blueberry Commission voted 6-3 to oppose this bill. In fact, they surveyed their industry about the tax, and 75% of respondents indicated that they do not support a tax decrease. Why? Because the taxes provided much-needed funds to support marketing and research. It has allowed the commission to apply for matching federal funds for things like irrigation, which will fund pumps, pipes and sustainable water sources for wild blueberry growers across the State. It has supported sales of frozen Maine wild blueberries to schools and food pantries across the United States, representing 16% of that year's entire Maine crop. And it has supported the development and launch of one of the most

beloved Maine pastimes, Wild Maine Blueberry Festival, now in its fifth year. Mr. Speaker, I urge your support of the pending motion.

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

Representative **TUELL**: Thank you, Mr. Speaker. I also rise in opposition to the pending motion, and I do because several weeks ago, our Washington County delegation, for those who don't know, generally meets Wednesday nights with constituents or amongst ourselves, and we had a; usually, those are very congenial and very friendly and constructive. We had such a meeting several weeks ago that, to put it mildly, was quite fiery, with the director of the Blueberry Commission, who last year supported this bill and was begging for all of the publicity he could possibly get to promote the wisdom of it and then this year has gone the other way. And I won't speculate as to why, as I don't do that sort of thing, but if it was good enough last year, it should be good enough this year. Thank you, Mr. Speaker.

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

Representative **SAYRE**: Thank you, Mr. Speaker, and congratulations to all who had me on your Bingo card.

I rise to respond to the point of the Good Representative from East Machias, because I asked the director of the Blueberry Commission that very question, why did you flip from last year to this year? And the answer is quite simple. Last year, the commission supported this bill; this year, the commission voted 6-3 not to support this bill. That is because this tax is a tax on the producers and growers on their own behalf. It is not money that goes to the State, it is money that goes to efforts to grow the industry and address the problems that have been described so robustly.

And that is why I speak in favor of the Ought Not to Pass motion. Thank you, Mr. Speaker.

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

Representative **STROUT**: Thank you, Mr. Speaker, for letting me rise again.

I just, for clarity, the other thing that came out of the Tax Committee is that the commission needs to go back to the Department of Ag and work on the makeup of the commission. So, there's definitely some more work to be done on that commission, and that may have something to do with the difference in the vote this year.

I also just wanted to mention that it's just; it's an opportunity. So, when you have these processors, they're the ones that also pay to buy the berries. So, if they have some relief somewhere, maybe that can be passed on. There's no doubt that the commission has done a great job and they have worked really hard to get all of the grants done and everything, and that does not have to go away. They are still going to receive half of the tax from the producers; I mean, the processors, excuse me, which pay the bulk of that tax.

So, by giving farmers the relief, they can still pay that in if they want to. If they want to keep it and invest in their crops or their machinery, that is the option that they make. But this tax is a tax on them. Unfortunately, because it is in legislation, we have to come here, and I feel like, if anything else, this bill has got the most marketing for the blueberry industry by this conversation than it has in 20 years. So, I still hope that you will not support this and support the Ought to Pass to give those farmers a relief. Thank you.

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

Representative **FRIEDMANN**: Thank you, Mr. Speaker. I learned so much being on Tax Committee and hearing from both small growers and large growers, and what really struck me in the public hearing on this bill were the growers, the small growers that came to us, some of them two, three, four generations of blueberry growers. And they were asking us to keep this tax, because the price of blueberries has been pretty much flat, meaning that with inflation, it's been going down over the last couple of decades, so, they're really struggling. And what this tax does is it provides marketing and research, but it also generated federal awards; \$15.5 million for irrigation most recently. And it supports sales of wild Maine blueberries to schools and food pantries.

So, I am a supporter of this motion, Ought Not to Pass, because I think we really need to continue to support our small family farms in Eastern Maine. Thank you, Mr. Speaker.

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

Representative **MINGO**: Thank you, Mr. Speaker, for letting me rise again. I just want to remind the House here that it was the growers and it was the processors that helped developed this law. And in those hearings, the small growers that got up to testify against this are actually members of the commission itself, which has over two million dollars in their budget right now. Thank you, Mr. Speaker.

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

ROLL CALL NO. 538

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

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

ABSENT - Copeland.

Yes, 71; No, 77; Absent, 1; Vacant, 0; Excused, 2.

71 having voted in the affirmative and 77 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. Committee Amendment "A" (H-742) 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-742)** and sent for concurrence.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-416)** on Bill "An Act to Provide Property Tax Relief to Maine Families"

(S.P. 659) (L.D. 1665)

Signed:

Senators:

GROHOSKI of Hancock

TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston

CROCKETT of Portland

FRIEDMANN of Bar Harbor

MATLACK of St. George

SAYRE of Kennebunk

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

Signed:

Representatives:

QUINT of Hodgdon

RUDNICKI of Fairfield

SWALLOW of Houlton

WHITE of Ellsworth

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-416)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-416)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-416)** in concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-752)** on Bill "An Act to Prohibit Arrest and Detention for Civil Violations and Require an Attorney for the State to Determine Whether to Charge a Class E Offense as a Civil Violation" (H.P. 794) (L.D. 1189)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

BABIN of Fort Fairfield

LEE of Auburn

O'HALLORAN of Brewer

PUGH of Portland

SATO of Gorham

SINCLAIR of Bath

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

CARUSO of Caratunk

HENDERSON of Rumford

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-752)** Report.

READ.

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

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

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

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

Representative **POIRIER**: Thank you, Mr. Speaker. I rise in opposition to this motion. While the intent behind this legislation may streamline our justice process to try to reduce unnecessary incarcerations, but in all practicality could undermine public safety and erode the foundation principles of our legal system.

Eligible class E crimes, though considered the least severe in Maine's Criminal Code, still represent violations of law that can have significant consequences for victims and communities. By reclassifying these offenses as civil violations, we risk sending a message that certain criminal behaviors are inconsequential. This could embolden offenders and diminish the deterrent effect that criminal penalties provide. Without the threat of arrest or detention, individuals who commit class E offenses may not face the immediate consequences necessary to deter future criminal behavior. Studies have shown that the swift and certain application of consequences is more effective in reducing recidivism than delayed or absent penalties. By removing these immediate consequences, we may inadvertently contribute to a cycle of repeated offense, thereby burdening our communities and law enforcement agencies even more.

Reclassifying criminal offenses as civil violations could undermine the rights of victims seeking justice as well. Criminal proceedings offer victims a platform to be heard and to seek

restitution. Civil violations, on the other hand, may not provide the same level of recognition or redress for harm suffered. This shift could marginalize victims and diminish their role in the justice process.

The discretion granted to attorneys to determine the classification of offenses could lead to inconsistencies in how laws are applied. What one attorney deems a civil offense, another may consider a criminal offense. This varying measure here could result in unequal treatment under the law, undermining the principle of fairness that's central to our justice system.

Mr. Speaker, I urge you to consider the broader implications of this bill and vote against its passage. Let us work together to create a justice system that upholds the rule of law, protects our communities and ensures that all individuals are held accountable for their actions. Thank you.

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

Representative **KUHN**: Thank you, Mr. Speaker. I wanted to clarify that this bill gives prosecutors the option; not a requirement, but the option to charge what would be a class E crime as a civil violation. In doing so, the prosecutor who makes the decision shall consider the severity of the defendant's conduct, the impact of the conduct on the victim, any prior convictions and any other factors relevant to whether the civil sanction will accomplish the purposes of general sentencing provisions.

There's no doubt that the prosecutor who will make this decision will evaluate public safety in the short and long term. That's actually their job. I want to say that the Prosecutors Association supports this, all eight elected district attorneys from across different parties all support this bill. And finally, Public Defense Services, who also supported it, pointed out that they spend about two million dollars a year defending class E crimes and that this would result in cost savings for their Department. Thank you.

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

ROLL CALL NO. 539

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

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

ABSENT - Campbell, Copeland.

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

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

The Bill was **READ ONCE**. Committee Amendment "**A**" (H-752) 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-752)** and sent for concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

(H.P. 1097) (L.D. 1656)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-750)** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

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

READ.

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

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

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

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

Representative **POIRIER**: Thank you very much, Mr. Speaker. I rise today in opposition to the pending motion and in support of LD 1656. This legislation is a critical step towards ensuring that Maine remains a law-abiding partner with federal government, particularly in the realm of immigration enforcement.

The Trump Administration has made it clear that states and localities that impede federal immigration enforcement risk losing significant federal funding. Transportation Secretary

Sean Duffy recently warned that jurisdictions hindering Immigration and Customs Enforcement operations could forfeit federal infrastructure funds. In 2021, Mr. Speaker, Portland, Maine, received over \$200,000 from the Department of Justice's community-oriented policing services program. Failure to comply with federal immigration laws could jeopardize such funding, directly impacting our police departments' ability to serve and protect our communities.

Testimony from law enforcement during our public hearings stated that police departments receive grant funding for their collaboration with federal authorities. These funds they receive are used to pay for overtime work of law enforcement officers. Mr. Speaker, without this funding, there will either be fewer officers patrolling and keeping us safe or the taxpayers are going to have to foot the bill. Maine's police departments, such as the Wells Police Department, have entered into arrangements with ICE under the 287(g) program, allowing local officers to enforce certain aspects of federal immigration law. These partnerships enhance our law enforcement capabilities to ensure that Maine is not a haven for individuals who have violated federal immigration laws.

LD 1656 would solidify Maine's commitment to upholding federal immigration laws and prevent localities from adopting policies that hinder such enforcement. By aligning with federal immigration enforcement, we send a clear message that Maine prioritizes the safety and well-being of its residents. Cooperation between State, local and federal authorities ensures that individuals who have committed crimes are held accountable, regardless of their immigration status. This approach not only upholds the rule of law, but also fosters trust within our communities, ensuring that all individuals feel safe reporting crimes and cooperating with law enforcement.

Mr. Speaker, most towns in Maine support this measure. I ask you to oppose the pending motion and do the same. Thank you.

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

Representative **SOBOLESKI**: Thank you very much, Mr. Speaker, Ladies and Gentlemen. I rise in support of LD 1656 as amended, a measure that asks a simple question: How do we represent each of our districts' 9,000 citizens?

Consider the facts. In Maine, federal law enforcement isn't just a theory, it's proven. One federal operation in the Houlton sector of U.S. Customs and Border Protection resulted in 113 undocumented arrests in a single month. Another multi-day sweep led to 39 arrests. And in Cumberland County, ICE detained 12 illegal aliens in just one week. But ICE does more than illegal immigration. They rescue children and people who have been human trafficked and arrest those traffickers. They deal with drugs, intercept drugs, cartels and organized crime.

We endanger our citizenry if we favor policies that obstruct federal law enforcement over protecting Maine's legal citizens. We cannot let criminals operate with impunity. We must side with the families who elect their elected officials to defend their safety and their rights. The choice is undeniable.

This bill, refined by a prudent Amendment, excludes the Judicial Branch and court security from its scope, provides robust whistleblower protection under the State Whistleblower Protection Act, mandates that any violation be enjoined by superior court with a civil penalty of \$500 per day and secures necessary funding for its enforcement. These aren't bureaucratic details, they are critical safeguards to ensure our laws are upheld. A vote for LD 1656 is a vote for federal law enforcement, for ICE and for the undeniable rights and safety of Maine's legal residents.

Mr. Speaker, I brought this bill forward for a very specific reason. I have listened for two years during the last Legislature about areas in our State that were being called sanctuary areas. Whether they were sanctuary counties, sanctuary cities, sanctuary districts, wherever they were. And I brought this bill forward, so everyone could go on record. I got this bill from the 128th Legislature, it was a Chief Executive's bill back then, and had it redone. As I said, this is where we all declare. This is where our votes say who we are. Are we going to support Immigration and Customs Enforcement? Support ICE, protect families? Are we going to declare our districts are sanctuary districts? Thank you.

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

Representative **LEE**: Thank you, Mr. Speaker. This bill is not about voluntary cooperation, it's about compulsory compliance. This bill is predicated on a dangerous and glaring misunderstanding of the Supremacy Clause. The bill's Sponsor insists that the Supremacy Clause requires that state government accede to federal priorities whenever there is a conflict of policy between those two sovereign governments. That's not how the Supremacy Clause works.

In the specific avenue of the interaction of federal and state law enforcement, it is true that there is a long history and positive relationship of voluntary cooperation. That cooperation is just that, voluntary. The federal government, however, cannot compel local and state law enforcement to enforce federal immigration law. At the heart of this legal issue is the anti-commandeering doctrine. In essence, the Tenth Amendment of the United States Constitution prohibits the federal government from commandeering the state legislative process to enforce a federal regulatory program. That's longstanding doctrine from *Hodel v. Virginia Surface Mining to New York v. United States* to *Prince v. United States*. It's rooted in the Constitutional Convention.

As articulated by Sandra Day O'Connor in *New York v. the United States*, Oliver Ellsworth, a member of the Connecticut delegation in Philadelphia, explained the distinction to the state's convention. This constitution does not attempt to coerce sovereign bodies, states, in their political capacity, but this legal coercion singles out the individual. Rufus King, one of Massachusetts' delegates, returned home to support ratification by recalling the Commonwealth's unhappy experience of the Articles of Confederation. Laws to be effective, therefore, must not be laid on states but upon individuals. At New York's convention, Hamilton, another delegate in Philadelphia, exclaimed, but can we believe that one state will ever suffer itself to be used as an instrument of coercion? That thing is a dream. It is impossible.

Justice O'Connor went on in *New York v. United States* to say, in providing for a stronger central government, therefore, the framers explicitly chose a Constitution that confers upon Congress the power to regulate individuals, not states. As we have seen, the court has consistently respected this choice. We have always understood that even when Congress has the authority under the Constitution to pass laws requiring or prohibiting certain acts, it lacks the power to directly compel states to require or prohibit those acts.

Mr. Speaker, I'm horrified by the manner in which the Executive Branch of the federal government is acting. I say this as someone who has often been critical of my party's view on border security. This isn't about border security anymore, it's about cruelty. The Executive Branch is routinely depriving people of their due process, ignoring the rule of law, ignoring clear and direct judicial orders, absconding those lawfully in this

country away from their homes, away from their families, away from their communities where they have worked, lived and thrived. It is terrorizing communities, including my own. It is disturbing local law enforcement by making every interaction with law enforcement one in which individuals, irrespective of their citizenship or legal --

Representative **CIMINO**: Point of Order.

The SPEAKER: The Member will defer. The Chair will inquire as to why the Representative from Bridgton, Representative Cimino, rises.

Representative **CIMINO**: Thank you. This isn't a referendum on the Trump Administration. I think we already won that election, so, I'd like to know how this pertains. Thank you.

On **POINT OF ORDER**, Representative CIMINO of Bridgton asked the Chair if the remarks of Representative LEE of Auburn were germane to the pending question.

The SPEAKER: The Chair understands the Representative from Auburn, Representative Lee, was discussing matters related to immigration, which I think the Chair would conclude is relative to the bill before us.

The Chair advised that the remarks of Representative LEE of Auburn were germane to the pending question.

The SPEAKER: The Member may proceed.

Representative **LEE**: Yes, I was talking about the disturbing nature in which this affects our local law enforcement, which every interaction they have, Mr. Speaker, is painted with the fact that they may be trying to take people out of their homes, away from their jobs, away from their families and absconding them to far-away places that they were never a citizen of.

Mr. Speaker, I take solace in the fact that the federal government does not have the power to compel us, the State of Maine, to join in its unconstitutional, unjust and immoral actions. I support the motion.

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

Representative **MACIAS**: Mr. Speaker, Colleagues, I rise in strong opposition to LD 1656.

I grew up under authoritarian rule. She stood just five feet tall, but to my sisters and I, my Mom towered. She wielded a tapered, flat stick she'd found the day we moved in. If we hadn't cleaned the house satisfactorily before she came home from work, she chased us with it and she always caught us. I tell you this because I've been thinking a lot about fear, about obedience and about power.

I grew up in a Christian household. We went to church Wednesday nights and twice on Sundays. We learned all about the rapture and Armageddon and how our Heavenly Father was coming back. 'I'll be back,' He said. If I were a Christian who believed Jesus was coming back and that the Second Coming was at hand, I think I'd be cleaning this house the best I could. I'd be housing the homeless, feeding the hungry, healing the sick, especially if I believed that God was angry and vengeful and not to be mocked. But instead, what are we doing here? We're debating how to facilitate our police forces rounding up the very people doing the work we refuse to do. We've debated bills to work them longer, pay them less and we certainly won't be giving them Paid Family Medical Leave. We're now deciding that we can't or won't welcome the stranger. We round up undocumented workers, but we leave their employers alone. The ones paying them under the table tax-free and tax relief, exploiting them in plain sight. What are we doing here? Now, we're directing our already overstretched police forces to do the work of federal immigration officers. Somehow, we've suddenly found the manpower and the money to do that. And then, we hear about legal immigrants, people who followed the rules, did

everything right, being detained and disappeared without due process, no phone call, no warning, no answers, their loved ones left behind, wondering what just happened, wondering if they'll ever see them again.

So, I ask again, what are we doing here? Because if this is about justice for all, I'm not seeing it. If this is about law and order, why are we only enforcing it on the powerless? If this is about being a nation under God, how is it that we've forgotten everything Jesus actually asked us to do? Let's stop pretending this about safety, order and discipline. It's about fear. And fear does not excuse injustice. We can do better than this. Vote yes on the motion Ought Not to Pass LD 1656 and let's work together to get our house in order.

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker, for letting me rise a second time, Ladies and Gentlemen.

The comments from the Good Representative from Auburn, this bill does not reference supremacy reference at all. So, I don't know where that was going. What the bill actually does, it does four things, Mr. Speaker. It prohibits restricting the sharing of information with ICE when they come here. It prohibits restricting the enforcement of federal immigration laws. We will not get in their way. It establishes a complaint process for either legislators or residents to the Attorney General for anyone who's violating those laws, and it establishes a duty to report the violations to the Attorney General. And the protections there are under the State Whistleblower Act.

What the bill actually does do, Sir, is it says either we're going to support ICE or we're going to declare our districts a sanctuary district in this State. That's what it does, sir.

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

Representative **SAYRE**: Thank you, Mr. Speaker. I would like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **SAYRE**: Thank you, Mr. Speaker. I believe I heard articulated by the Good Representative from Bridgton a novel theory, that once someone is elected, their policies cannot be discussed in this Body. I would welcome Members who subscribe to that theory to adhere to it, but I would like to ask whether it's expected that all Members of this Body should adhere to it.

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

Representative **ROEDER**: Thank you, Mr. Speaker. I do not rise to answer the question. May I speak?

The SPEAKER: Yes, you may.

Representative **ROEDER**: Thank you so much. I'm concerned a little bit with some testimony that I read from the Maine Municipal Association. It says municipalities must pay for the policing activities demanded by their law enforcement agencies, which include coverage of insurance products needed to answer complaints of violation of constitutional law. As drafted, this bill forces a municipality to pay for an expansion of activity for local law enforcement agencies at the expense of other real enforcement priorities for the community, with no compensation for the activity, while also expanding their legal risk exposure with no compensation.

For me, that is also terribly concerning in addition to the other bad effects of this bill, because I know the Bangor Police Department is always operating on a shoestring budget. I don't

wish to put any more stress, financial or otherwise, on our department. Thank you.

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

Representative **KUHN**: Thank you, Mr. Speaker. Just a couple of quick points.

First, there was an earlier assertion that there is an enforcement agreement in place right now with Wells. That's inaccurate, I'm not aware of any agreements currently in place.

Second, two things that we learned at the public hearing that others might not be aware of. One is the fact that enforcing these agreements imposes liability on municipalities for which they are not indemnified on the occasion that they engage in civil rights violations during enforcement activities.

The other thing is this idea that these agreements reinforce safety and wellness in our communities, and that; there's two different versions to that story. We heard a lot of testimony in the Committee that actually, fear of indiscriminate immigration enforcement where legal residents and even U.S. citizens can be rounded up actually makes our communities less safe, because people needing help are less likely to call for help, they're less likely to report crimes, they are less likely to testify in court. Even their U.S. citizen children are less likely to go to school.

So, this measure, which allows for the assistance of enforcement without really a lot of due process protections, actually will not make our communities less safe for many folks who are there. So, I ask the Body to support the pending motion.

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

Representative **UNDERWOOD**: Thank you, Mr. Speaker. Federal law will probably supersede anything the State passes. And the thing with this particular thing is, how many illegal aliens or illegal Mainers will be on the voting rolls as a result of something like this? Thank you, Mr. Speaker.

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

ROLL CALL NO. 540

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

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

ABSENT - Copeland.

Yes, 77; No, 71; Absent, 1; Vacant, 0; Excused, 2.

77 having voted in the affirmative and 71 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-751)** on Bill "An Act to Protect Workers in This State by Clarifying the Relationship of State and Local Law Enforcement Agencies with Federal Immigration Authorities"

(H.P. 1315) (L.D. 1971)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

LEE of Auburn

PUGH of Portland

SATO of Gorham

SINCLAIR of Bath

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

O'HALLORAN of Brewer

POIRIER of Skowhegan

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **POIRIER**: I stand today to speak in strong opposition of LD 1971, legislation that while claiming to protect workers in Maine instead undermines public safety, creates confusion in law enforcement and puts our State on a path towards becoming a *de facto* sanctuary jurisdiction, a direction I believe the Maine people do not support.

Let's be clear, LD 1971 restricts cooperation between our local State law enforcement and federal immigration authorities. It prohibits local agencies from sharing non-public information about immigration status and limits the circumstances under which law enforcement can comply with detainers or communication requests from ICE. But federal immigration law isn't an option, it's the law of the land.

Cooperation between local and federal law enforcement agencies is not about targeting immigrants, but about maintaining a coherent system of law enforcement. Undermining federal authority sets a dangerous precedent that encourages fragmented inconsistency and legal gray zones,

something our law enforcement officers should not be forced to navigate. Public safety should be our top priority. This bill makes Maine less safe. Limiting law enforcement's ability to cooperate with ICE prevents them from addressing individuals who could pose real risks, whether they have outstanding warrants, violent criminal convictions or are subjects of national security concerns.

Mr. Speaker, ICE does not prioritize deporting hardworking families without cause. Their operational focus is and has been on individuals with criminal records, deportation orders or pending felony charges. If local law enforcement cannot even notify ICE if someone's in custody who meets these criteria, we are choosing ideology over public safety. Imagine a repeat violent offender with a final deportation order arrested here in Maine. Under this bill, even if ICE has flagged that individual, our police may not be permitted to communicate with ICE about their status, let alone detain them for pickup. That's not compassion, that's negligence.

We must also acknowledge the will of the people. Polling data over the last decade has shown a consistent sentiment, Mainers do not support sanctuary-style policies. Polling has found that 65% of likely voters in Maine supported state and local law enforcement involvement in immigration enforcement. And yet this bill seeks to do the opposite, explicitly restricting that cooperation. A constituent of mine said this, and I'll quote, 'every single person that entered this country illegally and built a life here knows they built it on a very unstable foundation. They know that. What they counted on was that our laws would never be enforced. They made the wrong wager. It's not that they're bad people, but they knew the chances they were taking. Many of the people have lived here for 20 or more years. That was more than enough time to make it right and they did not,' end-quote.

Mr. Speaker, we cannot ignore the voice of the people. If we proceed with legislation like this, we risk sending a message to our constituents that their concerns about fairness, legality and safety have been dismissed. While this bill is titled as protecting workers, in practice, it has little to do with wages, working conditions or job protections. Rather, it advances a political agenda that seeks to distance Maine law enforcement from enforcing immigration law in any capacity. If we truly want to help workers, immigrant or native-born alike, let's focus on improving labor protections, fighting wage theft and investing in job training and legal aid. But let us not confuse those efforts with this bill, which is about isolating Maine from federal enforcement and undermining the rule of law.

Mr. Speaker, Maine can be both welcoming and lawful. We can embrace immigrants while also ensuring that our law enforcement agencies are empowered to cooperate with federal partners. LD 1971, even as amended, tips the balance too far, away from cooperation, away from public safety and away from the principles of equal enforcement under the law. I urge you to stand with law enforcement, with public safety and with the people of Maine and vote no on the pending motion. Thank you.

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

Representative **HASENFUS**: Thank you, Mr. Speaker. Everybody in this Body and every person who wears a badge as a Maine law enforcement officer has taken an oath, a solemn promise to uphold and defend the Constitution. Not a pledge to any party, person or king, but to our fundamental founding charter of liberty.

John Adams, one of the fiercest architects of our Republic, expressed this foundation as a government of laws and not men. Adams' fellow delegate, Benjamin Franklin, reminded us of the

equally essential maxim of justice, that is better 100 guilty persons should escape than one innocent person should suffer. This principle has long guided common law jurisprudence and can be traced back to the Middle Ages and a foundational principles of justice scribed into the Magna Carta. Even St. Augustin defined justice as giving every man his due. And what is more due to any individual, what is more inalienable than the right to be free from being taken by government authorities hiding their identity and shipping individuals to unknown locations with no meaningful opportunity to protest such actions?

These are not just lofty ideas, they are the very bedrock of liberty. And yet, we now face a moment in which the basic right to liberty in the fair application of justice is under assault. When an individual is seized by the government and shipped without notice to obscure holding facilities, due process is not a luxury, it is a moral imperative. The moment one is reduced to chains and shackles, the demands of justice grow only more urgent.

I never imagined that I would be standing here questioning whether the State of Maine should regulate when and how our police officers interact with their federal counterparts. But nor could I have imagined that I'd be living in a country where federal agents would appear in our communities in unmarked vans and masks, executing orders without question simply to meet arbitrary quotas. Nor did I imagine a time when our federal government would so routinely ignore lawful court orders instructing them to abide by basic constitutional principles. And yet, here we are.

Let me be clear, we cannot control federal agencies, and this bill does not try to do that. Nor does it prohibit legitimate law enforcement activities that protect the people of Maine. But we can decide how our police officers behave. We can ensure that their cooperation with federal immigration enforcement does not make them complicit in detentions or deportations that violate the Constitution or basic human rights. The rule of law requires that we adhere not to arbitrary power, but to a framework of rights, of due process and of equal protection for all people. Let us not abdicate our responsibility.

Representative **SOBOLESKI**: Point of Order.

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

Representative **SOBOLESKI**: The Member is referring his remarks to this side of the aisle.

On **POINT OF ORDER**, Representative **SOBOLESKI** of Phillips asked the Chair to remind Representative **HASENFUS** of Readfield to address the Speaker and not turn to the rest of the House.

The SPEAKER: The Chair has not really noticed the Member looking at the side of the aisle too much, but the Chair will remind the Member to address his comments to the Chair.

The Chair reminded Representative **HASENFUS** of Readfield to address his comments toward the Speaker.

The SPEAKER: The Member may proceed.

Representative **HASENFUS**: Mr. Speaker, let us not abdicate our responsibility. Let us defend the Constitution that we swore to uphold. Let us defend humanity. Let us ensure that in Maine, we are not just a government of laws, but a government of just laws, administered by people and officers of courage and conviction. Thank you, Mr. Speaker.

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

Representative **ARATA**: Thank you, Mr. Speaker. I oppose this bill just as I opposed the last one, based on the principle of voluntary cooperation of law enforcement. It's not up to us to either compel or prohibit cooperation. So, let's allow

law enforcement to do their job. If you opposed the last bill, you should be consistent and also oppose this one. Thank you.

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

Representative **FAIRCLOTH**: Thank you, Mr. Speaker, Colleagues of the House. A woman driving through Oxford County, Maine, sees a car crash. She stops to help, police arrive, they profile her as foreign, and this Good Samaritan woman, lawfully seeking asylum in America, is turned over to immigration agents, then shipped to a detention center on the other side of the country. Why? She rushed to help a stranger.

Stephen Miller, Trump's anti-immigration czar, issued the command, arrest at least 3,000 immigrants per day. Not carefully investigate evidence, not provide due process, simply a numeric command, arrest at least 3,000 immigrants per day. Trump's ICE director declares he will ship people out of country like, I quote, "like Amazon Prime for human beings," 3,000-plus human beings daily, shipped away like boxed packages, Amazon Prime style.

This Administration put American citizen children on a deportation flight, including a child with stage IV cancer; a child shipped without their cancer medication. This is how America treats an American? A carpenter in Maine while volunteering to repair a church is apprehended, turned over to Border Patrol, shipped away. A father spends his daughter's fourth birthday handcuffed to a hospital bed in Houlton while awaiting deportation. Mr. Flores Salazar lived in Maine, then shipped off to spend 65 days behind bars. A federal judge found, quote, "Flores Salazar had permission to be in America, had committed no crime and Border Patrol knew these things when it detained him." Shipped out, Amazon Prime style. Behind bars 65 days.

Colleagues, these stark, real cases present Maine with a historic choice. Laws were broken in the cases I've just described, but not by Mr. Flores Salazar, not by the Good Samaritan woman who stopped to help a crash victim. The pending legislation embodies law and order, a law-and-order response to many injustices committed by the federal government. Maine legislators swore an oath to our Constitution of the United States. We are empowered to avail our State of the Tenth Amendment, under which courts have specifically found that enforcement of federal immigration policy is a state option, not a state mandate. Many states have already chosen to opt out with policies similar to LD 1971.

LD 1971 improves fiscal prudence, public safety and basic justice. How? One, other states and localities have been sued for abetting federal immigration overreach, violating constitutional rights, leading to big-money judgments against those states. LD 1971 will protect our tax dollars. Two, LD 1971 empowers Maine to focus on real law enforcement. Crime is lower; lower in areas where police respond to immigrant and non-immigrant alike, with a public safety focus, so, all people feel comfortable reporting crimes, reporting unsafe working conditions, women feel safe reporting domestic violence without fearing they'll be shipped to some distant detention center. Three, LD 1971 helps Maine treat immigrants with a welcoming respect. All this is to Maine's great economic advantage. You know who commits fewer crimes than native-born Americans? Immigrants.

I started the Maine Multicultural Center in Bangor, why? Immigrants are good for business. Maine's working-age population, 411,000 now, is projected to decline to 302,000 in the next couple decades, a 25% drop. In founding Maine Multicultural Center, my ally was Bangor Mayor Nelson Durgin, a former Adjutant General of Maine who happened to be a Republican. We respected immigrants, who start businesses at

a higher rate than native-born Americans. Want economic development in Maine? Welcome immigrants.

ICE detention requests leading to immigrant imprisonment based on no crime? Unconstitutional. Exiling immigrants to torture prisons in El Salvador, sexual torture prisons in Libya? Unconstitutional. Imprison people in peacetime with bogus use of the Alien Enemies Act? Deport people without due process? Ignore *habeas corpus* in peacetime? Unconstitutional, unconstitutional, unconstitutional. LD 1971 protects Maine from cruel, unconstitutional actions unworthy of the greatest nation the world has ever known.

LD 1971 respects America's heritage. As a presidential candidate, John Kennedy wrote a book entitled *A Nation of Immigrants*, quoting the Declaration of Independence, condemning King George's restrictive immigration policies. George Washington declared, quote, "render this country more and more a safe and propitious asylum for the unfortunate of other countries," close quote. Candidate Kennedy celebrated new Americans, specifically seeking to change a then-racist immigration law, so as to welcome people of all colors, all continents, all religions and no religion. Candidate Kennedy chose this welcoming platform and the American people chose John Kennedy, who evoked the legacy of Lincoln.

Before Lincoln's presidency, there was a political party, the Know Nothings, their name derived from their secretive and sometimes violent methods about which they claimed to know nothing, as they sought to sabotage elections, demonize immigrants; most notably, Irish Catholics, once tarring and feathering a priest in Maine. The Know Nothings were politically successful before the Civil War. Lincoln thought for himself, surrounding himself with Irish immigrants, as recounted in a book on my desk, *Lincoln and the Irish*. Lincoln enjoyed the company of these reviled refugees, later admiring their strong commitment to the Union Army. Lincoln wrote of the Know Nothings, quote, "as a nation, we began by declaring that all men are created equal. We now practically read it as all men are created equal except negros. When the Know Nothings get control, it will read all men are created equal except negros and foreigners and Catholics. When it comes to this, I should prefer emigrating to some country where they make no pretense of loving liberty; to Russia, for instance, where despotism can be taken pure and without the base alloy of hypocrisy." Lincoln's words endorse John Kennedy's call to, quote, "honor all new citizens from whatever land they may come."

Today, right now, is pivotal in American history, a time by which we each shall be judged. Our Constitution is at stake. Now, today, is our chance to embrace the best part of the American character as embodied by the welcoming, compassionate spirit of Jack Kennedy, of Abe Lincoln and of that Good Samaritan Maine woman who pulled her car to the side of the road in Oxford County to help a man in need. She should not be in any detention camp. She is a Maine hero and no less a Mainer because she was born someplace else. Let's all press green in her honor. Thank you.

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

Representative **YUSUF**: Thank you, Mr. Speaker. I rise today in support of this bill, 1971.

Mr. Speaker, people come to this country because they believe it's a land of opportunity. A place where hard work can lead to a better life. They believe where there may be hardship in many parts of this world, here, they will have a fair chance to succeed.

Mr. Speaker, that hope doesn't exist in a vacuum. In a world where conflict, instability and uncertain waive many regions, this country has long been seen and will be as a beacon of hope. It's a place where people seek refuge from violence, persecution and oppressive systems. In my opinion, the chaos that we are witnessing today is not the failure of our immigration system, it's a result of political decisions designed to create fear and confusion, to make people believe our immigration system is broken.

I have lived in Africa and the Middle East and I have traveled to Europe. From my experience, Mr. Speaker, I can say without hesitation that this country remains the number one destination for those seeking a new start. And that's not by accident, it's because the strength of our institutions and the promise of what this country can offer. This is more than a policy debate, it's a moral imperative. For every immigrant who has risked everything to be here legally, for every family that continue to search for a safe and stable home, for every community that thrives on diversity and strength, we owe it our duty to defend that promise. Let us unite in the conviction that this country will remain a beacon of hope, a place where stability is not just a promise, but a reality for everyone who calls it home.

Mr. Speaker, I urge you to follow my lead and support this bill. Thank you.

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

Representative **LEE**: Thank you, Mr. Speaker. Anyone from any corner of the Earth can come to live in America and become an American. The torch of liberty symbolizes our freedom and represents our heritage. The compact with our parents, our grandparents and our ancestors. It is that liberty that gives us our great and special place in the world, for it's the great life force of each generation of new Americans that guarantees that America's triumph shall continue unsurpassed into the next century and beyond.

Other countries may seek to compete with us, but in one vital area, as a beacon of freedom and opportunity that draws the people of the world, no other country of the world comes close. This, I believe, is one of the most important sources of American greatness. We lead the world because, unique among nations, we draw our people, our strength, from every country and every corner of the world. And by doing so, we continuously renew and enrich our nation. While other countries cling to the stale past, here in America, we breathe life into dreams. We create the future and the world follows us into tomorrow. Thanks to each wave of new arrivals to this land of opportunity, we're a nation forever young, forever bursting with energy and new ideas and always on the cutting edge, always leading the world to the next frontier. This quality is vital to our future as a nation. If we ever close the door to new Americans, our leadership in the world would soon be lost. It is bold men and women yearning for freedom and opportunity who leave their homelands and come to this new country to start their lives over. They believe in the American dream. And over and over, they make it come true for themselves, for their children and for others. They give more than they receive, they labor and succeed and often, they are entrepreneurs. But their greatest contribution is more than economic, because they understand in a special way how glorious it is to be American. They renew our pride and gratitude of the United States of America, the greatest, freest nation in the world, the last best hope of man on earth.

Mr. Speaker, that open-borders liberal, that soft-on-illegals, bleeding-heart lefty who spoke those words in 1989 was Ronald Reagan. I'm forced, compelled, driven by every ounce and fiber of my belief in the beauty of Reagan's vision to ask,

Mr. Speaker, what has happened to us in the last 35 years that fills us with some insecurity, such sensitivity, such weakness that precludes us from knowing what Ronald Reagan and we as a country knew made our nation great?

This bill, sponsored by the Representative from South Portland, one of the most kind, impressive and capable human beings I've ever had the luck to know, a proud American who, as Reagan said, breathed life into the American dream, makes clear that Maine law enforcement will not participate in federal government activities that ignore the rule of law, ignore due process, punish those seeking to obtain their citizenship through legal channels and which are intended to disrupt that dream, the American dream. The job of Maine's law enforcement is to protect and serve our communities, and they do a damn good job at it. Essential to doing that job is that they are trusted by our communities. All of our communities. And so long as the federal government is doing immigration enforcement with such little regard for the rule of law, with such contempt for members of our communities, irrespective of the legality of their immigration status, we should not sublimate their mission of local law enforcement to the extrajudicial activities of the federal government.

This bill was amended over several work sessions to ensure that local and State law enforcement can participate with federal law enforcement in every joint law enforcement activity in which they presently participate, even including immigration enforcement, so long as the primary purpose of that collaboration is to enforce against violations of State and federal law. Taking the feedback of the Maine Chiefs of Police, we amended the bill to explicitly permit the continued participation of local law enforcement in task forces on terrorism, drug trafficking and human trafficking, even when the participation in those task forces touches upon immigration issues.

Mr. Speaker, the only thing more American than the foundational notion that everyone from everywhere can come to America and become American is the ability to civilly and passionately debate these issues. I so hope we can continue to do that today. But in doing so, I genuinely pray that each one of us, regardless of our party, can stop demagoguing this issue, see the humanity in each other and heed President Reagan's bright and hopeful vision of our country, not one based on blood and soil, but rather one based on an ideal that we are and will remain the freest nation in the world, the last best hope on Earth.

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker, ladies and gentlemen. Our great President Trump has been referenced a number of times during this debate. I'd like to do so as well.

In just 100 days, President Trump and Secretary Noem have delivered major victories addressing the crisis at the southern border, removing violent criminal illegal aliens from American communities and stopping the flow of illicit drugs into our homeland. He's accomplished more in 100 days than most presidents achieve in an entire lifetime. Promises made, promises kept. And on day one, President Trump declared a national emergency at the southern border. President Trump immediately reinstated Remain in Mexico and ended catch and release. Daily border encounters have plunged 95% since the President took office.

Under President Trump's leadership, Secretary Noem and Secretary Kennedy have reunited nearly 5,000 unaccompanied children with a safe relative or guardian. Five thousand children reunited with their parents, that were taken and trafficked into our nation.

Migrants are turning back before they can even reach our border. Migration through Panama's Darien Gap is down 99.99%. President Trump is finishing the border wall. The Department of Homeland Security already has 85 miles of new construction either planned or under construction. United States Customs and Border Protection and the U.S. Coast Guard have seized nearly 232,000 pounds of fentanyl and other illegal drugs, many heading for our own State here, stopping them from ever reaching our communities.

President Trump has fulfilled his promises to carry out mass deportations, starting with the worst of the worst criminals in the world, who we let illegally into our nation. The Trump Administration has empowered our brave men and women in law enforcement to use common sense and do their job, and we should not stand in their way when they come into our great State to do their job and arrest these criminals. Thank you, sir.

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

Representative **SATO**: Thank you, Mr. Speaker. What this bill really is about is due process, because what we're seeing right now on our streets and across the country and in our State is that there is a horrifying lack of due process.

Right now, people are being rounded up by law enforcement, law enforcement that are wearing masks, that are in unidentified vehicles. We're seeing students who are here legally on visas who are being arrested and disappeared simply for exercising their First Amendment rights. And just yesterday, here in Maine, four correctional officers were detained who were working at the Cumberland County Jail, purely on the basis of immigration and their legal status. And they weren't committing a crime, they were doing their job.

And so, I want to be clear that the folks who are being detained and arrested are not folks who are committing crimes. These are folks who are here just trying to live their lives and folks who are here and are in violation of immigration law is a civil violation, it is not a criminal violation. And so, what this bill truly seeks to achieve is to protect our due process and uphold our constitutional rights.

And we've heard a lot today about public safety and the concerns that this bill would not protect public safety. And I would argue the opposite. I would argue that this bill actually protects and uplifts public safety. Because what's happening right now is that new Mainers are not going to work, they're not sending their kids to school, they're not reporting crimes that they witness, they're not reporting crimes that they are victims of and they're not going to their court-appointed dates, because they're worried that they're going to be deported. And that fundamentally undermines our public safety if we are eroding trust in the system. Because we rely on our community to stand together to ensure that we are protecting each other. And if that trust is gone, our public safety is weakened.

We also keep hearing that the folks who are being rounded up are illegals. And when I hear that phrase, I think of the people that I know who live here legally on a variety of legal statuses and they live in fear every single day of being deported. These are folks who are on green cards, these are folks who are naturalized citizens, these are folks who have visas, who are legally allowed to live here and even those who have temporary protection from deportation; protection from deportation; who are living in fear every day because of the world that we are currently living in.

And I'll end with prior to my work here in public service, I worked at restaurants, worked in food service here in Maine and in New York. And I, for the majority, worked alongside immigrants. These are folks who we go to work every single

day, on time, sometimes not on time, we would get a drink after work, maybe play tennis together on the weekends, they made sure that they're feeding their kids, putting food on the table. Some of them actually go fishing, they love to hunt. And these are the folks who are being detained. These are the people in Maine who are worried that they're going to be separated from their family, that they're going to have to be sent back to their home country after living here for decades. This bill seeks to ensure that we are protecting Mainers and those folks who are living in our State. Thank you.

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

Representative **ARDELL**: Thank you, Mr. Speaker. Much has been said, and I've got to say, much is lacking in clear distinction between various statuses.

Early in my criminal investigative career, I worked as an immigration agent as part of the Alien Criminal Apprehension Program, known as ACAP, and conducted interviews in jails and prisons as an attempt to identify aliens either illegal or out of status due to criminal convictions.

The term 'alien' is a term of art, defined in law as someone who is a non-U.S. citizen present in the U.S. Now, a person who is an alien in the U.S. can be in several statuses, to include an immigrant, a permanent resident, someone with lawful permanent resident status who intends to live and stay here. A non-immigrant, a temporary resident with specific status relating to their visa, whatever type of visa they have of entry. It could be a work visa, it could be as a student. Or a third class, which is illegal alien. Someone; an alien and a person with citizenship from another country who is present in the U.S. and has no lawful status. All these statuses recognize an alien's lawful presence is not a right in the United States, but a privilege granted by a sovereign nation, the United States of America.

Now, immigration enforcement serves to ensure aliens present are lawfully so. And in the case of those aliens in jail or prison, to ensure that those people are not serving as threats to the United States, threats to the people of the United States or, in this case, Mainers. That jail or prison program serves to determine foreign-born inmates are lawfully present. It's not racist. Race is not an element of it. It's merely a public safety assessment.

This bill, however, serves to do a number of things. To start, it serves to conceal inmates' information from law enforcement to keep them from engaging in immigration enforcement activities. The bill serves to conceal a criminal alien's release information to stop holds, detainers, that are placed on them by immigration enforcement and serves to put that criminal alien back on the street. The bill serves to restrict enforcement access to make a determination of alienage via a simple interview without a court order, which is not a normal practice anywhere in the U.S. The bill serves to force a criminal-style *Miranda*-type warning to incentivize criminal aliens to lie in that interview. That is also not a standard practice across the U.S., because immigration enforcement is an administrative process and engages the Executive Office of Immigration Review, known as EOIR, special judges which make an administrative determination whether these aliens are lawfully present or not.

Even though it's been said in this Chamber a number of times so far, due process exists and it's being followed. And the bill additionally serves as a barrier to engaging criminal aliens in the jail by immigration enforcement, another normal process that has been in effect through numerous Chief Executives in the U.S. for decades.

So, in closing, if you'd like to return to your district with a vote that protects criminal aliens and puts them back on the street to engage your constituents with criminal acts, vote for this bill. If not, and you prefer to tell your constituents that you value your safety, I invite you to vote with me. Thank you.

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

Representative **RIELLY**: Mr. Speaker, immigration is key to America's and to Maine's identity. The ability to attract people from around the world to come here makes this country exceptional. Immigrants are friends, they're co-workers and family members. They start businesses, pay taxes and are engaged community members and make this State a better place to live.

In President Reagan's farewell address, he shared the following: "I've spoken of the shining city all my political life, but I don't know if I ever quite communicated what I saw when I said it. But in my mind, it was a tall, proud city, built on rocks stronger than oceans, windswept and God blessed and teeming with people of all kinds, living in harmony and peace. A city with free ports that hummed with commerce and creativity. And if there had to be walls, the walls had doors and the doors were open to anyone with the will and the heart to get there. That's how I saw it and see it still." While I disagree with many of President Reagan's policies, I do share his vision of America as a city; a shining city upon a hill, with a door open to anyone with the will and the heart to get here. I see the Constitution's guarantee of due process and equal protection before the law, regardless of immigration status, as the rocks holding up that city. Slamming that door shut and chipping away at those rocks isn't just an attack on immigrants, it's an attack on anyone who calls this country home. Further, it undermines the ideals of this nation and what makes America exceptional in this world.

President Reagan, myself and many immigrants see America as a shining city upon a hill. We must protect that, because it's up to all of us to ensure that it continues to shine. Mr. Speaker, what is happening right now in this country is a referendum on American exceptionalism, and I prefer an exceptional country, a shining city upon a hill. Please follow my light.

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

Representative **LANIGAN**: Thank you, Mr. Speaker. I've just got to pull up my notes here. I'm going to have to say we need to stop, we all need to collaborate and listen. Because back with a brand-new invention. Something grabs ahold of me tightly, flow like a harpoon daily and nightly. I don't know if it will ever stop, but we got to turn off the lights, and I'll glow. To the extreme, I rock the mic like a vandal. So, I just wanted to start off with that. Thank you. I was hoping someone would jump in and stop me from the other side, but no one stopped me, so, I had to keep going with it.

I wanted to rise; looking at this bill, a lot of the speeches that we're hearing, Mr. Speaker, really have to do with the last bill that I was in favor of and I voted as a yes on. This one here is about law enforcement. This is well above my purview as a person, but I will tell you as an individual whose wife just became a U.S. citizen in 2021 and her; I met my wife, who had a son here, she came from Colombia, we've been married for 18 years as of June 10th. I know for a fact that most immigrants that live in this country live here because of law and order. They live here because there's rules that are fair for everybody, not a particular class, not a particular last name. If our law enforcement are involved, there's a reason why they're involved and we should allow them to do their jobs, we should allow the

courts to do their jobs. There's laws on the books already for this stuff.

I didn't agree with the last bill, because I felt it was very easy to maybe misidentify and be hunting for the illegal immigrant or illegal alien. This bill is totally different. These are federal officers that are in our neighborhoods, maybe enforcing federal law, asking for the support of local law enforcement. We do this currently with the Maine DEA, with the federal DEA and our local police officers that are on loan to the DEA. Our local law enforcement get reimbursed by the federal government or the Maine DEA for that officer. So, this is a collaboration that's been going on for many years. It's not just because it's the new buzz word of immigration, Mr. Speaker. This is law and order. This is what we live in America for. This is fairness to all.

And I know my wife, for a fact, really gets upset when it's said that immigrants, you know, they don't; they feel like you're targeting them and stuff like that. It's a tough process to become a United States citizen. It's tough. You have to put in a lot of work. You have to be on your best behavior. You have to contribute to the society that you're going to live in. Those are requirements to become a citizen. It took us 12 years; 12 years with me in her life, to get that citizenship, between the cost, the hoops you have to jump through, the interviews, becoming a resident first, proving yourself there and then eventually becoming a U.S. citizen. What we're doing here today is we're diminishing that hard work that it takes to be a proud United States citizen. We're saying, you know what, the criminals, we're just going to leave them alone because they're breaking the laws, but I'm going to do everything right, I'm going to walk that straight and narrow path of law and order, and I'm going to turn a blind eye to the people that are not doing it the right way. Because it doesn't feel good. Because we want to clump every immigrant into one bucket, which I think is foolish.

I will say for a hundred percent, a lot of the hardest workers I've ever met out there are some of the South American immigrants that are here and I love it. I love them being here. But you know what? There's a path. There's a right way and a wrong way. And what this bill is about is, this is criminal activity that we're turning a blind eye to, it's not immigration. This isn't Joe with his kid going to the baseball game that they're looking for. They're not coming in with vans racing in and pulling him out of his coach's outfit and flipping the hat on the ground and taking his kids from him, screaming and crying with their ice cream falling on the ground. These are people that are part of gangs, these are people that might've raped or killed in another country and they're here because they're trying to escape that, they're trying to mask that under our immigration and our failed policies.

If you want more; better immigration, get on your federal Representatives and have them do something with immigration. All we're doing now is we're deterring federal law, we're deterring following the rules that immigrants come here for. Not because their last name's Smith, they get a break, or Escarte, or whatever it might be. They're here because it's fair and equal.

This bill, I will not be supporting, even though I supported the last one, because this bill right here isn't worth anything. This bill is also violating our local law enforcement's home rule. It's up to their citizens. I know Wells Police Department was mentioned earlier, right down the street from me. Guess what they did, they had enough pressure from their citizens there, their constituents, that they backed off of that whole agreement with ICE. So, that's up to the local law enforcement to do what they want to do with the federal government. It's not up to the State.

So, I just urge you all to really think about this, and when you're talking about immigrants, please do not devalue what they're trying to do when they do maybe come and overstay a visa and they hide for 10 years. Because, trust me, we have a contingency plan if my wife got deported back to Colombia with our four kids. It wasn't going to be easy, neither was becoming a United States citizen. So, please don't take that hard work that our immigrants are actually going through every single day and diminish it with a silly bill like this. Please. That's all I can ask, Mr. Speaker. Thank you so much for allowing me to speak.

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

Representative O'HALLORAN: Thank you, Mr. Speaker. I rise today with deep respect for this Chamber, for the immigrant communities of our State and with the utmost reverence for all law enforcement families who serve and sacrifice every day, and this includes my own.

My husband was a police officer, my father dedicated his life to law enforcement and so did my uncles. And now, a new generation, my cousin, is walking that same path of service. I know what it means to hold someone's hand as they put on a badge and go to protect our communities. And I know how seriously these men and women take the oath they swear to uphold the law and to defend the public with integrity and honor.

This is why I rise in opposition to LD 1971. This bill, however well intended, and I believe it truly is, begins to chip away at the lines of communication that are vital to keep our communities safe. We do have gang activity in Maine, even around my own community of Brewer. It is something we cannot pretend doesn't exist. Criminal networks do not stop at city or state lines, and neither should our collaboration as law enforcement agencies. We must be able to coordinate with Border Patrol, ICE and other federal agencies when it involves real threats to public safety.

We've learned painful lessons in this country about what happens when law enforcement agencies don't talk to each other. After the tragedy of 9/11, one of the core findings was that intelligence and law enforcement failed to share crucial information. LD 1971 threatens to re-create that exact type of situation where vital information is walled off and where our local officers are second-guessing whether they are even allowed to respond or how or when to assist.

Let me be clear, I believe in due process, just as I believe our law enforcement community does as well. I do not support using local police to round up families or punish those who are peacefully raising their children, working, attending school or even speaking out against injustice. We must treat all people with dignity. I would never want someone to be sent to a distant detention center, or worse, deported without due process and sent to face harm in another country. This should never happen in this country. This is not the America that my ancestors fought to defend. At the same time, we cannot ignore that Maine has been deeply enriched by our immigrant communities. They are our business owners, teachers, doctors, caregivers, farmers and neighbors. They contribute to our workforce, our schools and our culture. Maine needs immigrants, and they need to know they are welcome here. We honor their courage, their work ethic, their dreams. And this is not a question of whether we stand with immigrants – we do – but the solution is not to forbid our officers from sharing information, cooperating with federal agencies on real threats and enacting on public safety is truly on the line. No state or town should take on the role of ICE, I agree, but neither should states prohibit responsible coordination in the rare and serious cases where it matters most.

We can and must protect legal immigrants, children and workers while still supporting our officers and doing the job we expect of them. This means trusting our police chiefs, our sheriffs, our State police and our border patrol partners. That means respecting our judges and calling on all of them to ensure *habeas corpus* and due process are always upheld, not ignored. And I'm calling on them to act on this. LD 1971 as amended goes too far, in my opinion, in tying the hands of those sworn to protect us. Thank you.

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

Representative LOOKNER: Thank you, Mr. Speaker. I rise in support of the motion. I want to point out that earlier today, we heard from the Good Representative from Skowhegan that this bill undermines public safety and confuses law enforcement, and I just wanted to point out how a couple instances really point the other way how we need to put a lot of guardrails and ensure that the State of Maine's law enforcement is not complicit in mass deportations.

So, as we have already heard, several corrections officers at the Cumberland County Jail were arrested by ICE, detained, we don't know where they are. As a Member of the Committee responsible for ensuring public safety, we often hear about how counties cannot hire enough COs. You know why? Because being a CO is a really hard job. You know who's willing to do that job, Mr. Speaker? Immigrants. I don't know what undermines and confuses law enforcement more than having law enforcement arrest law enforcement. That wasn't the only example. In Arizona, on June 12th, a U.S. Marshal was arrested by ICE, seemingly for the crime of existing while having dark skin.

Mr. Speaker, mass deportations are not part of public safety. You know what is part of public safety? Homeless shelters, hospitals, places for our elderly to stay when they get too old to take care of themselves. Those are all part of public safety. I've had jobs doing all of these things. Those jobs are really hard. Those jobs entail cleaning up after people, cleaning up bodily fluids in many instances, doing thankless, grueling work. Mr. Speaker, do you know who are involved in those occupations taking care of our people? Immigrants.

But not just that, Mr. Speaker, I'm proud to be from a community that welcomes people from all over the planet, brings people in and makes them feel like they're a part of where they live. It makes it a much more vibrant place to live, it makes it a much more beautiful place to exist within all of that humanity and I'm proud to be from a city like that.

The last thing I wanted to say is that, yes, we are a nation of immigrants. I can trace my family to Jews fleeing the pogroms in Czechoslovakia, who arrived in New Jersey in the early 1900s and my great-grandfather sold shoelaces on the streets. The other side of my family, I can trace back to the *Mayflower*. You know what? We were all immigrants at one point. So, when you're about ready to push your button today, think about your ancestors. Think about what you're telling them. Think about our colleagues sitting in this Chamber right now who have parents from other countries, who may be themselves born somewhere else on this beautiful planet we all share. And think about what you're telling them when you press your button, Mr. Speaker. Thank you.

Representative DRINKWATER of Milford inquired if a Quorum was present.

The Chair ordered a quorum call.

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

The same Representative **MOVED THE PREVIOUS QUESTION.**

More than one-third of the members present expressed a desire that the **MAIN QUESTION BE PUT NOW.**

The Chair ordered a division on the motion to **MOVE THE PREVIOUS QUESTION.**

A vote of the House was taken. 53 voted in favor of the same and 80 against, and accordingly the motion to **MOVE THE PREVIOUS QUESTION FAILED.**

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

Representative **ROEDER**: Thank you, Mr. Speaker. Mr. Speaker, as we were listening to the prior speakers, I was a little confused. Because when I read the bill, something stood out to me; that this bill clarifies that a law enforcement agency, upon a request from the United States Department of Homeland Security, may arrest and detain a person and perform other law enforcement duties due to suspected criminal activity or other reasons not solely based on the person's immigration status. So, the concerns about having law and order prevail in our cities and towns, to me, seems unfounded if we're looking at the bill's text.

I also want to mention that as the Good Representative from Sanford said, there are a lot of immigrants following that straight and narrow path who are being deported, are being detained. I know of two in particular who have had their SIJS status revoked and are awaiting the next steps. They have every step of the way tried to do it the right way.

But mostly, Mr. Speaker, I'm getting *déjà vu*. Because in 2006; in fact, December 12, 2006, the Swift Meatpacking raids happened. And that was when a bunch of ICE agents went into Swift Meatpacking plants, detained a bunch of the workers, many of whom actually had legal status in the U.S., but many of whom did not. And keep in mind, these folks were working. The only criminal activity that they were accused of being part of was not having legal status yet in this country. And two-thirds of the children of undocumented immigrants are citizens.

I want to read a contemporaneous account, because this is what I remember from 2006. I was home visiting my parents and I picked up the *Minneapolis Star Tribune* because one of the Swift raids was in Minnesota. This is from Marshalltown, Iowa. Perhaps the most inhumane result of the ICE action last Tuesday is how it ripped parents away from hundreds of children at schools and with babysitters. In one small school district in Texas, 25 children were left in their care the evening of the raid. In Marshalltown, Iowa, a Hispanic ministry was caring for a breastfeeding infant whose single mother was detained. The baby refused a bottle and was struggling to eat. ICE transported her mother to a Georgia detention facility two days later. To this day, one week later, there is a small child still with a non-relative babysitter. We still cannot locate its only parent, presumed to be caught up in this raid.

Fast forward to this year, when at least one immigrant was taken from the streets near my district. I know that his family is still trying to secure a lawyer for him, they are trying to go through the right process. Again, this person was not picked up for anything other than being undocumented. And when we do this, when we do this with a sweeping action, when we engage with the federal government and agree to detain people only based on their immigration status, that does nothing for reducing crime in our communities, because what that's doing is pulling the police away from investigating those drug crimes, investigating those human trafficking crimes, investigating burglary, theft, whatever, and focusing solely on immigration status. It is a waste of our resources, it is a waste of our police

departments and we need to pass this law to prevent our police departments from having their efforts wasted. Thank you.

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

Representative **CARUSO**: Thank you, Mr. Speaker. I am very pro-immigration. My grandparents immigrated here in the early 1900s and I'm just grateful for the United States of America and for our immigration policy and the ability for people to come here. However, I stand in opposition to this language.

It's the language that was determined in a manner that I believe lacked integrity and process. Not because the concept of immigration, but because of the details of the language and the unintended consequences related to public safety for all Mainers. This language revamps how all Maine law enforcement across the State can do their jobs and it limits Maine law enforcement from working with federal counterparts. The language will make us less safe. Because local, county and State law enforcement work closely with our federal partners when it comes to drugs, human trafficking, sex trafficking, terror plots, child pornography and other heinous acts that are perpetrated against Maine citizens. Mainers absolutely need their law enforcement officers to be safe and to be fully informed. And they need to be free to keep Mainers safe and Maine laws enforced. That's what they do, law enforcement, they enforce Maine law and they keep us safe.

The last Amendment that we received came 15 minutes before the last work session and we were never able to hear from law enforcement officers. In fact, the Maine Sheriffs' Association received the Amendment hours after the work session and they have told me they're still opposed to it. When I asked during the work session if law enforcement was consulted or was a party to the amendment process, they were not. I was told that the lobbyist who wrote the Amendment did so in the spirit of law enforcement, which is great, but it's not someone who actually works day in and day out with the specifics in the law of how law enforcement can do their job according to the Constitution and according to Statute.

Although the Amendment removed a lot of the original language, even one word or phrase, though unbeknownst to us laymen, could have a huge impact on law enforcement's ability to do their job. And as I said in Committee, who are we sitting around the horseshoe, and who are we in this Chamber to actually tell law enforcement what they're like, what their Statute says, what are they able to do, like, they are trained, they go to the Academy to learn what they're able to do and what they're not able to do. For example, this bill requires a valid court order to interview an individual. But no judge is going to order an interview. They're not going to issue an order for an interview. There are constitutional Fifth Amendment rights that dictate interviews. I didn't know that. I needed my sheriff to explain that to me. Therefore, it appears this bill makes it impossible for law enforcement to conduct interviews.

This bill also states that law enforcement cannot detain solely on an individual's immigration status. So, Maine legislators would be sanctioning that it's okay to break U.S. law. There are constitutional Fourth Amendment rights that dictate when law enforcement can hold an individual. So, we are being asked to vote that the State of Maine disregard the U.S. Constitution and I think this is wrong on multiple levels.

You know, as a border state with three exposed sides, we have a duty to protect the country from invasion. Two of the 9/11 hijackers came through the Jackman border, right down my road, and flew out of the Portland Jetport. We don't have a handle on who's here now, and now we have the most active border than we have had at any other time. We've seen what

has happened in other states who have weakened or compromised law enforcement. We see what happened in California. According to our sheriff, quote, "there are presently zero examples of Maine local law enforcement independently enforcing immigration or other federal laws." This is not something that our local law enforcement are trying to do, that's not their purpose. But if we weaken our public safety protection and publicize that our law enforcement is not able to enforce law and not able to apprehend criminals, then none of us will be any safer and Maine will be welcoming criminals; those with evil or ill intentions.

We do not want Maine to be a haven for illegal, foreign criminals or a sanctuary state. We do not want Maine to be threatening public safety, threatening the lives of our frontline law enforcement officers and failing to uphold our border duty state. It's unconstitutional and it violates the Fourth Amendment. So, I stand to oppose that the Maine Legislature would be attempting to circumvent federal law for these reasons, but mostly because we have no business telling officers how to do their job, not inviting them to the process, not having them approve the Amendment to make sure that it's within their bounds to actually do this and they wouldn't be violating other law that we don't know about because we're not law enforcement. And I urge my colleagues to vote no on the pending motion.

The SPEAKER: The Chair recognizes the Representative from Palermo, Representative Smith.

Representative **SMITH**: Thank you, Mr. Speaker. Today, I've heard a lot about people who will leave one day and not go home to their family that night because they'll be whisked away. What I don't hear about are people like Gloria, who lives less than 10 miles from me and was involved in a deadly car accident because of an illegal alien and also will never go home to her family. Her obituary said that her smile would light up a room, to meet her was to love her. Her husband, children and grandchildren were her whole world.

I think that we are overlooking the Maine people who also are suffering in this State with crime that is going unchecked and if this bill were to pass, further crime that would go unchecked. A few of the recent local Maine headlines regarding illegal immigrants include illegal immigrant scammer caught by Penobscot Sheriffs' Department after extorting money from elderly Hermon resident, two Massachusetts men arrested after impersonating DOJ officials and scamming a Maine woman, Scarborough police just on Saturday assisted the U.S. Border Patrol with a suspicious death investigation after stopping a vehicle with eight occupants and Border Patrol agents arrest MS-13 gang member in Portland, Maine, for being illegally present in Maine.

I don't think that we should sacrifice the safety of the Maine people for the comfort of those who have entered our country illegally. I've stood on the southern border and I've held in my hands hundreds of documentation of identity papers from people who entered our country who left them there. We have no idea who is in our country and if we don't allow our law enforcement to work with federal immigration officers, we won't know who's here now. It's our responsibility to protect mothers like Gloria and the people of Maine any way we can, using any method that we have available to us. It's important to the safety of Maine, it's important to the immigrants of Maine. We need to be able to prosecute, take people off the street that will harm us. Please oppose this motion. Thank you.

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

Representative **DOUDERA**: Mr. Speaker, thank you. I rise in support of the pending motion, because my constituents have asked me to stand up against profiling and against the indiscriminate picking up of people solely based on their immigration status.

And I want to tell a quick story, Mr. Speaker. My grandfather, a Vermonter, was a young man in the 1920s. He and his friend went to attend a rally that they had heard a whole bunch about. They were on the outskirts of the rally when they heard the speakers talking against Jews, against blacks, against Catholics, against French-Canadians. And my grandfather and his friend looked at each other and said, 'we better get out of here because we're next.' And sure enough, they were Italian-Americans, they were at a rally of the Ku Klux Klan which took place in the '20s.

And I have never forgotten that story, and what is happening in our country now and in our State is making me think of that. Who is next? If we can be doing this to our friends and our neighbors who are here helping in our State, trying to make a living, trying to do the best they can, we're not talking about criminals, we're talking about people. And we're saying that this is un-American. Unfortunately, I have to disagree with that. I think it's been all too American in our past, but I think it represents the worst of what America is. And we need to stand up in this Legislature and be for the best that America has. So, I urge my colleagues to support the pending motion. Thank you.

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

Representative **ALBERT**: Thank you, Mr. Speaker. I am an immigrant by genealogy from France. *Je parle aucun français*. There are two ways to live in this country, legally and illegally. And the search now is to find those that came here illegally. What this bill does; look at that flag. We pledge allegiance to the flag and to the United States of America. This bill works against that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lowell, Representative McIntyre.

Representative **McINTYRE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I've been watching this bill since inception and this is one that's very visceral. So, I'm going to do my best to control my passion.

I did a lot of reading in preparation for this one, because I believe words matter. So, in reading the title, you don't have to go past the first four words, "An Act to Protect." That is what I do. I protect people. Then I reread just the Preamble of the Maine Constitution. "We the people of Maine, in order to establish justice, insure tranquility, provide for our mutual defense, promote our common welfare, and secure to ourselves and our posterity the blessings of liberty." Then, Mr. Speaker, I had to reread *The New Colossus*. "Give me your tired, your poor, your huddled masses yearning to breathe free."

Then, I reread all 428 pages of the 9/11 Commission Report. And I would suggest for those that have not, it's a read, but I'll synopsise. The 9/11 Commission Report lays out the timeline of how the attacks were planned and executed, how key indicators of the impending attack were missed, how improved communication amongst varied tiers of law enforcement authorities could have potentially reduced the severity of the attack and ultimately produces the bipartisan recommendations for actions necessary to mitigate the chances of a similar future event. Within those 428 pages, there are seven appearances—and you can Control-F to find it—seven appearances of the exact phrase "state and local law enforcement." I will not repeat

all of them, but I will highlight a few. Again, I told you the Report gives a timeline. The first appearance: "In 1996, a new law enabled by the then-Immigration and Naturalization Services to enter;" there was a new law enabled by INS to enter into agreements with state and local law enforcement agencies through which INS provided training and local law enforcement exercised immigration enforcement authority. Mayors in cities with large immigrant populations sometimes imposed limits on city employee cooperation with federal immigration agents. Fast-forward through the timeline, in the summer of 2001, and I quote, "state and local law enforcement were not marshaled to augment the efforts of intelligence that was on the wire." The terrorists exploited deep institutional failings within our government. Fast-forward to the reports, the bipartisan recommendations, there is a growing role for state and local law enforcement agencies. They need more training and work with the federal agencies so they can cooperate more effectively with those federal authorities.

Mr. Speaker, I believe in immigration. Legal immigration. By those that come here to build a better life for themselves and that strive to be contributing members of our State and our great nation. I could stand here today and attempt to read all 2,977 names of the innocent victims that day. I could regurgitate almost all 412 names of the first responders that lost their lives. I will not utter the 19 names of the hijackers that were here illegally. God will commit their names to His memory. I will offer only one name, U.S. Secret Service Special Officer Craig Miller, and I hope he hears me.

In this Chamber, Sir, we talk a lot about lived experiences. Many in this Chamber probably saw and heard some of the sights and sounds of what happened in New York City. But what no one in this room, I speculate, and forgive me if I'm wrong, was subjected to the other three senses. Nobody in this room felt the percussive blast detonation while standing approximately 2,000 feet from the Pentagon. Nobody in this room tasted burning jet fuel. And no one in this room smelled the acrid scent of burning human corpses. I didn't want to take this trip down memory lane, but here we are. Sir, none of those five exposures, those senses, I would never wish that upon anybody, and I will do all I can to make sure it never happens again. I cannot, however, stand silently by and watch as we set ourselves up for a repeat of the horrors of that day. Mr. Speaker, this will not happen on my watch. Thank you.

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

Representative **KUHN**: Thank you, Mr. Speaker. I wanted to make two comments to offer some additional information on the comments from my colleague on the Judiciary Committee.

First is the suggestion that legislation is improper if it hasn't received the rubber stamp or the seal of approval from a particular stakeholder. That's not how this works. The Legislature makes laws related to law enforcement and crimes all the time. In fact, we have a whole Committee for it, and sometimes law enforcement agrees, sometimes they don't, because we have policy differences. But it is absolutely appropriate and proper for things to come to this Body that have not had a seal of approval from law enforcement or any stakeholder. That is our work to do to figure out the right path forward.

Second, I wanted to address the question of task forces, because this is something that the Committee worked closely with in work session and I know the bill's Sponsor put a lot of time into it. There's been some assertion that adopting this law would limit local law enforcement's ability to engage in task forces and also to be eligible for funding that comes into the

State through participation in those task forces. So, the amended bill explicitly permits participation in those task forces, and I'm looking at §4763, Paragraph 2-C, and it says notwithstanding anything else in Section 1, the following activities are permitted, and it includes conducting enforcement or investigative duties associated with a joint law enforcement task force, including sharing confidential information with another law enforcement agency, including a federal law enforcement agency or executing a warrant for the purpose of a task force investigation if; and Subparagraph (2) says the enforcement or investigative duties are primarily related to a violation of State or federal law, including, but not limited to, terrorism, drug trafficking or human trafficking.

So, I just want to say that these task forces are specifically excluded and to say otherwise in plain contradiction to the bill language honestly feels like a fear tactic. Thank you.

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker. The Alien Registration Act of 1940, also known as the Smith Act, requires all non-citizen adults over 14 years old in the United States to register with the federal government within 30 days, including being fingerprinted, or they are illegally in our nation.

I've heard the term unconstitutional and due process a number of times today, and I think we've seen it play out across the nation in courtrooms, over and over again, this issue has been brought up and time and again, the Administration has prevailed and the Administration is acting constitutionally in their actions. Thank you.

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

Representative **DHALAC**: Thank you, Mr. Speaker. I thought you forgot about me, but here we are.

Mr. Speaker, Esteemed Members of the House, I rise today in strong support of LD 1971. A bill that will ensure the State of Maine protects the dignity, due process and public safety for all who call our beautiful State home.

As a Sponsor of this bill, let me be clear, as amended, LD 1971 is narrowly tailored bill that clarifies and defines the boundaries between the role of State law enforcement and federal immigration enforcement. This bill does not prevent Maine law enforcement agencies from doing their job. Instead, it provides clarity, especially it will ensure that Maine law enforcement can focus on their primary mission, safeguarding our communities and upholding the State laws.

I also want to make clear that this bill does not make Maine a sanctuary state, Mr. Speaker. There is nothing in this bill that prohibits Maine law enforcement from cooperating with federal law enforcement on serious crimes, Mr. Speaker. The bill also clarifies that local and State agencies can continue working with federal partners to investigate serious crimes like terrorism, drug trafficking, human trafficking and child pornography, so long as those efforts are not focused on immigration enforcement, which is solely a federal responsibility.

Right now, Mr. Speaker, we are seeing individuals with valid work permits, no criminal records and even pending lawful immigration cases being turned over to federal immigration authorities by local officials. As my colleagues, the Representative from Gorham and Representative from Portland stated earlier, we learned that just yesterday, corrections officers in Cumberland County, a member of the law enforcement community, was detained by ICE. As someone who has worked with immigrants and refugee communities for decades and as someone who is an immigrant myself, I can tell you this, Mr. Speaker: the people this bill aims to protect are

your neighbors, your coworkers, your children's classmates. They want what we all want, Mr. Speaker; to work hard, live peacefully and contribute to everything that makes our beautiful State a great State. With all of this in mind, Mr. Speaker, I respectfully urge each and every one of us to vote yes on LD 1971. Thank you, Mr. Speaker.

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

Representative **CIMINO**: Thank you, Mr. Speaker. I know my comments will pale in comparison to those that were offered by Representative McIntyre, but I will do my best.

I rise in opposition to LD 1971. While the Fifth Amendment of the Constitution does guarantee due process to all persons within the U.S., and yes, that does include immigrants, expedited removal is allowed and enforceable when certain non-citizens lack proper entry documents or have produced fraudulent documents at the border. And I would suggest that that's probably 99% of the people who have crossed our borders.

I support legal immigration and I oppose illegal immigration. I do not support the rights of illegal immigrants over the rights of U.S. citizens. To my colleagues who have stated that most of the immigrants who are here are here legally; I mean, are here and they're kind and they don't commit crime, I would like to just remind them that a number of MS-13 gang leaders involved in violent crimes, extortion and, yes, illegal firearm possession, they were part of the ones targeted by the Trump Administration to be removed from this country. For those who have said that they are not violent, well, some of them are. To the parents who lost seven-year-old Ivory Smith, killed in a crash caused by Joel Enrique Gonzalez Chacin in Texas in 2024, I don't think they think every illegal alien who is here is harmless. Kayla Hamilton, Jocelyn Nungaray and Rachel Morin, murdered by illegal aliens. Dominique Durden, killed in a motorcycle accident caused by illegal immigrants.

In 2023, U.S. Immigration and Custom Enforcement reports that enforcement and removal operations arrested 73,822 non-citizens with criminal histories, and this group had 4,390 associated charges or convictions related to sex and sexual assault. I just want to reiterate; 2023. That wasn't during the Trump Administration, that was during the Biden Administration. So, clearly, even President Biden was cognizant of the fact that there were illegal aliens here who posed a threat to the United States.

In closing, we are a nation of immigrants, but we're a nation of legal immigrants. My grandparents were immigrants, but they came here legally. They wanted the same thing, they wanted to assimilate, they wanted to be part of America and the American dream. Let's not make Maine a sanctuary state. Let's help our law enforcement and let's help our federal agents protect this State. Thank you.

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

ROLL CALL NO. 541

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

Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

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

ABSENT - Copeland, Sargent.

Yes, 74; No, 73; Absent, 2; Vacant, 0; Excused, 2.

74 having voted in the affirmative and 73 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-751) 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-751)** and 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 items appeared on the Consent Calendar for the First Day:

(S.P. 374) (L.D. 841) Resolve, to Study the Delivery of Emergency Medical Services to and Ferry Service Effects on Island Communities in the State Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-414)**

(H.P. 1189) (L.D. 1778) Bill "An Act to Update Provisions of the Maine Administrative Procedure Act" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-749)**

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

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

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

ENACTORS

Acts

An Act to Establish Bail Officers to Administer the Maine Bail Code

(H.P. 346) (L.D. 527)
(C. "A" H-715)

An Act to Allow Residents of the Department of Corrections to Opt In to Additional Restitution for Their Victims

(H.P. 352) (L.D. 533)
(C. "A" H-736)

An Act to Address Coercive Control in Domestic Abuse Cases

(H.P. 438) (L.D. 670)
(C. "A" H-727)

An Act to Remove Certain Wharves and Piers from the Laws Governing the Current Use Valuation of Working Waterfront Land

(H.P. 486) (L.D. 744)

An Act to Clarify Licensing Jurisdiction for Manufactured Housing Communities

(H.P. 614) (L.D. 949)
(H. "A" H-735 to C. "A" H-491)

An Act to Amend the Personal Property Tax Exemption for Individually Owned Personal Property

(H.P. 990) (L.D. 1506)
(C. "A" H-729)

An Act to Increase the Maine Historic Property Rehabilitation Tax Credit in Rural Areas

(H.P. 1173) (L.D. 1755)
(C. "A" H-712)

An Act to Establish a Post-judgment Review Process for Crimes Committed by Victims of Sex Trafficking and Sexual Exploitation

(S.P. 705) (L.D. 1805)
(C. "A" S-407)

An Act to Increase Penalties for Human Trafficking Offenses

(H.P. 1248) (L.D. 1877)
(C. "A" H-723)

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

Resolves

Resolve, Directing the Department of Health and Human Services, Office of Behavioral Health to Convene a Working Group to Propose a Plan for Expanding the Reach of Treatment Courts

(H.P. 841) (L.D. 1266)
(C. "A" H-721)

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

An Act to Permit Sealing Criminal History Record Information of Victims of Sex Trafficking or Sexual Exploitation

(S.P. 741) (L.D. 1871)
(C. "A" S-408)

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

On motion of Representative POIRIER of Skowhegan, 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. 542

YEA - Abdi, Albert, Ankeles, Archer, Arford, Babin, Beck, Bell, Blier, Boyer D, Boyer M, Brennan, Bridgeo, Bunker, Caruso, Cloutier, Cluchey, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Eder, Faircloth, Farrin, Faulkingham, Foley, Fredericks, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lanigan, Lee, Libby, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pomerleau, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Wood S, Yusuf, Zager, Mr. Speaker.

NAY - Adams, Ardell, Bagshaw, Bishop, Campbell, Carlow, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Flynn, Foster, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Quint, Rudnicki, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Woodsome.

ABSENT - Arata, Copeland.

Yes, 89; No, 58; Absent, 2; Vacant, 0; Excused, 2.

89 having voted in the affirmative and 58 voted in the negative, with 2 being absent and 2 excused, 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**.

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-346)** - Minority (5) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Require Hospitals and Hospital-affiliated Providers to Provide Financial Assistance Programs for Medical Care"

(S.P. 755) (L.D. 1937)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-346)**.

TABLED - June 13, 2025 (Till Later Today) by Representative MEYER of Eliot.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

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

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

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

Representative **JAVNER**: I rise today in opposition to the pending motion. I apologize; was there a motion that she put forward?

The **SPEAKER**: The pending question is Acceptance of the Majority Ought to Pass as Amended Report.

Representative **JAVNER**: Thank you. I rise today in opposition to the pending motion. LD 1937 seeks to completely rewrite our existing hospital charity care law, requiring our hospitals to provide millions more in charity care at a time when our health care system has never been more fragile.

Since the Legislature convened in January, we've had one hospital, three labor and delivery units and a hospital-based children's behavioral health service announce their closure. At the same time, our hospitals have had delayed and reduced Medicaid payments for over two months due to a lack of a supplemental budget and Congress is currently considering over \$700 billion in cuts to Medicaid, which will certainly increase the charity care and bad debt burden on our hospitals. Is now really the time for the State to be adding to that burden?

It's also important to recognize that our hospitals give away far more money than they keep today. In Fiscal Year 2023, hospitals gave away almost \$180 million in uncompensated care. In Fiscal Year 2023, they had a net loss of \$12 million. This is based on MHDO data. Other data sources are less reliable. Hospitals in Maine have the highest percentage of charity care in New England. Proponents of this bill talked about how hospitals' charity care losses have declined recently, like it was a bad thing that needed fixing. It is true that charity care has declined since Medicaid expansion, but that's a good thing; reducing charity care was a good outcome from Medicaid expansion. It's something many voters wanted to see when they voted for Medicaid expansion. We shouldn't turn around and act like this decline is a bad thing as supporters of LD 1937 have done. This makes no sense.

The Maine Center for Economic Policy wrote an op-ed opposing the cuts to Medicaid currently being debated in Washington. They said many hospitals, particularly in rural areas, are already on shaky ground. Reconciliation could result in higher level of uncompensated care when uninsured patients can't pay. That pushes hospitals further into the red and could lead to service reductions or closures. This is especially concerning in rural areas, where provider options are limited and the loss of a single hospital could mean residents must travel hours for essential care. I share their concerns. However, policy changes that drive up hospital uncompensated care are not just bad when Congress does it, this legislation does it, too.

I understand that health care is expensive and that many of our constituents face significant challenges in accessing affordable care. But this bill doesn't address the cost of health care, it simply squeezes the balloon and puts pressure on one side of the equation. The one side of the equation, I would note, that cares for all, regardless of ability to pay. And I fear that this bill is going to pop that balloon. A recent study found that Maine's larger hospitals are the fifth poorest, second most heavily indebted and fifth oldest nationally. Hospitals in Maine are surviving day to day, with many having less than 30 days' cash on hand. This debate will sound very silly if services and

care become so deficient statewide that our constituents can't access care and charity care in our communities. Thank you.

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

Representative **MEYER**: Thank you, Mr. Speaker, Women and Men of the House. The core purpose of this piece of legislation is to protect low-income Mainers from crushing medical debt and improve access to hospital financial assistance programming.

A Consumers for Affordable Healthcare survey of Mainers released in March of this year showed 45% of Maine households incurred medical debt in the last two years. Eighty percent of those Mainers with medical debt attribute that debt to a hospital-based service, care delivered at a hospital. Now, while not all of those Mainers would qualify for financial assistance from our hospitals, those at the lower end of the socio-economic scale may. However, more than half of the Mainers who incurred hospital debt in the last two years were not aware that Maine hospitals are required to provide medically necessary care for free for Mainers who meet certain income guidelines.

This bill does not create a new program, federal law requires nonprofit hospitals to offer some level of charity care and financial assistance as a condition of their tax-exempt status. So, what does this bill do? It will increase the income eligibility level for free care from 150% to 200% of the federal poverty level. For context, that's approximately \$31,000 gross annual income for an individual and about \$53,000 annually for a family of three. Many hospitals are already providing free care up to 200% of FPL. It will reduce barriers to accessing the charity care program by improving how hospitals promote the availability of free care and it simplifies the application process. It will standardize payment plans, currently different from hospital to hospital, and it will require that repayment plans are reasonable and will not exceed more than four percent of monthly income. By July 1, 2026, it requires the hospitals provide an online application process.

I realize that these are difficult times for our hospitals, already operating on thin margins, and I share the concerns of every Mainer about downsizing and closures, both actual and potential. But free care programs make up a very small percentage of hospital revenues, less than one percent. Yes, hospitals are struggling for a number of very real reasons, but the free care program is not among them. And financial difficulty impacts Maine people, too. Families, working people, older folks, for whom medical debt can deal a crushing blow to tight household budgets for those already living close to the edge.

Finally, the bill reflects the overwhelming support of our constituencies. Eight in 10 Mainers support requiring hospitals to increase and improve their federally required financial assistance programs. The people of Maine understand that receiving health care should not be the cause of financial hardship and that hospitals should be a part of the solution. Thank you, Mr. Speaker.

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

Representative **QUINT**: Thank you, Mr. Speaker. If this Body continues to pass the types of bills that we are passing, we won't have to worry about free health care at all in rural Maine, we won't have hospitals open, we won't have medical facilities available. At some point, we need to stop. We need to realize that medical care is not free. It's not free. Somebody has to pay for it. Somebody's paying for it. When you go to the hospital and you get free medical care, it's not free. It just doesn't come out of nowhere.

We're passing laws in this building that are shutting down departments in rural areas and pretty soon they'll be shutting down our hospitals. We won't have to worry about free care, Mr. Speaker, none will be available. Thank you.

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

Representative **ZAGER**: Thank you, Mr. Speaker. I believe the debate has been framed. I'm rising in support of the pending motion on LD 1937.

I just want to inject a little bit of data, so that we can understand how this is calibrated, because there are pros and cons on either side, but this is not a major burden. Why do I say that, Mr. Speaker? If one were to go to the National Association of State Health Policy, NASHP, and look at their tool.nashp.org resource, one can see that as a percent of net patient revenue; net patient revenue—that's not gross, that's net patient revenue—the charity care is ranging basically up to 1.9% of their net patient revenue. So, this is not a major thing going on. In fact, the one that is 1.9% already meets the standard in this bill of 200% of FPL. So, the others are; charity care is the following percentages as a percent of net patient revenue: 0.2, 0.3, 0.5, 0.3, -0.1, 0.7. It's basically all between zero or -0.1% and 0.8%.

So, this is a lot; a lot of benefit for the people who are struggling the most, the people that we represent. And I recognize that it is an additional burden, but it is a very small burden on the hospitals. Thank you, Mr. Speaker.

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

Representative **CIMINO**: Thank you, Mr. Speaker. While one percent may seem very small, if you factor in MaineCare, MaineCare's medical program makes up about 18% of the total hospital business in the State. And that varies, with the rural hospitals, actually, the figure can be as high as 55%. So, when you look at one figure isolated as one percent and it seems kind of innocuous, I think we need to look at the whole picture, and this is precisely why hospitals are failing.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Mr. Speaker. I try to control myself, I really do, but when I hear some of the things I'm hearing, it just gets to me.

On one hand, a person is talking about low-income Mainers, those struggling the most. And on the other hand, I'm talking about, let's cover basically 75% of Mainers to get free hospital care. It just; it doesn't pass the sniff test. You see, Mr. Speaker, the low-income Mainers and those struggling the most right now get free care at the hospitals. Every one of these poor people, whether they know it or not, they get free care at the hospitals. That's not what this bill is about. What this bill does is it says that a family of three can make up to \$53,000 a year and get free care. I don't know of very many people of a family of three that makes \$53,000 a year; first of all, they have medical insurance. Making that kind of money, you have medical insurance, you don't need free care. Second of all, maybe there's a place in Portland where you move to that \$53,000 for a family of three, you're in the poverty level, maybe. What I recommend is that they move to Chelsea, because you can live pretty good on \$53,000 in Chelsea, so, we'd love to have you, we have plenty of room.

Second of all, what really blows my mind and why I voted no in Committee on this is that up to \$106,000 a year, you get reduced rates at the hospital. Really? Mr. Speaker, who makes \$106,000 a year, doesn't have better insurance than I have and needs reduced rates at a hospital? Who? That's some good cash. Now, I hate to break it to you, but over 75% of Mainers

fall in this category. We just have to get Channel 6 News in here and let the people of Maine know that they get free care at the hospitals. And then, if you think we have a problem, we're going to have a bigger problem. This is ridiculous. And to have people stand up and speak about how we're helping low-income Mainers struggling? Who making \$100,000 a year is struggling? If you're struggling, come see me, I'm a financial advisor, I'll help you out. I know there's plenty of people in this room that would like to make \$100,000. But yet, we're including them in low-income Mainers and people who are struggling the most? I don't think so.

So, yes, I think we need to focus, whether it's one percent of the hospital's cost, that's not what matters, the hospital; why should they be paying for this? I'm all for helping low-income Mainers. I'll be the first person to vote for it. I want to help every low-income Mainer. But this is not what this does. The hospitals already have a very generous program and it works. We do not need this bill, it is a waste of money and time and it hurts our hospitals, especially since we decided in this Legislature that we're not going to give COLAs to anybody who works there and we're not going to pay these hospitals. You don't have to worry, you can pay us; we can pay you in two years. So, we want our hospitals to be paid in two years and we want them to give away the farm. Really?

What I ask all the Members here to think about is, pretend that you own the hospital, that it's yours now, because I'd like to ask the Good Representative from Portland if he were asked to give free care to every patient that comes to him that meets this criteria, how he'd end up doing in his business. I am positive that's not going to happen. Because I've asked doctors around whether or not they'd do this and they're like, no, no way. That's why years ago, doctors separated their bill, anesthesiologists separated their bills from hospitals. Back when I was 20 years old, you got one bill from the hospital. It included everybody. And then, the surgeons and other doctors working in the hospital, anesthesiologists said, wait a minute, we're losing too much money here, we're going to separate ourselves. Now we don't have to give that free care out, but the hospitals do. Why?

This is ridiculous. I ask everybody to vote no on this because the people; the hospitals already take care of everyone who really is low-income. Thank you.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative Stover.

Representative **STOVER**: Thank you, Mr. Speaker. I guess it is on, the light went out. Thank you, Mr. Speaker. I rise today in strong support and as a Sponsor of this bill.

Uncompensated care, we can call it charity care, it has existed in our health care institutions for a very long time, it serves a very specific purpose. I have been a trustee for Lincoln Health for more than a decade. We went through a period of time when we did not have Medicaid expansion, when our percentage of uncompensated care almost closed our doors. That we struggled because we were caring for the people who needed our help the most and we will continue to do so.

So, I'd ask my colleagues to remember that health care institutions across the State have always had a place in providing care regardless of anyone's ability to pay. This bill strengthens that, and I would ask you to follow my light. Thank you.

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

ROLL CALL NO. 543

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

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

ABSENT - Copeland, Lanigan.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-346)** was **READ** by the Clerk.

Representative JAVNER of Chester **PRESENTED** House **Amendment "A" (H-707)** to **Committee Amendment "A" (S-346)**, which was **READ** by the Clerk.

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

Representative **JAVNER**: While I strongly believe that now is not the time to increase the financial and regulatory burden on our struggling hospitals, today I propose House Amendment "A" that accomplishes much of what the majority wants while mitigating the negative impact on our hospitals. My Amendment expands eligibility, focused on the uninsured. It reasonably regulates how hospitals administer the program and it both mandates and regulates payment plans. The heart of LD 1937 is preserved in this Amendment.

Before I close, it is true that LD 1937 was amended both from the original proposal introduced last session and by the Health and Human Services Committee this session, but this bill is not a compromise. It's better than it was, but it's still a bill that places a significant financial and regulatory burden on our hospitals and offers them nothing in return in terms of support. When taken together with unprecedented cuts coming from Washington, delayed and reduced MaineCare payments and the baseline challenges our hospitals face, will this bill be the bill that breaks the camel's back or pops the balloon? I don't know, but I don't want my constituents nor yours to experience the loss of services that could result.

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

Representative **MEYER**: Thank you, Mr. Speaker, Women and Men of the House. The purpose of LD 1937 is to improve equitable access to hospital financial assistance and to protect income eligible everyday Mainers from the burden of medical debt. The proposed floor Amendment undermines the original intent of the bill and the good-faith negotiation process that took place over the last two years between consumer advocates and the Maine hospitals.

At the request of the hospitals, the Committee I Chair made further changes to the bill this year to resolve many of the hospitals' primary concerns, including extending the timeline for creating an online application. This additional proposed Amendment is unnecessary and would only serve to weaken the vital consumer protections LD 1937 seeks to establish and in our current Statute. Limiting the increase in free care eligibility to only the uninsured as this floor Amendment proposes is a significant divergence from our current charity care policy and would exclude low-income Mainers between 150% and 250% of poverty who are underinsured or who have high-deductible insurance plans from medical debt relief.

I urge you to reject this floor Amendment and to continue to support LD 1937 as proposed.

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

Representative **FOLEY**: Thank you, Mr. Speaker. When we talk about charity care, I think it's important that we recognize that as of today, the State of Maine owes the hospitals \$484 million. The top five hospitals that the State owes is Eastern Maine Medical Center, \$72 million; Maine Medical Center, \$68 million; Central Maine Medical Center in Lewiston, \$51 million; MaineGeneral Medical of Augusta, \$45 million; and St. Mary's Medical in Lewiston, \$29 million. How much more are we going to try to take from them? Thank you, Mr. Speaker.

Representative **KESSLER** of South Portland **REQUESTED** a roll call on **ADOPTION** of **House Amendment "A" (H-707)** to **Committee Amendment "A" (S-346)**.

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-707) to Committee Amendment "A" (S-346). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 544

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

NAY - Abdi, Ankeles, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Cluchey, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre,

Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

ABSENT - Copeland, Lanigan.

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

71 having voted in the affirmative and 76 voted in the negative, with 2 being absent and 2 excused, and accordingly **House Amendment "A" (H-707) to Committee Amendment "A" (S-346) was NOT ADOPTED.**

Subsequently, **Committee Amendment "A" (S-346) 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" (S-346)** in concurrence.

Representative **FREDETTE**: Point of Order.

The **SPEAKER**: The Chair would inquire as to the Representative from Newport's Point of Order.

Representative **FREDETTE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I'm just trying to check, I see an email that came in, it's dated June the 17th, 2025, in regards to amendments to the budget. I'm not quite sure I've seen the budget in terms of a final product or the final numbers or a final written product. And so, I guess I'm not sure if the Body is aware, but there's a deadline to submit requests by no later than 4:30 today, but I guess, Mr. Speaker, my question is, how is it that we're supposed to put amendments to a budget when I'm not aware that I've seen a printed budget or a budget with final numbers on it? Thank you, Mr. Speaker.

The **SPEAKER**: The Chair would inform the Member that the budget is online.

COMMUNICATIONS

The Following Communication: (S.C. 553)

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

June 16, 2025

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Judiciary on Bill "An Act to Remove Barriers to Becoming a Lawyer by Establishing a Law Office Study Program" (H.P. 480) (L.D. 738) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 554)

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

June 16, 2025

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted Report "B" Ought Not to Pass from the Committee on Veterans and Legal Affairs on Bill "An Act to Allow Participation in the Adult Use Cannabis Tracking System to Be Voluntary" (H.P. 1107) (L.D. 1672) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 555)

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

June 16, 2025

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted Report "B" Ought Not to Pass from the Committee on Judiciary on Bill "An Act to Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females When State Funding Is Provided to the School" (H.P. 156) (L.D. 233) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

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" (H-753)** on Bill "An Act to Increase General Assistance Reimbursement for Municipalities and Indian Tribes"

(H.P. 638) (L.D. 978)

Signed:

Senator:

INGWERSEN of York

Representatives:

MEYER of Eliot

DEBRITO of Waterville

GRAHAM of North Yarmouth

MCCABE of Lewiston

SHAGOURY of Hallowell

ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-754)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

DAIGLE of Fort Kent

GRIFFIN of Levant

JAVNER of Chester

LEMELIN of Chelsea

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **JAVNER**: Thank you, Mr. Speaker. I rise today in opposition to LD 978.

While I recognize the challenges our municipalities face, this bill encourages an ever-growing dependence on State funds rather than address the root causes that drive people to rely on General Assistance in the first place. We need solutions that promote long-term self-sufficiency, not policies that simply expand the government spending without accountability. This bill also fails to incentivize innovation at the local level. Instead of encouraging municipalities to create effective, cost-conscious assistance programs, it sends a message that the State will always pick up the tab, regardless of efficiency or outcomes. Let's focus on helping people move forward, not creating a system where temporary help becomes a permanent fixture.

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

Representative **MEYER**: Thank you, Mr. Speaker, Women and Men of the House. LD 978 makes changes to the General Assistance program.

So first of all, it limits housing assistance through GA to a maximum of 12 months in a 36-month period. Additionally, it provides an incremental approach to increasing the State's share of the direct GA costs incurred by our municipalities. Currently a 70/30 split, this bill would move that to 75% and then, beginning in July 2027, to 80%. The initiative reduces the burdens placed on property taxpayers in all municipalities while

being mindful of the State's fiscal pressures. Thank you, Mr. Speaker.

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

Representative **BOYER**: Thank you, Mr. Speaker. Despite paying property taxes in Portland, this is clearly a Portland bailout and I won't support it. Thank you.

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

Representative **BLIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand what the objective is here today, but the real issue is that majority of the State will pay for GA reimbursement to just a small portion of the municipalities that are within our State.

If you look at the reimbursement rates given of what municipalities receive for GA reimbursement from the State taxpayer, the five largest cities are Bangor, which is over a three-year period, '22-'23-'24, is about two and a half million, Westbrook is at \$1.3 million, Lewiston is at \$3.3 million, Sanford is at \$1.4 million, and South Portland is at \$2.5 million. Those five communities together is \$11 million. Having said that, Portland; which provides a great service, I'm not talking about the services that that Portland provides for a lot of the people within our State; but if those five communities are \$11 million, what would you suspect Portland to be? Portland, Mr. Speaker, is eight times greater, at \$78 million. That's what the State pays the City of Portland for GA reimbursement.

I can't even make sense of that in my brain. There's no way they did eight times more services than the five other largest communities. That tells me that either their reimbursement rate, what they're giving out is not accurate or something just doesn't jive. Oh, and by the way, that doesn't include the \$22 million we gave them in the 131st Legislature and the other \$14 million we gave them in the 130th Legislature and the four million that's given in this year's budget.

Portland has run away with our checkbook, and this is another way for them to continue running away with our checkbook. Policies that they put in place that is affecting their community and all of us are paying for it. I'm against this bill, Mr. Speaker. Vote in opposition. Thank you.

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

Representative **ZAGER**: Thank you, Mr. Speaker. LD 978 is indeed a revision of the GA Statute. I think it's important for a couple of things to be pointed out, so that people understand the GA Statute, which is lengthy.

One is that it is mandate from the State to provide GA. The municipalities must provide GA. The State doesn't fund; doesn't reimburse it in its entirety, meaning that it's largely an unfunded mandate. Now, the way it plays out, Mr. Speaker, is that there are service centers in the State who do not seek to be service centers, but are providing what the Statutes says they're required to. It is a money loser, if one is to look at human services purely on dollars-and-cents terms, which it is not, but we of course also have to consider the dollars and cents. It's a money loser. So, when people think that Portland is making money or that Lewiston is making money on GA, that's patently false, because it's largely an unfunded mandate.

So, it's also important to remember that these service centers are serving people from many other municipalities besides their own. And in discussions about this bill, the Committee heard a list of 135 municipalities that receive; people from 135 municipalities that receive services in Portland. So, this is not Portland making money, it's actually Portland losing money and all the other service centers. It's an unfunded

mandate for complying with the law. And the service centers are taking care of people from more than; in that case, it was 135 people on the list, 135 municipalities on the list. Thank you very much, Mr. Speaker.

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

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I want to thank the Good Representative from Portland for his diligent work to find a way, find a solution to a difficult problem, finding a way to make sure our most vulnerable are taken care of.

General Assistance is the safety net. Mr. Speaker, I graduated from college in 1981 and shortly after that, I became a public health nurse. I grew up in Bangor. And my family said, wow, you're so busy there, why are so many people in Portland wanting your help, wanting public health? Because; my response was because that's where the services are. And it continues to this day.

This isn't about Portland, this isn't about Lewiston, this is not about Bangor, this is about the people of Maine. This is about the young person who's struggling to make it, the person who's trying to actually live and be able to rent an apartment. And they may be from Machias, they may be from Dover-Foxcroft, they may be from Lubec, they may be from Waldoboro. But they come to Portland.

So, Mr. Speaker, I want to say thank you to my fellow HHS Members. We worked as hard as we possibly could to find a solution that would work, and this is it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Mr. Speaker. Nobody here is against General Assistance. We're all for it. However, when there is a disparity like there is, like the Gentleman from Buxton explained, Portland has \$120 million given out in GA, of which the State plays \$80 million of. What this bill does is it expands that to give Portland more payback. So, instead of costing Portland money, it costs them less money. Right now, as the Representative from Portland described, there's 135 municipalities, people from those municipalities that come to Portland to get GA. Gee, I wonder why.

Now, some people will stand up and say, well, that's because that's where the services are. No, Augusta has the same services. We can pay your rent here, we have every service Portland has. So, why does everybody go to Portland? It's a really simple solution, they're not going to tell you, but it's because Portland will give GA to anybody that fills out the form. And they'll tell you they're following the manual that was sent to me, it's about this thick and I guarantee you that the person that handles GA there has never even read the darn thing. But that's the difference. See, come to Chelsea, my town manager will actually have you fill out the application and then see if you qualify for GA. If you do, she's glad to give it to you. We all are. But she actually does her job. I can go to Portland right now, and I make pretty good coin, I own real estate. I could fill out a GA form in Portland, I live in Chelsea, I guarantee you I will get GA, one hundred percent, money back guarantee, won't even be denied. That's where the problem is.

By passing this bill, what we're doing is empowering the person in Portland to give out more GA, because it costs the city less money. If anything, we should make it 50/50 out of Portland, and then you'll see the GA go from \$120 million down to where every other city is. I wouldn't have a problem if the GA out of Portland was \$40 million, even though all the other cities are far less, I'd say, okay, maybe there's a lot of needy people

in Portland. But \$120 million? What, are you joking? A hundred and thirty-five municipalities? I wouldn't be bragging about that.

The first question that come to your mind, Mr. Speaker, as the leader here, is wow, I'd better look into that. Why is a person from Caribou, and there is one, going to Portland, Maine, for GA? They have GA in Caribou. Plenty of it. Probably the only person applying. They'll hand it out to you. What do you need to go to Portland for? Oh, because the person in Caribou said, oh, no, see, you make too much money. You know that cabbage field you own? That brings in some cash. I'm sorry, you're not going to; you don't qualify. I really would love to give it to you. And then, they go to Portland, they fill out the form and they're like, wow, that was pretty easy. You don't need a PhD to figure this out. There's a problem. There's a huge problem here.

Passing this bill doesn't help more people with GA that need it. Passing this bill is ridiculous. It's poor management. It's ignorant. Because we already have GA. A hundred and twenty million out of one city? So, yes, I don't oppose this because I'm against GA. I don't oppose this because I don't want people to be helped. I oppose this bill because it leads to possible corruption. Thank you.

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

Representative **BLIER**: Thank you, Mr. Speaker. Thank you for allowing me to rise a second time. I just wanted to bring some clarity. The list that I got is '22, '23, '24, the total reimbursement on that is roughly \$100 million. The five communities that I mentioned earlier is \$11 million, Portland is \$78 million, that means everybody else in the State of Maine, total reimbursement is \$11 million. Just to give you an idea.

Secondly, to the Good Representative from Portland mentioned that this is an unfunded mandate, well, get in line, because we have a lot of unfunded mandates here in the State of Maine. So, you know, if we're going to talk about paying for these particular items, I think we should talk about some other mandates that the State is putting forward that are unfunded. So, Thank you, Mr. Speaker.

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

Representative **CHAPMAN**: Sorry, Mr. Speaker, I was working on floor amendments.

It's long been known the government that gives everything, takes everything. I think we could find employees if we didn't pay them to stay home and make it very difficult to come off the welfare system, that cliff, something I've talked about long before I came here. And then these handouts don't encourage people to go to work. I get it, there are people in need, I understand, I've been there myself, I think a lot of people have. But this shouldn't happen and I strongly urge everybody, this shouldn't pass. Thank you, Mr. Speaker.

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

Representative **ADAMS**: I just want to point out the obvious. There's 1.4 million people in the State of Maine. We literally could give a million dollars and some change to each person in the State of Maine, which is less than what we're paying on GA. Thank you.

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

ROLL CALL NO. 545

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

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

ABSENT - Copeland, Lanigan, Lookner.

Yes, 75; No, 71; Absent, 3; Vacant, 0; Excused, 2.

75 having voted in the affirmative and 71 voted in the negative, with 3 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-753)** 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-753)** 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 Withdraw from the National Popular Vote Compact"

(H.P. 161) (L.D. 252)

Majority (8) **OUGHT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on May 20, 2025.

Came from the Senate with the Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** in **NON-CONCURRENCE**.

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

Representative FAULKINGHAM of Winter Harbor **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

Representative **BAGSHAW**: Thank you, Mr. Speaker, Colleagues. LD 252 is a common-sense bill that upholds our constitutional Electoral College system by withdrawing Maine from the National Popular Vote Compact.

The Electoral College respects the will of all 50 states individually in deciding who will serve as President of the United States. It gives small states like Maine a proportional advantage when compared to the National Popular Vote; oh, sorry. It gives small states like Maine a proportional advantage when compared to the National Popular Vote scheme.

The NPV Compact dilutes the votes of Maine people by replacing their voice with the votes of Americans from the most populous states and cities throughout the country. Under NPV model, every Maine citizen could vote for candidate A, but if candidate B wins national popular vote, all four of Maine's Electoral College votes would be awarded to the candidate for whom not a single Mainer voted for. This is fundamentally undemocratic and while this scenario is unlikely, it's theoretically possible, considering Maine's population constitutes a miniscule percentage of our nation's total voting population.

Indeed, in the most recent presidential election, more than 50% of Mainers voted for Kamala Harris, yet if NPV Compact were in effect in 2024, all four of Maine Electoral College votes would've gone to Donald Trump. Don't get me wrong, I support President Trump, but I don't support him receiving all of our State's Electoral College votes when the will of Maine people is the opposite. That would be fundamentally wrong and undemocratic. If the compact were in effect in 2024, Donald Trump would've won the Electoral College by a resounding 521-to-17 victory. Tens of millions of voters in most blue states would have seen their Electoral College votes awarded to a candidate they did not support.

There's still time for us to right this wrong on this vote here, LD 252. Withdrawing from the National Popular Vote Compact means respecting the will of the Maine people. It means respecting the Constitution. It means respecting that Maine's electors actually reflect the candidate for whom Mainers voted for. Please follow my light.

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. 546

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

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Montell, Morris, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Rudnicki,

Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Campbell, Copeland, Lookner.

Yes, 71; No, 75; Absent, 3; Vacant, 0; Excused, 2.

71 having voted in the affirmative and 75 voted in the negative, with 3 being absent and 2 excused, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

Non-Concurrent Matter

Bill "An Act Regarding Sun-grown Cultivation in the Medical Use and Adult Use Cannabis Industries"

(H.P. 1268) (L.D. 1897)

Minority (2) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-714)** in the House on June 16, 2025.

Came from the Senate with the Majority (10) **OUGHT TO PASS AS AMENDED** Report of the Committee on **VETERANS AND LEGAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-713)** in **NON-CONCURRENCE**.

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

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

Non-Concurrent Matter

Bill "An Act to Permanently Fund 55 Percent of the State's Share of Education by Establishing a Tax on Incomes of More than \$1,000,000"

(H.P. 711) (L.D. 1089)

Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in the House on June 11, 2025.

Came from the Senate with the Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-648)** in **NON-CONCURRENCE**.

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

Representative FAULKINGHAM of Winter Harbor **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-411)** on Bill "An Act to Provide Safe, Short-term Housing to Indigent Individuals Recently Released from Correctional Facilities"

(S.P. 110) (L.D. 244)

Signed:

Senators:

BEEBE-CENTER of Knox

CURRY of Waldo

Representatives:

HASENFUS of Readfield

ABDI of Lewiston

BUNKER of Farmington

LAJOIE of Lewiston

LOOKNER of Portland

MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello

MCINTYRE of Lowell

NUTTING of Oakland

PERKINS of Dover-Foxcroft

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-411)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-411)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-411)** in concurrence.

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-396)** on Bill "An Act Establishing Alternative Pathways to Social Worker Licensing" (S.P. 528) (L.D. 1298)

Signed:

Senators:

BAILEY of York
HAGGAN of Penobscot

Representatives:

CIMINO of Bridgton
CLUCHEY of Bowdoinham
FOLEY of Wells
MASTRACCIO of Sanford
MORRIS of Turner
OLSEN of Raymond

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-397)** on same Bill.

Signed:

Senator:

BALDACCI of Penobscot

Representatives:

MATHIESON of Kittery
ARFORD of Brunswick
BOYER of Cape Elizabeth
FLYNN of Albion

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-397)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-396)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-396)** in **NON-CONCURRENCE** and sent for concurrence.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-320)** on Bill "An Act Regarding Cannabis Testing and the Manufacture of Cannabis and Hemp Products"

(S.P. 603) (L.D. 1488)

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

SUPICA of Bangor
BOYER of Poland
CHAPMAN of Auburn
FREDERICKS of Sanford
HYMES of Waldo
TERRY of Gorham

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

Signed:

Senator:

DUSON of Cumberland

Representatives:

FAIRCLOTH of Bangor
FROST of Belgrade
GRAHAM of North Yarmouth
MALON of Biddeford

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-320) AS AMENDED BY SENATE AMENDMENT "B" (S-409)** thereto.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-320)** was **READ** by the Clerk.

Senate Amendment "B" (S-409) to **Committee Amendment "A" (S-320)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-320) as **Amended by Senate Amendment "B" (S-409)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-320) as Amended by Senate Amendment "B" (S-409)** thereto in concurrence.

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

Six Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass** on Bill "An Act to Change the Definition of 'Machine Gun' in the Maine Criminal Code" (S.P. 409) (L.D. 953)

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

O'HALLORAN of Brewer

POIRIER of Skowhegan

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

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

LEE of Auburn

SATO of Gorham

SINCLAIR of Bath

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "A" (S-364)** on same Bill.

Signed:

Representative:

PUGH of Portland

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

READ.

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

Representative POIRIER of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **Ought Not to Pass**.

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

The SPEAKER: The Member may proceed.

Representative **POIRIER**: Thank you, Mr. Speaker. I rise today in opposition to the pending motion and in strong support of LD 953. This bill seeks to modernize and clarify our State's legal framework concerning machine guns, aligning it with federal standards and ensuring that our laws effectively address public safety concerns.

Currently, Maine's definition of a machine gun is outdated and ambiguous. The term 'projectiles' in our Statute is inconsistent with the federal definition, which uses the term 'shots.' This discrepancy has led to confusion and potential misclassification of firearms, including those designed for lawful purposes such as hunting and sports shooting. LD 953 proposes to amend this definition to mirror the federal standard, specifying that a machine gun is a firearm that can discharge more than one shot with a single pull of the trigger. This clarification ensures that our laws are precise, enforceable and in harmony with federal regulations.

I understand that discussions around firearm legislation can be contentious. However, this bill is not about infringing upon rights of responsible gun owners, it's about ensuring that our laws are clear, consistent and effective in addressing modern challenges. By aligning our definition of machine gun with federal standards, we eliminate ambiguity and enhance the

ability of law enforcement to protect our citizens. Mr. Speaker, I urge you to oppose the pending motion and support aligning our laws with federal standards. Thank you.

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

Representative **KUHN**: Thank you, Mr. Speaker. I just wanted to clarify that the current definition of machine gun has been in law for 50 years and has not been subject to ambiguous interpretation, it has worked just fine. I think the impetus for this legislation is to align the federal definition following a federal court decision that was interpreted to prohibited bump stock bans. So, this change would prohibit any ban on any rapid-fire enhancement devices in the future. So, I would urge the Body to support the pending motion. Thank you.

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

ROLL CALL NO. 547

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

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

ABSENT - Copeland, Gifford.

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

76 having voted in the affirmative and 71 voted in the negative, with 2 being absent and 2 excused, and accordingly Report "B" **Ought Not to Pass** was **ACCEPTED** in **NON-CONCURRENCE** 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:

SENATE PAPERS

Non-Concurrent Matter

Resolve, Establishing the Commission to Study the Foreclosure Process

(H.P. 117) (L.D. 184)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-726)** in the House on June 16, 2025.

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

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

Representative FAULKINGHAM of Winter Harbor **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. 548

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

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

ABSENT - Copeland, Cray, Gifford, Lanigan.

Yes, 73; No, 72; Absent, 4; Vacant, 0; Excused, 2.

73 having voted in the affirmative and 72 voted in the negative, with 4 being absent and 2 excused, and accordingly the House voted to **RECEDE AND CONCUR**.

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

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Amend the Appointment and Confirmation Process for Certain Judicial, Civil and Military Officers

(S.P. 668) (L.D. 1715)

Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 16, 2025.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY** was **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-256)** in **NON-CONCURRENCE**.

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

Representative HENDERSON of Rumford moved that the House **RECEDE AND CONCUR**.

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

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

The SPEAKER: The Member may proceed.

Representative **MOONEN**: Thank you, Mr. Speaker. At the risk of being ruled out of order, I view this bill as a power grab by the Other Body.

This bill means that a simple majority of Senators can confirm anyone, regardless of what happened at the confirmation hearing, regardless of whether or not any of those Senators served on the Committee that held the confirmation hearing, regardless of whether those Senators asked questions, were satisfied with the answers. This gives the Other Body all of the power on confirmations, takes it entirely away from the House and makes the confirmation hearing completely pointless, and I ask this Body to reject the power grab of the Other Body. Thank you, Mr. Speaker.

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. 549

YEA - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Crafts, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foster, Fredericks, Fredette, Golek, Greenwood, Guerrette, Haggan, Hall, Henderson, Jackson, Javner, Lance, Lavigne, Lee, Lemelin, Libby, Lookner, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Paul, Perkins, Poirier, Pomerleau, Quint, Rana, Rudnicki, Sato, Schmiersal-Burgess, Simmons, Sinclair, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White R, Wood P, Wood S, Woodsome.

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

ABSENT - Copeland, Cray, Gifford, Lanigan.

Yes, 72; No, 73; Absent, 4; Vacant, 0; Excused, 2.

72 having voted in the affirmative and 73 voted in the negative, with 4 being absent and 2 excused, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

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

Non-Concurrent Matter

Bill "An Act to Bring Fairness in Income Taxes to Maine Families by Adjusting the Tax Brackets and Tax Rates"

(H.P. 152) (L.D. 229)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-649)** in the House on June 11, 2025.

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

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

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:

(S.P. 688) (L.D. 1770) Bill "An Act to Provide Immediate and Long-term Property Tax Relief to Maine Households" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-423)**

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

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

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

ENACTORS

Act

An Act to Provide Property Tax Relief to Maine Families

(S.P. 659) (L.D. 1665)

(C. "A" S-416)

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

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

Emergency Measure

An Act to Address Maine's Housing Crisis by Limiting Municipal Impact Fees on Housing Development and Transferring Oversight of the Housing Opportunity Program to the Maine Office of Community Affairs

(H.P. 982) (L.D. 1498)

(C. "A" H-734)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and 12 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Chapter 113: Assisted Housing Programs Licensing Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services

(H.P. 639) (L.D. 979)

(C. "A" H-743)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 4 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Remove the 12-month Waiting Period for the Maine Resident Homestead Property Tax Exemption

(H.P. 167) (L.D. 264)

(C. "A" H-730)

An Act to Preserve Affordability in Publicly Assisted Housing Developments

(H.P. 670) (L.D. 1041)

(C. "A" H-740)

An Act to Clarify the Tax Treatment of Prepaid Wireless Telecommunications Service in Maine

(H.P. 685) (L.D. 1056)

(C. "A" H-747)

An Act to Build Housing for Maine Families and Attract Workers to Maine Businesses by Amending the Laws Governing Housing Density

(H.P. 1224) (L.D. 1829)

(C. "A" H-748)

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.

Resolve

Resolve, to Establish a Commission to Study the Role of Private Equity in Maine's Economy and in Key Economic Sectors

(H.P. 1302) (L.D. 1943)

(C. "A" H-739)

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**.

An Act to Create Economic Opportunity for the Wabanaki Nations Through Internet Gaming

(H.P. 769) (L.D. 1164)

(C. "A" H-393)

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

On motion of Representative BOYER of Poland, 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. 550

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

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

ABSENT - Copeland, Gifford.

Yes, 87; No, 60; Absent, 2; Vacant, 0; Excused, 2.

87 having voted in the affirmative and 60 voted in the negative, with 2 being absent and 2 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act Regarding the Authority to Transport Prisoners Confined in Jail and the Use of Physical Force with Respect to Prisoners and Persons Who Have Been Arrested

(H.P. 1145) (L.D. 1710)

(C. "A" H-738)

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

On motion of Representative HASENFUS of Readfield, was **SET ASIDE**.

Representative MOONEN of Portland moved that the Bill be **TABLED** until later in today's session pending **PASSAGE TO BE ENACTED**.

Representative SALISBURY of Westbrook **REQUESTED** a roll call on the motion to **TABLE** the Bill until later in today's session pending **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 to Table the Bill pending Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 551

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

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

ABSENT - Copeland.

Yes, 69; No, 79; Absent, 1; Vacant, 0; Excused, 2.

69 having voted in the affirmative and 79 voted in the negative, with 1 being absent and 2 excused, and accordingly the motion to **TABLE** the Bill until later in today's session pending **PASSAGE TO BE ENACTED FAILED**.

Subsequently, Representative SINCLAIR of Bath **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: The Chair recognizes the Representative from Bath, Representative Sinclair.

Representative **SINCLAIR**: Mr. Speaker, I voted in favor of this bill when it first came before the Body, with the intent of bringing forward a floor amendment to require the use of video in the transport vehicles during the time of transport. I certainly am concerned about the same issues, the same concerns that I believe brought forward the bill, that being the safety of the corrections officers who were doing the transportation. However, I also have concern for the well-being of the defendants who are entrusted to their care. The majority of these vehicles already have video in place. The floor amendment would simply require that before using any force that would be authorized under this bill if it's Enacted, the corrections officers would've ensured that the video is turned on at the start of the transport. The idea behind that is clear. It's to help keep those inmates safe at the same time as we're keeping the other participants in the system safe.

The SPEAKER: And just for the sake of clarity from the Chair, there is not a floor amendment before the Body at this point.

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

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

I have deep concerns about this bill before us. Having served on the Criminal Justice and Public Safety Committee, we heard from the sheriffs, specifically Sheriff Joyce, that he transports roughly 3,000 people from his jail to hospitals or various other places every year and they've never actually needed the authority, they've never needed this before.

I will be voting no on Enactment. I voted in support of the amended version, but I also, having heard from my Good Friend from Bath, I share his concerns about the safety of people who are being transported were we to not require that cameras be installed in transport vehicles and on the person of the officers that are doing the transportation. So, I'll be voting no on this.

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

Representative **SALISBURY**: Thank you, Mr. Speaker. Mr. Speaker, I'm the Sponsor of this bill, and I'm in favor of Enactment. Just as a reminder of where we are standing right now, we have a bill that passed through Committee, it passed through the House and the Senate.

This bill, just to correct some information that's been presented, what Sheriff Joyce said in this bill, and this is the second session I've worked with him on the bill, and this is I think the sixth or seventh time this bill has been brought forward. We've worked really hard to get it to this point. And what Sheriff Joyce indicated was that when he has transport officers that are not law enforcement officials, he has to deputize them. So, he has to find a workaround to be able to allow them to do the transports, to have the same authorization that they have inside the prison walls. So, it's not that it's not been needed, what he's concerned about is because he's finding a workaround, he's concerned about an issue that might be presented by doing that.

Again, as I've stated before, these transport officers have inside prison walls and jail walls the authority to use lethal and non-lethal action. It's when they leave the walls of the prisons and the jails that they don't. The reason I signed onto this bill is if my daughter, who is a CNA, is working in a hospital with a resident of one of these facilities and that resident attacks her, another health care provider or if that resident is being attacked by a family member of one of their victims or someone else in the facility that perhaps doesn't like that resident, that transport officer cannot protect them. They cannot protect them currently based on the authorization. And this bill addresses that. I've worked very closely with Sheriff Joyce, I've worked very closely on this bill to get it to this point. For there to be an amendment, which will add a Fiscal Note, kills this bill. So, I'm encouraging people to vote on Enactment, which is one of the final stages of this bill. I request that you follow my light. Thank you.

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

Representative **HASENFUS**: Thank you, Mr. Speaker. Just a little procedural history.

As everybody in this Body recalls, we voted on this bill the other day. As the Good Representative from Fairfield will remember, I moved the Minority Report, this Body accepted it, the Senate also accepted that Report. I set it aside on Supplement No. 7, because I heard from a Member of this Body that they would like to offer a floor amendment that the Good Representative from Bath articulated what that floor amendment was. I have not yet seen that, as it has not yet been drafted. The previous motion was an attempt to allow that floor amendment to be drafted for everybody to review that and to

determine whether or not they wanted to incorporate such an amendment onto this bill prior to Enacting. Unfortunately, we don't have that floor amendment before us, and the question before the Body is whether we should Enact the Report that we voted on. Procedurally, my plan, you know, if the bill is Enacted, it will then go to the Other Body for final Enactment there. If it fails Enactment, my plan would be to move to Table the bill, so that floor amendment could come to the Body and then the Body could then at that point determine what they would like to do with this bill. Thank you, Mr. Speaker.

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

Representative **SINCLAIR**: Thank you, Mr. Speaker. Mr. Speaker, I agree with my friend, the Good Representative from Westbrook, that the corrections officers have the authority within the facility to use force, potentially even to use fatal force. The difference between in facility versus in transit is the presence of cameras, so that folks can later; the reviewing entity can confirm whether those officers were acting within the bounds of reasonableness in using that force.

Again, not opposed to the idea of having them have that authority outside the facility once they've got proper training, but am simply hoping to ensure that their same procedural safeguards are in place in the form of video, so that people can see what happened to their loved ones.

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

Representative **PERKINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A short time ago, I was the keynote speaker at the graduation for the Basic Corrections course at the Maine Criminal Justice Academy. And during my presentation, one thing I reminded the graduating cadets was that one of their primary responsibilities was the safety of the people entrusted to their custody, which means that if we do not Enact this now, that someone who is transporting more than one prisoner outside of the facility, if one were to take advantage of that lightened security posture to try to harm or kill another prisoner, our CO would not have the statutory authority to use whatever force is necessary to protect the life of that person in our custody.

So, while I can understand some people talk about, well, we need to worry about the safety of the prisoners, this speaks directly to it. This gives them the ability, not only as the Representative from Westbrook stated, protect someone in the community, maybe protecting, you know, a care worker they might be working with at an offsite facility, but this gives the statutory authority to immediately use whatever means are necessary to protect someone else in their custody, which they do not have now.

And to anyone else, I would say that if you have a concern about whether or not there are cameras in the transport vehicles, I would ask that you not hold this up and to bring back legislation in the future to allow that. Because while I would definitely prefer the other Report on this bill, I'm going to support this, simply because I think it's a complete safety issue for both the public, the COs and the prisoners. Thank you, Mr. Speaker.

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. 552

YEA - Adams, Albert, Ankeles, Arata, Archer, Ardell, Babin, Bagshaw, Bell, Bishop, Blier, Boyer D, Brennan, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cloutier, Cluchey, Collamore, Collins, Cooper, Crafts, Cray, Daigle, DeBrito, Dhalac, Dill, Doudera, Drinkwater, Ducharme, Eder, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gattine, Gere, Gifford, Graham, Gramlich, Guerrette, Haggan, Hall, Hepler, Hymes, Jackson, Javner, Kessler, Kuhn, Lajoie, Lance, Lanigan, Lavigne, Lemelin, Libby, Lyman, Malon, Mason, Mastraccio, McCabe, McIntyre, Meyer, Mingo, Moonen, Morris, Murphy, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Rielly, Roberts, Rollins, Rudnicki, Runte, Sachs, Salisbury, Sargent, Schmursal-Burgess, Shagoury, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Terry, Thorne, Tuell, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome, Yusuf, Zager, Mr. Speaker.

NAY - Abdi, Arford, Beck, Boyer M, Cimino, Crockett, Dodge, Faircloth, Friedmann, Geiger, Golek, Greenwood, Hasenfus, Henderson, Julia, Lee, Lookner, Macias, Mathieson, Matlack, Milliken, Mitchell, Montell, Osher, Pluecker, Pugh, Quint, Rana, Ray, Roeder, Sato, Sayre, Sinclair, Skold, Supica, Underwood, Warren, Webb.

ABSENT - Copeland.

Yes, 110; No, 38; Absent, 1; Vacant, 0; Excused, 2.

110 having voted in the affirmative and 38 voted in the negative, with 1 being absent and 2 excused, 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**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-415)** on Bill "An Act to Strengthen Local Emergency Medical Services by Increasing the MaineCare Reimbursement Rate for Ambulance Services" (EMERGENCY)

(S.P. 56) (L.D. 35)

Signed:

Senators:

INGWERSEN of York
MOORE of Washington
NANGLE of Cumberland

Representatives:

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

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

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

Came from the Senate with the Reports **READ** 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.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass** on Bill "An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor"

(S.P. 218) (L.D. 556)

Signed:

Senators:

BALDACCI of Penobscot
MARTIN of Oxford

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
ROLLINS of Augusta
TUELL of East Machias
UNDERWOOD of Presque Isle

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

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
COPELAND of Saco
FARRIN of Jefferson
MATLACK of St. George

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

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

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

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

The SPEAKER: The Member may proceed.

Representative **SALISBURY**: Thank you, Mr. Speaker. Mr. Speaker, I am moving the Majority Ought to Pass, but I am on the Minority Report, which is the Ought Not to Pass, which is how I will be voting.

This bill talks about not allowing municipalities to have control over ordinances related to heating or energy. And this is something that we talked a lot about. We had a long discussion in Committee about this vote, about this bill and a lot of discussion happened related to Home Rule and whether that was coming into play, which is something we talk a lot about on

the floor. This bill is part of a national oil and gas strategy to block clean energy progress and protect profits, not people.

LD 556, which is; it's an attack on Home Rule. Maine towns and cities have long had the right to set local policies that meet their unique needs and this bill would strip communities of that power, even if their residents support clean energy action. This bill hamstring Maine's climate response. Heating and cooling make up 31% of Maine's greenhouse gas emissions. We need every available strategy to build affordable, reliable clean energy infrastructure. This bill blocks that process.

This bill also blocks local solutions that save money. More than 140,000 Mainers have switched to high-efficiency heat pumps to cut costs and reduce pollution. This bill would take away local tools that support those common-sense solutions. And I want to make it very clear that this is not going to stop people that have already instituted some of the clean energy sources of heating and energy efficiency in their homes, this would be going forward. This would make it so that if the bill was Enacted, municipalities wouldn't be able to create ordinances, but if you've already got some heating solutions in your home, you would not have to change that.

If fossil fuel companies want to oppose local policies, they should show up and make their case, not silence Maine communities through preemption and litigation threats. Please follow my light when we vote on the Minority. Thank you.

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

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

Ladies and Gentlemen of the House, many times in this Chamber, we find ourselves standing to debate complex issues of the day. Some of the bills we discuss and vote on are in fact complicated, Mr. Speaker. So much that we find ourselves relying on our colleagues who serve as Chairs and leads in various Committees of jurisdiction just for direction. They are the ones that have sat through the public hearings and work sessions, voted on the amendments and listened to the stakeholders on both sides of the issue before the bill gets to the floor of the Chamber.

Mr. Speaker, I'm pleased to say that this bill, LD 556, is really quite simple. In fact, this bill is easily one of the most straightforward, common-sense proposals before the 132nd Legislature. This bill states that a municipal government cannot prohibit its citizens from using any particular heat/air energy system for their own energy needs or engaging the services of a person or energy distributor of that individual's choice unless the prohibition is otherwise authorized by Statute. I certainly don't want to be told by my government, my town government, that I couldn't heat my house with the energy I choose, Mr. Speaker, be it wood, oil, propane or even heat pumps, that I have determined that is best for use for me and my family and my home. An individual homeowner's rights in their home that they pay the utility bill, pay the mortgage, pay the property tax and maintenance should trump that of the local government. It's their home, not the town's.

I know some of you are wondering why this bill is before us, Mr. Speaker. It would be crazy for a town to dictate how I chose to heat my home, correct? Wrong. In fact, Mr. Speaker, dozens of municipalities across New England have done just that very thing. Twenty-two towns in neighboring Massachusetts alone have taken measures to limit the choices residents have to heat their homes. Mr. Speaker, it doesn't end at our State border. Right here in Maine, the City of South Portland has recommended a ban on certain types of fuels that the citizens can use to heat their homes. And the City of

Portland has banned clean natural gas buildouts in new developments.

Mr. Speaker, during the public hearing, we heard from a number of interested parties that strongly support this bill. I encourage you to take a look at those Committee files for yourselves. You will hear that Home Rule is threatened by this legislation, Mr. Speaker, but the fact of the matter is this bill is an effort to protect individual freedoms and rights. Rights for people of Maine to decide for themselves how to best keep their families warm in winter or cool in the summer.

One final point, Mr. Speaker, this legislation does not limit the authority of the municipality to encourage or incentivize the use of any particular type of heating or energy system, or to spend money in support of a heating or energy system. And the bill certainly doesn't exempt any person or energy distributor that installs, connects services or resupplies a heating or energy system from the required licensing for such activities.

I ask you to think about your constituents and whether they want you to protect their ability to decide for themselves what is in their best interests. Please follow my light. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise today in strong support of LD 556, a common-sense bill that does something rare in these times, it puts people first. And not just any people, it puts Mainers first, especially those of us who live a little further from town, two miles down a side road off of Hadley Lake in East Machias, in my case, maybe a little closer to the land and who just want to stay warm without being told how to do that.

Let's talk plainly here: in much of rural Maine, when the temperature drops and the snow starts flying, folks don't reach for a smart thermostat connected to some high-tech heating grid, they reach for firewood. They head out to the woodshed. And while they may grumble about needing three matches before finding one that will light a spark, once the snap, crackle and pop of the hearth starts emitting warmth and comfort, there's nothing quite like it. For many, heating with wood isn't just a tradition, it's survival. It's practical. It's affordable. And for folks on a fixed income, older Mainers or veterans, our working-class neighbors, it's often the only viable way to get through a long Maine winter without going broke.

LD 556 is about defending that choice. This bill makes sure that no town or city in Maine can take away your right to heat your home with wood, propane, oil or any safe and legal energy source you choose. Because let me tell you, energy independence doesn't just mean building solar fields or wind farms. It means allowing each person to choose what works for their home, their budget and their life.

Now, some other states have started moving in a different direction, passing local ordinances that ban this or restrict that or, worse yet, having bills that do likewise presented in state capitols like ours. Maine should never tell folks they can't burn wood anymore, that propane is off the table, that only one kind of energy is acceptable and that you can't even sell firewood, propane or gas or oil. My father sold firewood to help augment the family income when I was growing up. He'd cut it, split it and drafted us kids to help deliver it. That's part of life Downeast, and while we would love to think it always will be, you can't take things for granted. While limiting energy independence might fly in California or Massachusetts, but it's not the Maine way. We believe in independence and practicality. In Maine, we don't

throw out what works just because it's not trendy. We embrace what's sustainable for us.

And let's not overlook one more important point, LD 556 isn't a partisan bill. It's Sponsored and Co-sponsored by Republicans and Democrats and earned a majority vote out of Committee. And I think we could all use a little more of that these days; bipartisan work that actually helps real people in real ways. This bill doesn't prevent you from offering rebates or investing in heat pumps, but it draws a line in the sand: you can't tell someone how they have to heat their home, not when it comes to how they keep their children and pets warm at night.

So, I ask all of you, whether you're from Kittery or Caribou, Calais or Carrabassett, stand with the folks back home. Stand with the people who split their own wood and haul their own fuel. Stand with the freedom to choose and the wisdom to let Mainers live their lives without unnecessary interference. Please support the Majority Report. Thank you, Mr. Speaker.

Representative MOONEN of Portland assumed the Chair. The House was called to order by the Speaker Pro Tem.

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

Representative **SACHS**: Thank you. I will not take that personally.

Thank you, Mr. Speaker Pro Tem. I rise to oppose the pending motion, much like my Good Colleague from Westbrook. I oppose this motion, Mr. Speaker Pro Tem, on the basis of three qualifications; as the Chair of the Energy, Utilities and Technology Committee, as a former town councilor in Freeport for six years and as a clinical social worker with a lot of experience in public health.

I recommend that folks do go back, as the Good Representative from Wales had said, to look at the testimony on this bill. A prohibition against a prohibition in the name of choice is not where I would recommend this Legislature go. I would recommend that Maine has a long tradition of Home Rule, Mr. Speaker, allowing local governments to make decisions to reflect the needs and values of their residents. And if they choose to make regulations for public health, for clean energy, for their economy, for their municipal residents, then they should be able to do so.

So, Mr. Speaker, I would quote someone who did provide testimony on this bill to say that LD 556 would upend that tradition, preemptively blocking cities and towns from setting their own course on common-sense initiatives. Thank you, Mr. Speaker.

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

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

Half the homes in Maine are heated by oil, a quarter of the homes in Maine are heated by natural gas. Besides that, there are many other diverse forms of heat that people use; wood, propane, heat pumps. Why would we allow municipalities to restrict people's ability to choose how they heat their homes, Mr. Speaker?

We recently voted to not allow municipalities to dictate how many parking spaces there are. This is much more important to the people of Maine, the way they heat their homes, what's effective for them, what's currently in the home and we shouldn't be letting municipalities impact that. If there's a heating source

that is deemed dangerous or so bad that we don't want it in the State, that should be done at the State level, not through a patchwork of municipal restrictions. So, I urge the Members to please vote yes on the pending motion. Thank you, Mr. Speaker.

The SPEAKER PRO TEM: The Chair recognizes the Representative from St. George, Representative Matlack.

Representative **MATLACK**: Thank you, Mr. Speaker. Mr. Speaker, I find it quite ironic that the folks on the other side of the aisle have now become anti-Home Rule. They are saying that it's up to the individuals to decide whether or not they want to heat their homes in certain ways. This time.

This bill will allow municipalities to decide whether or not the heating source that's being used pollutes their town, is detrimental to the health of their children and is not something they need to have in their communities. At the same time, it allows other communities that want to retain woodstoves; I can't believe you're even saying that woodstoves would be illegal under this bill.

Representative **LIBBY**: Point of Order.

The SPEAKER PRO TEM: The Member will defer. The Chair recognizes the Representative from Auburn and inquires as to her Point of Order.

Representative **LIBBY**: Thank you, Mr. Speaker. I would encourage the Speaker to address her comments to the Chair rather than the other side of the aisle.

On **POINT OF ORDER**, Representative LIBBY of Auburn asked the Chair to remind Representative MATLACK of St. George to address the Speaker and not turn to the rest of the House.

The SPEAKER PRO TEM: The Chair will remind all Members to direct their comments to the Chair.

The Chair reminded all Representatives to address their comments toward the Speaker Pro Tem.

The SPEAKER PRO TEM: The Member may proceed.

Representative **MATLACK**: Thank you, Mr. Speaker. Yes, I believe that municipalities should have the ability to ban certain dirty fuels if it's going to hurt their residents. This bill would not allow that. This is a bill that was sponsored by oil and gas concerns nationwide. This has appeared in several other states and all it does is require that oil and gas concerns continue to pollute our atmosphere, irrespective of whether a community would prefer to have more green energy sources. So, I would encourage everybody to vote Ought Not to Pass on this bill.

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

ROLL CALL NO. 553

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

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

ABSENT - Copeland.

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

81 having voted in the affirmative and 67 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

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

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

The Speaker resumed the Chair.

The House was called to order by the Speaker.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-419)** on Bill "An Act to Improve Recycling by Updating the Stewardship Program for Packaging"

(S.P. 579) (L.D. 1423)

Signed:

Senators:

TEPLER of Sagadahoc
BRENNER of Cumberland
MARTIN of Oxford

Representatives:

DOUDERA of Camden
ANKELES of Brunswick
BELL of Yarmouth
BRIDGEO of Augusta
OSHER of Orono
RIELLY of Westbrook
SOBOLESKI of Phillips
WOODSOME of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-420)** on same Bill.

Signed:

Representatives:

CAMPBELL of Orrington
SCHMERSAL-BURGESS of Mexico

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-419)**.

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, four years ago, our 130th Legislature passed a first-in-the-nation legislation that is known as the Extended Producer Responsibility for Packaging Law. And it was a bold, bipartisan step that solves a real problem in all of our communities, municipalities and taxpayers have been footing the bill, the entire bill, for managing a flood of packaging waste, while the producers who are creating that waste have been left off the hook. This law was designed to change all that by shifting the costs from local property taxpayers to companies that design and distribute the packaging in Maine. So, this is not only going to ease the financial burden on our towns, but it creates incentives for producers to use smarter, more sustainable packaging. After four years of implementation, DEP is poised to begin this program next year, in 2026. And so, then, our Committee received LD 1423. This was initially a bit of a problematic bill, but then when we really dug into it, we saw that we could amend it to make this program even stronger.

So, just really briefly, here's what it does. It amends the definition of consumer to exclude packaging used in business-to-business. So, right now, manufacturers would be on the hook at every link in the manufacturing chain, so, this changes that. It clarifies post-consumer recycled content, it amends the definition of producer to provide clear guidance as to whose responsibility is the packaging in various circumstances. It redefines the definition of toxicity and it removes a requirement for UPC code, which was redundant in many cases.

So, this is a broadly supported, bipartisan Amendment that improves the program while protecting its intent and goals. It supports our renowned forest products industry, which is innovating paper-based plastic alternatives right here in Maine. Sappi, for example, produces recyclable and sustainable paper and paperboard for packaging, and Huhtamaki in Waterville, Tanbark in Saco, they're also developing a molded fiber container that's readily recyclable, and UMaine is also contributing research capacity to these companies. So, we are really poised right now in our State to be a global leader in forest-based biomaterial production.

So, this amended version of 1423 incorporates and supports the important work of our local manufacturers, it protects this program and keeps it on track, so, I urge all of us in this Body to vote in support of the motion. Thank you.

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

ROLL CALL NO. 554

YEA - Abdi, Ankeles, Arata, Archer, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Carlow, Cloutier, Cluchey, Crafts, Cray, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Faulkingham, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Guerrette, Hasenfus, Hepler, Hymes, Jackson, Julia, Kessler, Kuhn, Lajoie, Lanigan, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Parry, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Tuell, Wadsworth, Warren, Webb, Wood P, Woodsome, Zager, Mr. Speaker.

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

ABSENT - Copeland, Yusuf.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-419)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-419)** in concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-379)** on Bill "An Act to Prevent Foreclosures Without Strict Compliance with Notice Requirements"

(S.P. 585) (L.D. 1444)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

O'HALLORAN of Brewer

PUGH of Portland

SATO of Gorham

SINCLAIR of Bath

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

LEE of Auburn

POIRIER of Skowhegan

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **JUDICIARY**.

READ.

On motion of Representative KUHN of Falmouth, the Bill and all accompanying papers were **COMMITTED** to the Committee on **JUDICIARY** in concurrence.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Fund Collective Bargaining Agreements with Executive Branch Employees and Continue the Voluntary Employee Incentive Program" (EMERGENCY)

(H.P. 1335) (L.D. 1987)

READ TWICE under suspension of the rules without reference to a committee and **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-697)** in the House on June 13, 2025.

Came from the Senate **READ TWICE** under suspension of the rules without reference to a committee and **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-421)** in **NON-CONCURRENCE**.

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

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

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

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

ROLL CALL NO. 555

YEA - Abdi, Adams, Albert, Ankeles, Arata, Archer, Ardel, Arford, Babin, Beck, Bell, Bishop, Blier, Boyer M, Brennan, Bridgeo, Bunker, Campbell, Carlow, Caruso, Cloutier, Cluchey, Collamore, Cooper, Crafts, Cray, Crockett, Daigle, DeBrito, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eder, Faircloth, Farrin, Faulkingham, Flynn, Foley, Fredette, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Guerrette, Hall, Hasenfus, Henderson, Hepler, Jackson, Javner, Julia, Kessler, Kuhn, Lajoie, Lanigan, Lee, Lookner, Macias, Malon, Mason, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mingo, Mitchell, Montell, Moonen, Murphy, Nutting, O'Halloran, Olsen, Osher, Parry, Perkins, Pluecker, Poirier, Pomerleau, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Simmons, Sinclair, Skold, Smith, Soboleski, Stover, Strout, Supica, Terry, Tuell, Warren, Webb, Wood P, Wood S, Yusuf, Zager, Mr. Speaker.

NAY - Bagshaw, Boyer D, Chapman, Cimino, Collins, Foster, Fredericks, Gifford, Greenwood, Haggan, Hymes, Lance, Lavigne, Lemelin, Libby, Lyman, McIntyre, Morris, Paul, Quint, Rudnicki, Schmiersal-Burgess, Swallow, Thorne, Underwood, Wadsworth, Walker, White J, White R, Woodsome.

ABSENT - Copeland.

Yes, 118; No, 30; Absent, 1; Vacant, 0; Excused, 2.

118 having voted in the affirmative and 30 voted in the negative, with 1 being absent and 2 excused, and accordingly the House voted to **RECEDE AND CONCUR**.

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

Non-Concurrent Matter

Bill "An Act to Provide Emergency One-time Relief from the Wild Blueberry Tax for Sellers in Maine and Partial Relief for Processors and Shippers" (EMERGENCY)

(H.P. 908) (L.D. 1386)

Minority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-742)** in the House on June 17, 2025.

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

The House voted to **INSIST**.

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

CONSENT CALENDAR

First Day

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

(H.P. 601) (L.D. 936) Bill "An Act to Amend the Laws Regarding the Mining Excise Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-755)**

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

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

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

ENACTORS

Emergency Measure

Resolve, to Study the Delivery of Emergency Medical Services to and Ferry Service Effects on Unbridged Island Communities in the State

(S.P. 374) (L.D. 841)

(C. "A" S-414)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 6 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Reduce Cost and Increase Access to Disease Prevention by Expanding the Universal Childhood Immunization Program to Include Adults

(H.P. 58) (L.D. 93)

(C. "A" H-728)

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

On motion of Representative JAVNER of Chester, 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. 556

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

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

ABSENT - Copeland.

Yes, 78; No, 70; Absent, 1; Vacant, 0; Excused, 2.

78 having voted in the affirmative and 70 voted in the negative, with 1 being absent and 2 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act Requiring Serial Numbers on Firearms and Prohibiting Undetectable Firearms

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

(C. "A" H-660)

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

On motion of Representative FAULKINGHAM of Winter Harbor, 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. 557

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

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

ABSENT - Copeland.

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

76 having voted in the affirmative and 72 voted in the negative, with 1 being absent and 2 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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

Representative **SARGENT**: Thank you, Mr. Speaker. I request to speak on the record.

The SPEAKER: The Representative from York, Representative Sargent, has requested unanimous consent to address the House on the record. Hearing no objection, it is so ordered. The Representative may proceed.

Representative **SARGENT**: In the case of the vote on LD 1971, if I had been in the Chamber, I would have voted yea.

CONSENT CALENDAR

First Day

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

(H.P. 1247) (L.D. 1876) Bill "An Act to Increase Use of State Tax Credits" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-760)**

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

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

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

ENACTORS

Acts

An Act to Allow an Attorney for the State to Determine Whether to Charge Certain Class E Crimes as Civil Violations

(H.P. 794) (L.D. 1189)

(C. "A" H-752)

An Act to Update Provisions of the Maine Administrative Procedure Act

(H.P. 1189) (L.D. 1778)

(C. "A" H-749)

An Act to Require Hospitals and Hospital-affiliated Providers to Provide Financial Assistance Programs for Medical Care

(S.P. 755) (L.D. 1937)

(C. "A" S-346)

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

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

CONSENT CALENDAR

First Day

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

(H.P. 1149) (L.D. 1722) Bill "An Act to Simplify the Regulation of Aquaculture Leases" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-769)**

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

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

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-413)** on Bill "An Act Regarding the New Markets Tax Credit and the Maine New Markets Capital Investment Program" (S.P. 506) (L.D. 1217)

Signed:

Senators:

GROHOSKI of Hancock

BICKFORD of Androscoggin

Representatives:

CLOUTIER of Lewiston

CROCKETT of Portland

FRIEDMANN of Bar Harbor

LAVIGNE of Berwick

MATLACK of St. George

SAYRE of Kennebunk

SWALLOW of Houlton

WHITE of Ellsworth

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

Signed:

Senator:

TIPPING of Penobscot

Representatives:

QUINT of Hodgdon

RUDNICKI of Fairfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-413)**.

READ.

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

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

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

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

Representative **BOYER**: Thank you, Mr. Speaker. I'll be voting no on this. This is corporate welfare. I appreciate that it will help some businesses, but we don't need to spend any more tax dollars towards these businesses, we need to fund the tax cuts that we need to make business in Maine workable.

Look at New Hampshire. We have a real-time A-B experiment on our policies. We have a whole ocean, Mr. Speaker, they have like five miles, and their economy is kicking our butts. So, I think we should look at the policies in New Hampshire instead of passing something like this. Thank you, Mr. Speaker.

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

Representative **QUINT**: I was just going to ask for a Roll Call, Mr. Speaker. Thank you.

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

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

This program was implemented under Paul LePage when he was the Chief Executive here. It was an incredibly successful program that supported many businesses across the State of Maine, including I can think of the mill in Baileyville, which helped them make capital improvements. This was a great program when it was funded and it'll be a great program again.

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

Representative **CLOUTIER**: Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the pending motion. LD 1217 is a vital piece of legislation designed to strengthen and modernize Maine's community development tax credit program. This bill thoughtfully updates and expands the criteria and administration of tax credit authority allocated to qualified community development entities, or CDEs, with a clear focus on supporting Maine-based funds and promoting diversity and investment leadership.

Let me begin by emphasizing why this bill matters so much to our State and its economy. The Community Development Tax Credit Program is a powerful tool for directing investment into low-income communities in Maine, stimulating job creation, economic growth and opportunity where it is needed most. By refining the application process and setting clear standards for fund management, LD 1217 will ensure that these investments are effectively managed by qualified professionals who live and work here in Maine.

LD 1217 does several things. It introduces and reserves 50% of the impact qualified equity investment certification for diverse Maine funds, taking an intentional step towards economic inclusion and equity and creating opportunities for historically underserved communities to participate and benefit from capital investment. It clarifies the timeline for investment deployment, ensuring that funds are put to work in our communities within a reasonable period of time, or else the tax credit authority reverts for reallocation. This accountability mechanism safeguards against delays or misuse of resources and keeps our economic development efforts moving forward. Finally, by increasing transparency through regular reporting requirements, LD 1217 guarantees that the Legislature stays informed on private investment levels and the number of jobs created or retained, critical metrics for evaluating the success of this program.

Mr. Speaker, this bill is a thoughtful and balanced approach that builds upon Maine's strengths while addressing critical needs for local expertise, accountability and diversity and economic development. It reflects our shared commitment to a Maine economy that works for all of its people, promoting prosperity, equity and sustainable growth. I urge you to join me in supporting the pending motion to empower Maine-based community development entities and drive impactful investment into our communities. Thank you, Mr. Speaker.

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

ROLL CALL NO. 558

YEA - Abdi, Adams, Albert, Ankeles, Archer, Ardel, Arford, Babin, Bagshaw, Beck, Bell, Bishop, Blier, Boyer M, Brennan, Bridgeo, Bunker, Campbell, Carlow, Cloutier, Cluchey, Collamore, Cooper, Copeland, Crafts, Cray, Crockett, Daigle, DeBrito, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Faircloth, Farrin, Faulkingham, Flynn, Foley, Foster, Fredette, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Guerrette, Hall, Hepler, Jackson, Julia, Kessler, Kuhn, Lajoie, Lavigne, Lee, Lemelin, Lookner, Malon, Mastraccio, Mathieson, Matlack, McCabe, McIntyre, Meyer, Milliken, Mingo, Mitchell, Moonen, Morris, Murphy, Nutting, O'Halloran, Olsen, Osher, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Pugh, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Simmons, Sinclair, Skold, Smith, Stover, Strout, Supica, Swallow, Terry, Tuell, Wadsworth, Walker, Warren, Webb, White R, Wood P, Wood S, Woodsome, Yusuf, Zager, Mr. Speaker.

NAY - Arata, Boyer D, Caruso, Chapman, Cimino, Collins, Eder, Fredericks, Gifford, Greenwood, Haggan, Henderson, Hymes, Javner, Lance, Libby, Lyman, Macias, Montell, Quint, Rana, Rudnicki, Schmursal-Burgess, Soboleski, Thorne, Underwood, White J.

ABSENT - Hasenfus, Lanigan, Mason.

Yes, 119; No, 27; Absent, 3; Vacant, 0; Excused, 2.

119 having voted in the affirmative and 27 voted in the negative, with 3 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-413)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-413)** in concurrence.

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-417)** on Bill "An Act to Protect and Compensate Public Utility Whistleblowers" (EMERGENCY) (S.P. 770) (L.D. 1963)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

SACHS of Freeport
GEIGER of Rockland
KESSLER of South Portland
WARREN of Scarborough
WEBB of Durham

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

Signed:

Senator:

HARRINGTON of York

Representatives:

FOSTER of Dexter
MCINTYRE of Lowell
PAUL of Winterport
RUNTE of York
WADSWORTH of Hiram

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-417)**.

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **FOSTER**: Mr. Speaker, Ladies and Gentlemen of the House, first of all, this bill is completely unnecessary. A company that I worked for for over 20 years and most companies in; I believe all companies in Maine follow federal guidelines on whistleblower protections. That includes training annually for management and salaried folks and union workers and non-salaried, non-management folks every year. And it also includes protections to allow them to stay unanimous, although it is suggested that they go to their employer first if they feel that that will not be a problem.

Mr. Speaker, this is especially concerning, this bill, because it has a reward system in it. And I think from what I've heard from the IBEW and others, there is great concern that this is not going to be effective for their members as well as for the company, that it will probably; it could, I will say, instigate more whistleblower reports that are not substantial or may not even be true. So, I would be opposed to the pending motion and ask that you help me to vote it down.

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

Representative **KESSLER**: Thank you, Mr. Speaker. I want to read a quote from my favorite EUT fan who's come to our Committee. I learned that he is an engineer and he came to our Committee religiously because of his experiences at his job, and I'll quote, "I've seen things that were inefficient, wasteful and

even things that were illegal. Unfortunately, there wasn't a way to do anything about it. I was personally blackmailed, and so was the company that I worked for. CMP and Avangrid's owner, Iberdrola, threatened to take away contracts if I didn't stop pushing back."

We need these protections because it is the case across the country that whistleblowers have uncovered billions of dollars' worth of wrongdoing by monopoly utilities. The risk of wrongdoing is great in these types of regulatory environments. And frankly, if there is nothing going wrong, then there's nothing to worry about. Thank you, Mr. Speaker.

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

Representative **RUNTE**: Thank you, Mr. Speaker. I rise in opposition to LD 1963. The bill, in my mind, is a solution looking for a problem and frankly, it's likely to create more.

Now, I don't have any issue with the other actions that have been taken to strengthen whistleblower protections and ensure employees are fully aware of their rights, but compensating any and all potential whistleblowers while eliminating the need to report problems to management discourages employees from working with their established management channels, effectively guts existing internal compliance programs and eliminates the ability of the utility to take action on real problems. The bill puts the PUC in the position of setting up a system through which they would sort out the validity of claims motivated by compensation, many of which could be frivolous or perhaps just simply misinformed, to determine whether they even have any merit.

Testimony the Committee heard in support of this bill gave a glimpse of what the PUC would be dealing with. Most of the testimony was from people venting their displeasure at the utilities, convinced that compensated whistleblowers would surely unveil misdeeds that must be happening behind the scenes. We also heard from two contractors who, however well meaning, were convinced CMP or Avangrid did not accept their business on the terms that they wanted because of unsubstantiated issues. Were this bill to be Enacted, it would put the PUC in the position of having to arbitrate disagreements between contractors and utilities in addition to sorting through the validity of these other claims.

Mr. Speaker, the cost-benefit of this bill just doesn't pencil out. And I think we should also look instead to other states like California and Ohio, states that have long experienced major utility scandals. None of them have decided to compensate whistleblowers, addressing them through the enforcement of existing laws, including state and federal False Claims Act. As I mentioned at the beginning, I'm comfortable that our current rules are sufficient and urge the Body to vote against the Majority Report. Thank you, Mr. Speaker.

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

Representative **WARREN**: I wanted to rise briefly in support of the current motion.

In the course of the public hearing, we heard from some whistleblowers and some really brave and difficult stories, and I feel called just to rise in honor of what is a really difficult choice to be a whistleblower in any capacity and the ways in which this bill, from the public hearing to the Report out of our Committee, involved a lot of really careful, thoughtful compromise and consideration to be a policy that is extremely reasonable, doesn't require our Public Utilities Commission to act in any particular way unless there's a robustness to the claim and is trying to get at what are best practices both nationally and internationally around these policies. And there are some really

great, well-intentioned Statutes that we have on the books, but they're not always quite the evidence-based policies that will protect, shield and honor what is an extremely difficult choice to become a whistleblower.

I echo the comments of my colleague from South Portland that if there isn't something that's been done wrong, then this provides no material consequence, but if there is on occasion something quite significant, this is, I think, a quite reasonable and quite evidence-based proposal that's also moderate.

I encourage you to read that Report out of the Committee and I'll be proud to support it in honor of what are some really brave individuals who choose to step forward.

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

Representative **WADSWORTH**: Mr. Speaker, Ladies and Gentlemen of the House, there are already two separate avenues for utility employees to report alleged misconduct of their employer, through Maine's existing Whistleblower Protections Act and through Maine's utility-specific whistleblower law, the Chief Executive's utility accountability bill from last session. And just last week, we passed LD 1048, An Act to Require Certain Notice Requirements for Whistleblower Protections. That bill requires utilities and competitive electricity providers who sell electricity to provide an annual notice to their employees and their contractors of the rights that were established in the utility accountability bill. We dictated that the notice must be sent separately from any other communication to the recipient and written in English. We even specified how large the font had to be. In addition to the State laws right here in Maine, OSHA enforces whistleblower provisions of more than 20 whistleblower Statutes that protect workers who report safety hazards from retaliation, and there are numerous federal environmental laws, all of which contain provisions that protect individuals who report violations.

Maine utilities have worked to build a 'see something, say something' culture of safety and accountability, but this bill undermines that work with this provision in B; an employee providing testimony or information to the commission as an informational report pursuant to Section 1316-B is not required to first bring the subject matter of the testimony or information to the attention of a supervising authority with the employer. That language encourages employees to skip the step of internal reporting first, delaying the response that could be a serious safety issue. The proposed financial awards this bill provides undermine internal compliance policies by incentivizing employees to hold information, letting bad situations become worse to build a strong case, so it can then be reported to the PUC in hopes of receiving a payout. It creates dangerous situations for employees working in already dangerous field and potentially creates dangerous conditions for the public.

This bill was put forward by the same group that tried to take over Maine's utilities and referendums just last fall. That referendum failed 70-30. It's another attempt to continue their anti-utility smear by implying utilities are corrupt and their employees are afraid to come forward. Why should our electric utilities be targeted for this sort of whistleblower scheme? Why not other industries? Food, shelter, medicine; those are all necessities, so, why not have whistleblower incentives for grocery stores, landlords, hospitals? Or what about where we're seeing actual bad actors? The door-to-door salesmen who take advantage of people by overselling solar credits they can never use. We've seen that guerilla marketing in our towns. Or energy companies that hook you with a low rate and then increase it without notice, costing Maine ratepayers over \$100 million in

above-market energy costs, and that's just one bad actor in Maine alone.

Mr. Speaker, we have important work to do here, both in the EUT Committee and this Legislature as a whole. Let's focus on important things our constituents sent us to do. LD 1963 is unneeded.

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

Representative **FRIEDMANN**: Thank you, Mr. Speaker. Mr. Speaker, LD 1963 will help regulators improve the performance and compliance of Maine utilities by giving them access to information that's not filtered by the utilities themselves. This bill adapts a formula used by proven federal programs. It protects whistleblower identity and compensates whistleblowers who provide information leading to a significant penalty or ratepayer savings. It may lead to penalties and lower rates and improved performance and compliance from our utilities. This bill has no cost and can only save us money. Awards are paid only from ratepayer savings the PUC finds to have been impossible without the whistleblower's tip.

Mr. Speaker, utilities are unique. They're monopolies. This means we can't shop around but depend entirely on well-informed regulators. Where utilities can avoid detection while cooking the books or taking shortcuts on safety, profits can soar while people suffer. Even with the best protections, corporate whistleblowers risk their careers. Once fired, the whistleblower is usually referred to in the media as a disgruntled former employee and blacklisted in the industry they are trained for. The greatest corporate scandals of the last 35 years involve whistleblowers and energy companies. Enron made billions, in the words of one employee, by ripping off low-income ratepayers. First Energy spent \$60 million to bribe politicians to raise rates, bail out their nuclear plants and pad their profits. Over the last five years, at least seven power companies have been accused of fraud or corruption. Seven industry executives have pleaded guilty or been federally indicted, along with a handful of appointed or elected officials.

Utility fraud and corruption have cost electricity customers at least \$6.6 billion over this time. Ratepayers have bankrolled nuclear plants that never got built and transmission systems that were overengineered to beef up profits. The scariest part of this wave of utility scandals is what we don't know. How many utilities have committed crimes that prosecutors haven't noticed? According to David Pomerantz, Executive Director of the Energy and Policy Institute, a utility watchdog, what about the schemes that didn't break any obvious laws, but extracted more money from customers every month only to pad utility profits without improving service, he said. Please support this bill and prevent little problems from becoming big ones. Thank you.

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

Representative **SACHS**: Thank you, Mr. Speaker. I just wanted to clarify a few pieces about the bill.

So, in the 130th, this Legislature passed some already whistleblower protections. These just enhance and strengthen those existing protections. This whistleblower program that is envisioned is based on the Department of Justice, the Securities and Exchange Commission and the National Highway Traffic Safety Administration, all whom have this compensation of 10 to 30 percent based, again, for this program, on ratepayer savings. This proposal strengthens anonymity in reporting and also awareness of the program, which is different than my Good Friend, the Representative from Hiram, is talking about, and I

look forward to his vote next time on that particular provision, should we have another.

I will also say that while there are whistleblower protections in Title 26 in law, this does not negate those. This is very specific and, in fact, much more narrow than the exceptions found in Title 26. In Title 26, a whistleblower is not obligated to report internally if they, quote, "have reason to believe it will not be acted on." This is a far narrower approach, limiting that exception only to reports to the PUC.

I will also note, Mr. Speaker, that the Office of Public Advocate in their testimony did talk about this bill as striking a balance, encouraging the reporting of fraud or waste while minimizing the potential for misuse. And in a small state like Maine, the real or perceived risk of retribution can discourage individuals from coming forward. So, at the same time, when public officials receive such complaints, it is difficult and frustrating to lack a clear, confidential process through which legitimate concerns can be properly investigated. That is proposed in this bill. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Mr. Speaker. I'll be real brief. Protecting whistleblowers and investigating their complaint, that's perfectly fine. The red flag for this bill is allowing the PUC to provide financial compensation to whistleblowers. That's a huge red flag and that's problematic. Thank you.

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

ROLL CALL NO. 559

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Bishop, Boyer M, Brennan, Bridgeo, Bunker, Carlow, Cluchey, Copeland, Crockett, Dhalac, Dodge, Doudera, Eder, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenhus, Hepler, Julia, Kessler, Kuhn, Lee, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Poirier, Pugh, Rana, Ray, Rielly, Roeder, Sachs, Sargent, Sato, Shagoury, Sinclair, Skold, Stover, Supica, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer D, Campbell, Caruso, Chapman, Cimino, Cloutier, Collamore, Collins, Cooper, Crafts, Cray, Daigle, Dill, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lajoie, Lance, Lavigne, Lemelin, Libby, Lyman, Mastraccio, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Pomerleau, Quint, Roberts, Rollins, Rudnicki, Runte, Salisbury, Sayre, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Terry, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - DeBrito, Lanigan, Mason.

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

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

Subsequently, on motion of Representative SACHS of Freeport, the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-360)** on Bill "An Act to Prohibit Financial Institutions from Using Merchant Category Codes to Identify or Track Firearm Purchases or Disclose Firearm Purchase Records"

(S.P. 737) (L.D. 1867)

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

BABIN of Fort Fairfield

CARUSO of Caratunk

HENDERSON of Rumford

POIRIER of Skowhegan

PUGH of Portland

SINCLAIR of Bath

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

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

LEE of Auburn

O'HALLORAN of Brewer

SATO of Gorham

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-360)**.

READ.

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

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

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

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

Representative **KUHN**: Thank you, Mr. Speaker. I have moved the Majority Report; however, I am registered on the Minority Ought Not to Pass Report. I wanted to speak in support of that motion.

I rise in opposition to this legislation that would prohibit financial institutions from using merchant category codes for firearm purchases. This is a proposed solution in search of a problem, especially since this entire program has been paused nationwide. While I understand the privacy concerns motivating the bill, I think it misunderstands how this component of the financial system works. Consider what would happen if we eliminated these codes. Banks lose their ability to identify patterns that might indicate illegal straw purchases and firearms trafficking, money launderers get a new avenue to hide their activities, federal agencies tasked with enforcing existing gun laws find their investigations hampered by artificial blind spots in the financial system. We would essentially be tying the hands of law enforcement while giving folks who would not do well a roadmap to avoid detection.

If we truly want to protect privacy, there are better approaches available. For example, we could adopt a strong data privacy law that establishes clear guidelines for data collection, retention and deletion. Thank you.

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

Representative **POIRIER**: Thank you, Mr. Speaker. I'll be very, very brief. This bill prevents a *de facto* gun registry. I mean, let's be honest here, Mr. Speaker, somebody that's looking to commit a crime is not going to use a credit card to buy a gun. It's just not going to happen. So, I urge everybody to support the pending motion. Thank you.

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

ROLL CALL NO. 560

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

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

ABSENT - Lanigan, Mason.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-360)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-360)** in concurrence.

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

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-746)** - Minority (6) **Ought Not to Pass** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Establish the Department of Energy Resources"

(H.P. 845) (L.D. 1270)

Which was **TABLED** by Representative SACHS of Freeport pending **ADOPTION** of **Committee Amendment "A" (H-746)**.

Representative RUNTE of York **PRESENTED** House **Amendment "A" (H-771)** to **Committee Amendment "A" (H-746)**, which was **READ** by the Clerk.

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

Representative **FOSTER**: Thank you, Mr. Speaker. I would request a Roll Call and just say that this bill, even with the Amendment, is still not acceptable. Thank you.

Representative **FOSTER** of Dexter **REQUESTED** a roll call on **ADOPTION** of **House Amendment "A" (H-771)** to **Committee Amendment "A" (H-746)**.

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-771) to Committee Amendment "A" (H-746). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 561

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

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

ABSENT - DeBrito, Lanigan, Mason.

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

77 having voted in the affirmative and 69 voted in the negative, with 3 being absent and 2 excused, and accordingly **House Amendment "A" (H-771)** to **Committee Amendment "A" (H-746)** was **ADOPTED**.

Committee Amendment "A" (H-746) as Amended by House Amendment "A" (H-771) thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-746) as Amended by House Amendment "A" (H-771)** thereto and sent for concurrence.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-758)** on Bill "An Act to Establish a Minimum Age at Which a Juvenile May Be Adjudicated"

(H.P. 1233) (L.D. 1849)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

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

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

READ.

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

Representative NUTTING of Oakland **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. 562

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

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

ABSENT - Lanigan, Mason.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-758)** 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-758)** and sent for concurrence.

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

Eight Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-387)** on Bill "An Act Regarding Energy Fairness"

(S.P. 756) (L.D. 1949)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

SACHS of Freeport
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough
WEBB of Durham

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-388)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

FOSTER of Dexter
MCINTYRE of Lowell
WADSWORTH of Hiram

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

Signed:

Representative:

PAUL of Winterport

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-387) AS AMENDED BY SENATE AMENDMENT "A" (S-412)** thereto.

READ.

On motion of Representative SACHS of Freeport, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Resolve, to Allow Hemphill Farms, Inc. to Sue the State

(S.P. 661) (L.D. 1667)

Signed:

Senators:

CARNEY of Cumberland
TALBOT ROSS of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-406)** on same Resolve.

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

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

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-406) AS AMENDED BY SENATE AMENDMENT "A" (S-422)** thereto.

READ.

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

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

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

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

Representative **DILL**: Thank you, Mr. Speaker. Mr. Speaker, Colleagues of the House, unfortunately, this is one of those bills that the Legislature has to pass to allow the person to sue the State. In this case, I believe mistakes were made by the State potato inspectors and therefore some diseased seed potatoes were allowed to be planted and the grower lost over two million dollars. Now, he is stuck with us voting on the amended bill and allowing him to recover only \$400,000, max.

This is one of those bills where there's absolutely no reason to vote against it. He should be made at least partially whole. Look at where we'd be with PFAS. That was State, they

allowed it and the cost is incalculable. So, please vote Ought to Pass on this bill. Thank you.

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

Representative **COOPER**: Thank you, Mr. Speaker. I rise in support of LD 1667.

As we just heard, it's due to an issue with the Maine Department of Agriculture, Conservation and Forestry, with their potato inspection program. There were some errors, some inspections that appeared to have been skipped. Traditionally, the Maine seed potato inspection program is highly regarded and very well respected. Certified seed potato farmers like Hemphill Farms have high standards that have to be met through the rigorous inspection process. Hemphill Farms feels that it has not been served responsibly by the State of Maine's seed inspection process. The only way that this can go to court, where both sides can testify by action, is through this Legislature.

Without choosing sides, I feel it's the Legislature to support this effort for the court to hear the case. This Resolve in no way determines any guilt or innocence on the part of the State, it merely gives the opportunity for Hemphill Farms to have their case heard. Please vote for this case to be heard.

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

Representative **KUHN**: Thank you, Mr. Speaker. I just wanted to clarify a baseline for consideration of this claim is that under Statute, the claim is barred by the Maine Tort Claims Act absent a showing of some extraordinary circumstances that merit waiving immunity. So, that's the starting point.

We heard quite a lot of testimony in Committee on this conflict. Hemphill Farms says that DACF should have detected bacterial ring rot, I'm going to call it BRR because it's too long, in seed potatoes Hemphill Farms imported from Montana in 2022. Reports showed that DACF inspected Hemphill Farm's seed fields twice during each growing season as the rules required. No evidence of BRR was detected during these inspections and documentation from origin states showed no disease presence there, either. There is no evidence that the two inspections or any other inspection in 2023 or 2024 did or would have indicated the presence of BRR.

In light of those facts that were presented, really, the evidence or lack of evidence of any causation, the Committee did not see the extraordinary circumstances required to justify waiving that immunity. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fort Fairfield, Representative Babin.

Representative **BABIN**: Thank you, Mr. Speaker. I rise today in unwavering support of the ever-resilient potato industry in Aroostook County. Specifically, the multigenerational seed growers, who, despite facing persistent challenges, continue to make a vital contribution to Maine's economy statewide.

To help you understand the immensity of the issue, the potato industry grows approximately 55,000 acres of potatoes in Maine, 90% of which are grown in Aroostook County, totaling almost 50,000 acres. The industry has an economic impact of \$1.3 billion. Hemphill Farms, located in Presque Isle, is more than just a business. It is a family-run farm that has been a cornerstone of our small community for generations.

When LD 1667 came before the Judiciary Committee, I was sincerely moved by the bravery and persistence of the Hemphill family to protect their way of life. I felt compelled to do everything in my power to help them preserve their family's business. They need our help and they need it now.

The Hemphill family shared great concern with our Committee Members regarding BRR, or bacterial ring rot, a serious potato disease that could spread through infected potatoes, equipment and even on shoes and clothing. There is zero tolerance for BRR on potato seed lots. In 2023, a BRR problem was undetected by the seed certification program operated by the Maine Department of Agriculture, Conservation and Forestry. The undetected lot was shipped to eight growers, which resulted in catastrophic losses in over 2,000 acres. Additionally, the BRR went undetected again in 2024. The Hemphill family grew 502 acres on over 40 different fields in 2024. All of the potatoes of their farm were submitted to the Maine State Seed Certification program for the BRR check, along with the \$25,000 inspection fee, and the Hemphills were informed by their inspector that they were able to proceed with their top kill process, because the BRR check had been completed. They later discovered some testing from the Maine Potato Disease Laboratory that four out of the nine seed lots tested positive for the BRR. Without these tests, they would've likely infected more Maine growers from this specific seed lot. Because of this oversight, the Hemphills have reason to believe the Maine Seed Potato Inspection Service missed the BRR in 2024 and additionally in 2023. It is also important to note that the Department told the Hemphills they had no record—I'll say it again—they had no record of completing a BRR check, even though the seed was all certified. I also find it important to note that I was personally told in Committee by the Department on multiple occasions that they did not complete the testing required by law. And this was asked several times in Committee.

I want to be crystal clear in stating that voting in favor of this bill does not admit fault by the Department of Agriculture, Conservation and Forestry. That is to be determined in a court of law. This legislation simply allows the Hemphill family the opportunity to have their day in court and allows them to plead their case to a judge or jury. It allows them to fight for their livelihood, something each of us should be afforded.

So, the next time you dig into your freshly baked potato or salty French fry, think about the origin of this agricultural staple and what farm families like the Hemphills went through to bring it to your table to feed our families. Today is our chance as a legislative Body to make a meaningful contribution to Aroostook County's potato industry, to prove we have their back and we believe they deserve their day in court. So, I urge you to support 1667. Thank you, Mr. Speaker.

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

ROLL CALL NO. 563

YEA - Abdi, Ankeles, Beck, Bell, Boyer M, Brennan, Cloutier, Copeland, Crafts, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Friedmann, Gattine, Golek, Hasenfus, Hepler, Julia, Kessler, Kuhn, Macias, Malon, Mastraccio, Mathieson, Meyer, Moonen, Murphy, Osher, Pluecker, Ray, Rielly, Roeder, Runte, Salisbury, Sargent, Sato, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager.

NAY - Adams, Albert, Arata, Archer, Ardell, Arford, Babin, Bagshaw, Bishop, Blier, Boyer D, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cluchey, Collamore, Collins, Cooper, Cray, Crockett, Daigle, Dill, Drinkwater, Ducharme, Eder, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Geiger, Gere, Gifford, Graham, Gramlich, Greenwood, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lajoie, Lance, Lavigne, Lee, Lemelin,

Libby, Lookner, Lyman, Matlack, McCabe, McIntyre, Milliken, Mingo, Mitchell, Montell, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Pugh, Quint, Rana, Roberts, Rollins, Rudnicki, Sachs, Sayre, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome, Mr. Speaker.

ABSENT - Lanigan, Mason.

Yes, 48; No, 99; Absent, 2; Vacant, 0; Excused, 2.

48 having voted in the affirmative and 99 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Resolve was **READ ONCE**. Committee Amendment "A" (S-406) was **READ** by the Clerk.

Senate Amendment "A" (S-422) to Committee Amendment "A" (S-406) was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-406) as Amended by Senate Amendment "A" (S-422) thereto was **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED** as Amended by Committee Amendment "A" (S-406) as Amended by Senate Amendment "A" (S-422) thereto in concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-418)** on Bill "An Act to Implement the Recommendations of the Maine Commission on Public Defense Services to Clarify the Types of Cases for Which the Commission Is Responsible for Providing Counsel"

(S.P. 698) (L.D. 1796)

Signed:

Senators:

CARNEY of Cumberland

TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth

BABIN of Fort Fairfield

CARUSO of Caratunk

LEE of Auburn

O'HALLORAN of Brewer

PUGH of Portland

SATO of Gorham

SINCLAIR of Bath

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

HENDERSON of Rumford

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-418)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-418) AS AMENDED BY SENATE AMENDMENT "A" (S-424)** thereto.

READ.

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

The Bill was **READ ONCE**. Committee Amendment "A" (S-418) was **READ** by the Clerk.

Senate Amendment "A" (S-424) to Committee Amendment "A" (S-418) was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-418) as Amended by Senate Amendment "A" (S-424) thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** as Amended by Committee Amendment "A" (S-418) as Amended by Senate Amendment "A" (S-424) thereto in concurrence.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Resolve, Directing the Department of Corrections to Study Achieving Gender Equality

(H.P. 1167) (L.D. 1749)

Signed:

Senators:

BEEBE-CENTER of Knox

CURRY of Waldo

Representatives:

HASENFUS of Readfield

ABDI of Lewiston

LAJOIE of Lewiston

LOOKNER of Portland

MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello

MCINTYRE of Lowell

NUTTING of Oakland

PERKINS of Dover-Foxcroft

READ.

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

Representative NUTTING of Oakland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

ROLL CALL NO. 564

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

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

ABSENT - Lanigan, Mason.

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

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

The Resolve was **READ ONCE**.

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

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

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-764)** on Bill "An Act to Clarify Certain Terms in the Automotive Right to Repair Laws"

(H.P. 803) (L.D. 1228)

Signed:

Senators:

CURRY of Waldo

BAILEY of York

Representatives:

GERE of Kennebunkport

COLLAMORE of Pittsfield

GOLEK of Harpswell

JULIA of Waterville

MALON of Biddeford

MINGO of Calais

ROBERTS of South Berwick

WALKER of Naples

YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-765)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representative:

EDER of Waterboro

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **EDER**: Thank you, Mr. Speaker. I rise today because I have a very deeply held moral compass to always support the will of the voters in the referendum process, even if I don't agree with the will of the voters.

In November 2023, Maine voters passed the automotive right to repair law by a whopping 84% margin. The Attorney General's Office put together a working group to address any inconsistencies in the language of the referendum. They met for five months and they produced a unanimous report from all the interested parties and that report makes up the Minority Report. Unfortunately, the Majority Report goes much further than these unanimous recommendations and makes changes that were not agreed upon by the stakeholders.

So, if you're like me and you support the will of the voters and respect the sanctity of the referendum, you will join me in voting against this measure.

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

Representative **MALON**: Thank you, Mr. Speaker. I rise in support of the pending motion and the Majority Report, the overwhelming bipartisan Majority Report of the Housing and Economic Development Committee on a bill and a topic that I think it is fair to say has been incredibly well lobbied over the past couple of years by forces on both sides.

I have nothing against the lobbyists working this bill, they're doing their jobs, but they're representing two sides of a coin and ignoring; two sides of an issue and ignoring I think a voice that is too often left out of these debates, which is the voice of the consumers. You had lobbyists for the auto makers who didn't support what the voters passed and wanted to continue their monopolistic practices, you had lobbyists on the side of the after-market parts industry, a multi-billion-dollar industry who wanted to get their piece of the pie. Consumers get left out.

As the Representative from Waterboro said, 84% of Mainers supported right to repair. I support their will. This Majority Report enables us to implement their will. And what the voters of Maine want is to be able to get their car repaired wherever the heck they well please. And to support the small independent shops in the process. This Report contains language to make sure that the independent shops can get access to what the automakers have and make sure that there is consumer choice, it is anti-monopoly and it is pro-consumer. And those are the voices that are too often left out of the debates in this hall, and I would urge the Members of this Body to support the excellent bipartisan work of this Committee and support the motion before us. Thank you.

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, I rise to speak in support of the pending motion. LD 1228 is a thoughtful, bipartisan effort to ensure that we fix the errors in the automotive right to repair law passed in 2023.

This is not the first time, Mr. Speaker, nor will it be the last time that the Legislature is required to fix language that has come from citizens' initiatives. While I fully support the citizens' right to exercise their constitutional right to complete the citizens' initiative process, it has flaws. For example, unlike the legislative process, the citizens' initiative process does not go through language reviews and tweaks needed to ensure that the language is sound and enforceable. LD 1228 is an effort to fix the language in the law to make it work for Maine people and protect their data.

Before I continue, I'd like to thank Maine Right to Repair Group for passing out their talking points to all of my colleagues sitting around me, but not including me in the distribution. The good news is my colleagues have my back and asked me about it right away. They know that I've been working on this issue for three years, Mr. Speaker. What I find most interesting about the handout that we all but myself and, I learned, the Good Representative from South Berwick, received is that it asked us to vote no, which isn't even an option on the table, Mr. Speaker. We have the Majority Ought to Pass as Amended by Committee Amendment "A" Report before us, or we have the Minority Ought to Pass as Amended by Committee Amendment "B." Mr. Speaker, this paper would also have you believe that the bipartisan majority of the Committee is working against the will of the voters. That's simply not true. These two Reports are almost exactly the same. The Minority Report is in the Majority Report. The two biggest differences are, Mr. Speaker, that the Majority Report includes definitions that were missing from the citizens' initiative to ensure that our law is clear and not ambiguous, which is never good in law, and it also adds an enforcement section to make it clear that the AG can enforce what the people voted for. Those are the only two differences.

Thank you, Mr. Speaker, and I hope you support the Majority Report.

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

Representative **LAJOIE**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Prior to being here in the House for a number of years as well as with the City of Lewiston as a firefighter, I also had an automotive business.

It's going to be a little bit of history, because I'm going to go back, but the fact of the matter is, is in the industry today, as we all know, it's high tech and we're into the computerization. And I bought my business in 1974 and in 1978, I bought an analyzer and paid about 1,500 bucks for it. That was quite a bit in '78. But the fact of the matter is, in 1969, working at a dealership, electronics became known and the electronic module, especially in GM, Ford and other American products, came out. Instead of having points in the distributor, it had an electronic module. It was a total way of troubleshooting, totally different and all. So, that was the beginning. As it went along, it increased. Today, for instance, I diagnosed one of the vehicles I had not too long ago and I needed an electronic module, ignition module. And that's what the item told me and I troubleshot it and I went right to it, and it told me how to take it apart, move it out and so on. And I went to the aftermarket and they didn't have anything, so, I went to the dealer and bought one, put it in and come to find out it had to be set up and calibrated to the vehicle year, vehicle engine, vehicle; everything it had, power seats, all that stuff. And it had to be set up only by the dealer. Some of the reasons that the dealers, I believe, are not as anxious to let some of that information out is liability issues.

I'm for this bill, don't get me wrong. However, I just want to let you know what the big companies have to deal with is the liability aspect. My, I guess, my direction in that, or my suggestion, would be that if the outside industry, the small shops and everything, which it will cost them some money, would have to get together with the dealerships and/or the dealerships or the vehicle brands that they're working with, and sign a release of liability form. And I think they might even have to have some type of schooling with whatever brand that they use to qualify for that liability release. I think that would be the only way that a large company like GM, Ford, Chrysler, Subaru, what have you, would release a lot of that information.

So, I think it's worthwhile to move forward, keep the pressure on and see what can be worked out. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Mr. Speaker. Mr. Speaker, Colleagues of the House, I rise today in strong support of LD 1228 as amended.

I know that many of you have heard this bill described in sweeping terms such as 'guts the right to repair' and 'defies the will of the voters,' but those claims ignores the facts. This bill and the Amendment before you represent not a betrayal of voter intent, but the work of this Legislature, taking our responsibility seriously when implementation proves broken, unclear or legally flawed. This bill is the product of two years of legislative oversight, public input, technical review and multi-stakeholder analysis. Because while slogans win elections, they don't make good law. That is our job.

To put this in context for those who weren't here in November of 2023, voters approved a ballot initiative known as the, quote, 'Right to Repair Law.' The language in that measure was imported nearly verbatim from Massachusetts, where the law had been locked in litigation since 2020 and yet to be implemented. Automakers there had already responded in

Massachusetts by disabling their telematic systems entirely to avoid legal and regulatory risk. We are just about there. Here in Maine, the ballot campaign spent nearly five million dollars, of which 99.99% came from out-of-state entities, including corporate parts and repair chains, aftermarket parts manufacturers and distributors. Why? Because they and others stand to gain massive commercial access to personal and vehicle data. To corner the market on this platform would solve it all, except it wasn't out of civic duty. The Massachusetts litigation revealed a business plan that would put this cost right back on the voters. This wasn't a grassroots push for Maine mechanics, this was a national market expansion strategy and Maine was a cheap date.

Now, here's what the public didn't see. After the ballot measure qualified for the election, the 131st Legislature took the initiative to prepare for the consequences. The IDEA Committee held a work session on the initiative. It included stakeholders from both sides of the issue, including manufacturers, repair shops, cybersecurity experts and the consumer advocates, and even then, one thing was already clear; this law would be unworkable unless something was changed. Our efforts to address issues after its Passage were met with strong opposition, including 10s of thousands of dollars in one month alone aimed at targeting myself and my colleague, the Good Representative from Pittsfield, digitally, and also tonight, the lobby descended upon the building in the final days, as you're now also seeing, and those who were here are likely to remember. Odd for a citizens' initiative, Mr. Speaker.

We passed what we could, the Resolve requiring the AGs to convene a working group, which you have heard about. Its charge was to study and recommend how the independent entity could be implemented safely, legally and securely. It was our first step toward putting this poorly written law under a microscope. What became clear during these meetings confirmed our original concerns. No independent entity exists to manage secure data access as the law required, there's no standardized platform across manufacturers that meets the telematic access provision. Federal regulators at NHTSA and BIS have warned that open telematics access could allow for malicious interference with vehicle control such as steering and braking. This Statute includes vague or undefined terms such as platform, securely communicating, mobile based application and owner authorization. It doesn't even define independent repair shops.

In short, while the working group made some progress, it could not magically implement a structure that did not exist and, frankly, it was beyond their charge to do so. The narrative you are likely hearing about only implementing the working group's recommendation falls woefully short of a fix. To be clear, their only charge was to evaluate what was identified in the law as an independent entity. Many other issues were raised in discussions but were deemed outside of their scope or there was no unanimous consent. As a result, the Legislature needed to act. LD 1228 is that response.

The bill incorporates the working group's recommendations alongside additional definitions, clarifications, protections and structure. The Amendment before you creates the Motor Vehicle Right to Repair Commission, a real entity under Maine oversight, not a vague, undefined independent entity written by a ballot lawyer in another state. It defines core terms pulled from existing State and federal Statute and the federal Safe Repair Act including mechanical data, vehicle owner and independent repair facility. It clarifies that telematic access must be offered if similar access is granted to dealers, provided that privacy, cybersecurity and safety protections are

in place. And it limits liability to actual violations and removes the law's current risk of \$10,000 fines per vehicle for manufacturers who literally cannot comply because of the structure the law calls for simply does not exist. This isn't gutting anything, this is putting Maine back in line with federal law, agency standards and common sense.

Some have accused this Legislature of overturning the will of the people. However, let's remember that the people were presented with a black-or-white question on a 700-word ballot summary. They weren't informed that the law would compel manufacturers to violate federal safety standards. They weren't told the enforcement mechanism didn't exist. They weren't told the same law had never been implemented successfully in Massachusetts. They were sold a message. Now we must do the hard part, governing responsibly. And to those who say special interests influenced this bill, I ask you, what's more special interest than a campaign funded by a billion-dollar auto parts industry in a national lobbying effort? What is more special interest than the slew of paid lobbyists urging you to vote no? Not on a bill that changes their client's legislation, but on a clarification of a peoples' initiative. So, if the very industries that funded the ballot initiative are the same ones in our halls fighting any changes, it begs the question of whether this was truly a citizens' initiative other than at face value.

This bill was written with input from stakeholders affected by the poorly written language and bipartisan Members of this Body crafted it. Our job is not to rubber-stamp ballot language that fails legal technical and constitutional muster, our job is to fix it. LD 1228 does exactly what we told the public we would do when we passed the working group Resolve; examine, evaluate and, if needed, correct. This Amendment represents what good governance looks like when campaign slogans meet real-world complexity. We respect the will of the voters, we also respect the rule of law, and the rule of law requires Statutes that are clear, enforceable and constitutional.

Thank you for your indulgence, Mr. Speaker and Colleagues, and please join me in supporting this Amendment.

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. 565

YEA - Abdi, Adams, Albert, Ankeles, Arata, Archer, Ardell, Arford, Babin, Bagshaw, Beck, Bell, Bishop, Blier, Boyer D, Boyer M, Brennan, Bridgeo, Bunker, Campbell, Carlow, Chapman, Cimino, Cluchey, Collamore, Collins, Cooper, Copeland, Crafts, Daigle, DeBrito, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Faircloth, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Friedmann, Frost, Gattine, Geiger, Gere, Gifford, Golek, Graham, Gramlich, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes, Javner, Julia, Kessler, Kuhn, Lajoie, Lance, Lavigne, Lemelin, Libby, Lyman, Macias, Malon, Mason, Mastraccio, Mathieson, Matlack, McCabe, McIntyre, Meyer, Mingo, Mitchell, Montell, Moonen, Murphy, Nutting, O'Halloran, Olsen, Osher, Parry, Paul, Perkins, Pluecker, Pugh, Quint, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Rudnicki, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Schmursal-Burgess, Shagoury, Simmons, Sinclair, Skold, Smith, Soboleski, Stover, Strout, Supica, Swallow, Terry, Thorne, Tuell, Underwood, Wadsworth, Walker, Warren, Webb, White J, White R, Wood P, Wood S, Woodsome, Yusuf, Zager, Mr. Speaker.

NAY - Caruso, Cloutier, Cray, Eder, Fredette, Jackson, Lee, Lookner, Milliken, Morris, Poirier, Pomerleau.

ABSENT - Crockett, Lanigan.

Yes, 135; No, 12; Absent, 2; Vacant, 0; Excused, 2.

135 having voted in the affirmative and 12 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-764)** 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-764)** and sent for concurrence.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-770)** on Bill "An Act Concerning the Status of Battery Storage Systems with Regard to the Business Equipment Tax Exemption"

(H.P. 526) (L.D. 819)

Signed:

Senators:

GROHOSKI of Hancock
BICKFORD of Androscoggin
TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston
CROCKETT of Portland
FRIEDMANN of Bar Harbor
MATLACK of St. George
QUINT of Hodgdon
SAYRE of Kennebunk
SWALLOW of Houlton
WHITE of Ellsworth

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

Signed:

Representative:

RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-770)** 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-770)** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act to Fund Collective Bargaining Agreements with Executive Branch Employees and Continue the Voluntary Employee Incentive Program

(H.P. 1335) (L.D. 1987)

(S. "A" S-421)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 97 voted in favor of the same and 47 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

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

Emergency Measure

Resolve, to Establish the Real Estate Property Tax Relief Task Force

(S.P. 688) (L.D. 1770)

(C. "A" S-423)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of the same and 12 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Improve Recycling by Updating the Stewardship Program for Packaging

(S.P. 579) (L.D. 1423)

(C. "A" S-419)

An Act Regarding Cannabis Testing

(S.P. 603) (L.D. 1488)

(S. "B" S-409 to C. "A" S-320)

An Act Regarding Outdoor Cultivation in the Medical Use Cannabis and Adult Use Cannabis Industries

(H.P. 1268) (L.D. 1897)

(C. "A" H-713)

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

Resolve

Resolve, to Provide Safe, Short-term Housing to Individuals Recently Released from Correctional Facilities

(S.P. 110) (L.D. 244)

(C. "A" S-411)

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

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

CONSENT CALENDAR

First Day

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

(H.P. 1032) (L.D. 1574) Bill "An Act to Amend the Credit for Educational Opportunity and Student Loan Repayment Tax Credit" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-772)**

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

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

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-773)** on Bill "An Act to Expand the Historic Property Rehabilitation Tax Credit"

(H.P. 289) (L.D. 435)

Signed:

Senators:

GROHOSKI of Hancock
BICKFORD of Androscoggin
TIPPING of Penobscot

Representatives:

CLOUTIER of Lewiston
CROCKETT of Portland
FRIEDMANN of Bar Harbor
LAVIGNE of Berwick
MATLACK of St. George
SAYRE of Kennebunk
SWALLOW of Houlton

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

Signed:

Representatives:

QUINT of Hodgdon
WHITE of Ellsworth

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-773)** 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-773)** 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 yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-575)** - Minority (5) **Ought to Pass as Amended by Committee Amendment "B" (H-576)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Protect Health Care Workers by Addressing Assaults in Health Care Settings"

(H.P. 351) (L.D. 532)

TABLED - June 10, 2025 (Till Later Today) by Representative HASENFUS of Readfield.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Mr. Speaker, Men and Women of the House. The Criminal Justice Committee has dealt with approximately 200 bills this session and about a third of them have been Divided Reports, but you haven't heard from me much. But tonight, that's going to change, because I think this is a very important issue.

I rise in opposition to the pending motion. The issue of violence among health care workers does not need further study, it requires urgent action. Unlike many issues we discuss in this House, this one is a problem in search of a solution.

According to claims data, on average, every day, a health care worker in Maine files a lost time claim due to violence sustained at work. Every single day. I'll bet that many, if not most, of you have family members who are health care workers. I have three and I've heard from them that violence has sadly become part of their work.

In the Maine Criminal Code, Title 17-A, a person is guilty of assault if the person intentionally, knowingly or recklessly causes bodily injury or offensive physical contact to another person. Assault on an individual is a class D crime. If the person assaulted is a law enforcement officer or an employee of a corrections facility, the crime is elevated to a class C crime. Because anarchy ensues if we allow attacks on enforcers of the law. If the person assaulted by an adult is under six years of age, the crime is elevated to a class C crime, and I don't think I need to offer a reason for that one. Two years ago, we elevated assaults on hospital workers to a class C crime, but only if the assault occurs within the emergency room. In the hall, just outside the emergency room, it's still only a class D crime. This bill will elevate assaults on health care workers while they are working to that same class C crime. Why, you ask? Because when we interact with a health care worker, we are seeking care, comfort and hope, and to attack them is simply unacceptable. That is why assaults on emergency medical service personnel is also a class C crime whenever and wherever they are working.

Hospitals in Maine are spending millions of dollars providing security staffing, offering violence prevention and intervention programs and training and supporting their employees impacted by violence, but they need our help. Once

hailed as heroes, our health care workers are now being assaulted at an alarming rate, and we owe it to them to stand up and tell the public that this is something that the Maine Legislature finds unacceptable and not part of the job. And we need to send a message to prosecutors and law enforcement that this Statute is a tool to prosecute individuals who intentionally assault a health care worker. I want to emphasize intentionally. LD 532 will not result in an increased criminalization of people with mental illness. It is drafted to ensure that only those who are competent and volitional in their intent can be held responsible.

We need enforceable standards and LD 532, sponsored by the Representative from Boothbay with Co-sponsors of both parties from both ends of the hall, provides those standards. I urge you to reject the pending motion and support the Minority Report. Thank you, Mr. Speaker.

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

Representative **HASENFUS**: Thank you, Mr. Speaker. The Good Representative from Oakland is correct that in the 132nd, this Body did in fact; well, let me back up even further. Prior to that, there was a legislative study that had a number of recommendations on how the State can protect health care workers from assault. There were a number of other non-criminal justice matters as a result of that study, but that study also did say that they felt that within an emergency room that it would be advantageous to elevate an assault to a class C level.

Now, let me first explain that when we are talking about elevating the assault, we're talking about pushing, shoving, punching. We're not talking about taking a pipe, taking an object and hitting somebody with that object, we're talking about; it could be something as simple as pushing somebody away when you've instructed them not to touch you or take your pants off or something like that in the emergency room. And we heeded the study and we implemented those recommendations. And then, what was interesting about that is there was later a news article done through the *Maine Monitor* that took prior to this Body and the Legislature enacting the law, bumping the crime up to a felony level crime for assault in an emergency room setting and found that, in fact, the assaults went up.

Now, it's my belief that when we implement new crimes, we should be doing that with a deterring purpose and that implementing those new crimes should have a deterring effect. And it doesn't seem as though the law we passed last year does. In fact, there was a quote from that article where a registered nurse, nursing supervisor at Downeast Community Hospital Machias, said that the expanded definition doesn't seem to be changing the behavior of patients, many in a state of crisis when they arrive in the emergency department. I don't think anybody is going into the hospital going, well, I better not act out today, because LD 1119 is in effect—that was the bill from last session—said Bragg. It doesn't change anything. If violence is going to happen, it is going to happen.

And the Committee spent a significant amount of time thinking, how do we actually protect health care workers. And thinking that through, we came back with the motion before this Body to say that we need to look at all of the angles. It's not just about establishing new crimes. In fact, the previous legislative study said that there was no consensus on expanding the crime outside of the emergency room. They did not want to expand it as this, the Minority Report of this bill would do. They don't want to expand it to outpatient services and dentists' office and optometrists and any other setting like that. So, there was no consensus there. I think the appropriate thing for this Body to do is to take a very measured approach at this and to look at

ways we can actually protect our health care workers, not just implement an elevated crime that can be charged on an elderly man pushing somebody away because he's asked them not to touch him or some of the other examples that we've heard.

So, I ask that this Body, that we actually do something to really address the issue and we pass this study and let's see if we can bring real change instead of just pretending to bring change. Thank you, Mr. Speaker.

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

Representative **PERKINS**: Thank you, Mr. Speaker. I would like to back up the comments made by my Good Friend and Colleague from Oakland, but I also want to put a little bit of a personal perspective on that, because one of my children was one of those nurses who had previously worked in an ER and prior to the last legislative session left that field simply because she had been assaulted too many times in the ER. And from my children that still work at the hospital, they tell me that, no, these assaults happen outside the ER, this is something that needs to be fixed.

Now, to the issue of a study, we know it's happening, we see it's happening and a study would do nothing but slow-walk it to a point where we could look at, okay, well, now, we have a study that takes time and then we're going to bring back legislation, but there's no consensus here, and then it's just going to get pushed back and pushed back and pushed back. And during that entire time, Mr. Speaker, our health care workers are going to continue to get assaulted in these settings.

And as to the comment on the newspaper article, even; yes, increases in hospitals have increased and yes, we did pass that law. But there's no indication that that's actually positive. And actually, I think it more proves a point for the need for the legislation, because we know those assaults are increasing, we need to take extra measures to support our health care workers.

And Mr. Speaker, we talk about all the time about; or not all the time, but we hear often in here that we don't have enough nurses, we don't have enough doctors, we don't have enough mental health workers. And I'll tell you what, Mr. Speaker, honestly, if we fail to protect them, we're going to lose more of them, and that will do nothing to increase the number of these vital workers. People, when they go to work and they provide these services, they need to feel like they can do it safely, they need to know that they have the criminal justice system backing them up.

And to another comment, no law that we enact here is going to change prosecutorial discretion. So, if someone comes in and there's an assault charged and it turns out not to be a real assault, DAs aren't going to charge that. We're talking about people that are going in, they're causing mayhem, they're causing violence and they're hurting our people.

And so, I would encourage the Body to support the Minority Report. Thank you, Mr. Speaker.

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

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

I think it's a misnomer to say that increasing the penalties for assault on a health care worker would do anything to protect them. As the Representative from Readfield said, we know that's true, because we in the 131st passed a law to elevate the crime of assault on ER staff and that increased the number of assaults on ER staff in this State. We also know that the states with the highest rate of murder are states that have the death penalty.

So, it's very clear, data is very clear that increasing penalties and making crimes more punishable with longer sentences does nothing to deter behavior. What does deter behavior, what makes hospitals and nursing facilities and ERs and places like that safer? Better staffing ratios, better educational opportunities for the people of Maine, better access to mental health care treatment broadly, better access to educational opportunities broadly, better access to health care. All of those things are crime prevention. Making things criminal, making things more criminal, does nothing to prevent crime from happening, it doesn't protect the staff members, who, I totally agree, I think everyone on this floor agrees that we need to do everything we possibly can to protect people who work in this field.

We know that there are numerous assaults happening on these folks, we should be looking at ways to remedy that situation. I don't believe that passing the Minority Report on this bill is the right way to do it. I ask that we as a Body look into actual ways to protecting these workers to the best of our ability. Thank you, Mr. Speaker.

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

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, if I may read the summary of the Amendment of the majority. The Amendment, which is a Majority Report of the Committee, replaces the bill with a Resolve. The Amendment directs the Commissioner of Health and Human Services to convene a working group to study assaults on health care workers in health care facilities. The commissioner is required to submit a report by January 1, 2026, to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Committee on Health and Human Services. The Joint Standing Committee on Criminal Justice and Public Safety may report out legislation based on the report to the Second Regular Session of the 132nd Legislature.

Mr. Speaker, I read that because it's important that the Health and Human Services Committee hear about these things. We hear about them all the time. This makes an enormous amount of sense that we hear this report and be able to report out legislation along with the Criminal Justice Committee. So, thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative Stover.

Representative **STOVER**: Thank you, Mr. Speaker. LD 532 is a good bill and it is a bill that has already been studied and in its first passage allowed for certain criminal charges to be brought if someone were assaulted in a health care setting in the emergency room. What this bill seeks to do is extend that to all health care settings. And this is not about trying to criminalize people, especially people who lack capacity, it is really focused on those that knowingly, willingly and recklessly commit assault for a variety of reasons not due to their diminished capacity.

I want to thank the Good Representative from Oakland and the Good Representative from Dover-Foxcroft for their words. I think that this has been studied, I think the recommendations are clear and I would ask my Colleagues to join me in supporting the Minority Report.

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. 566

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

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

ABSENT - Crockett, Lanigan.

Yes, 63; No, 84; Absent, 2; Vacant, 0; Excused, 2.

63 having voted in the affirmative and 84 voted in the negative, with 2 being absent and 2 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

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

The same Representative **REQUESTED** a roll call on his motion to **ACCEPT** the Minority **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 Minority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 567

YEA - Abdi, Adams, Albert, Ankeles, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Brennan, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Collamore, Collins, Cooper, Copeland, Daigle, DeBrito, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Friedmann, Frost, Geiger, Gere, Gifford, Gramlich, Greenwood, Guerrette, Haggan, Hall, Henderson, Hepler, Hymes, Jackson, Javner, Julia, Lance, Lavigne, Lemelin, Libby, Lyman, Mason, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rielly, Rollins, Rudnicki, Runte, Sachs, Salisbury, Sargent, Schmursal-Burgess, Shagoury, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Terry, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome, Yusuf, Zager, Mr. Speaker.

NAY - Archer, Arford, Beck, Bell, Boyer M, Bridgeo, Cluchey, Crafts, Dhalac, Faircloth, Farrin, Gattine, Golek, Graham, Hasenfus, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe,

Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Roberts, Roeder, Sato, Sayre, Sinclair, Skold, Supica, Warren, Webb.

ABSENT - Cray, Crockett, Lanigan.

Yes, 100; No, 46; Absent, 3; Vacant, 0; Excused, 2.

100 having voted in the affirmative and 46 voted in the negative, with 3 being absent and 2 excused, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-576)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (H-576)** 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 Increase General Assistance Reimbursement for Municipalities and Indian Tribes"

(H.P. 638) (L.D. 978)

Majority (7) **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-753)** in the House on June 17, 2025.

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**.

By unanimous consent, House Rule 501 was suspended until 10:30 p.m. for the purpose of remaining in session.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act to Amend the Automotive Repair Statute"

(H.P. 296) (L.D. 442)

Signed:

Senators:

CURRY of Waldo

BAILEY of York

BENNETT of Oxford

Representatives:

GERE of Kennebunkport

EDER of Waterboro

GOLEK of Harpswell

MALON of Biddeford

YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-761)** on same Bill.

Signed:

Representatives:

COLLAMORE of Pittsfield

MINGO of Calais

ROBERTS of South Berwick

WALKER of Naples

READ.

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

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act to Repeal the Requirement That Motor Vehicle Manufacturers Equip Vehicles with a Standardized Data Access Platform"

(H.P. 802) (L.D. 1227)

Signed:

Senators:

CURRY of Waldo

BAILEY of York

BENNETT of Oxford

Representatives:

GERE of Kennebunkport

EDER of Waterboro

GOLEK of Harpswell

MALON of Biddeford

YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-762)** on same Bill.

Signed:

Representatives:

COLLAMORE of Pittsfield

MINGO of Calais

ROBERTS of South Berwick

WALKER of Naples

READ.

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

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act to Support Maine's Electric Vehicle Adoption Goals by Providing an Exclusion for Electric Vehicles from Certain Requirements of the Right to Repair Law"

(H.P. 916) (L.D. 1394)

Signed:

Senators:

CURRY of Waldo
BAILEY of York
BENNETT of Oxford

Representatives:

GERE of Kennebunkport
EDER of Waterboro
GOLEK of Harpswell
MALON of Biddeford
YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-763)** on same Bill.

Signed:

Representatives:

COLLAMORE of Pittsfield
MINGO of Calais
ROBERTS of South Berwick
WALKER of Naples

READ.

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

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-774)** on Bill "An Act to Authorize a Local Option Sales Tax on Short-term Lodging to Fund Municipalities and Affordable Housing"

(H.P. 488) (L.D. 746)

Signed:

Senators:

GROHOSKI of Hancock
TIPPING of Penobscot

Representatives:

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

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

Signed:

Senator:

BICKFORD of Androscoggin

Representatives:

QUINT of Hodgdon
RUDNICKI of Fairfield
SWALLOW of Houlton

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **RUDNICKI**: Thank you, Mr. Speaker. Mr. Speaker, the power to tax belongs with the Legislature, not for the local municipalities. It is against the Constitution and we took an oath to uphold the Constitution, so, I am against this motion. Thank you.

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

Representative **SKOLD**: Thank you, Mr. Speaker, and Colleagues of the House. I rise to support the measure, which would grant municipalities the authority by the Legislature to adopt an additional two percent lodging tax in their municipality, should they choose to do so, by referendum of the people.

I don't want to talk too much, either, not just because I don't want to delay us, but because this Chamber is not the best place for that discussion; rather, the discussion and debate over whether to adopt additional two percent lodging tax in a certain municipality should be had in that municipality, which is exactly what this bill would allow expressly by the authority of the Legislature. Let the municipality choose whether or not to adopt this. The truth is some of our towns bear the brunt of visitation or tourism economy a little bit more than others. Maine is a tremendous place to visit and we hope everyone comes and visits this summer, and some of our towns who bear that brunt a little bit more are asking for the ability to solve some of their infrastructure problems and share the burden a little bit more by asking those visitors in their towns to pay just that two percent extra. So, I hope we can support one another today in giving those towns who are asking for this, that ability, and only if their voters, the people of the town themselves, Mr. Speaker, choose to adopt this tax, this additional two percent tax, would it go into effect. Thank you.

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

Representative **FRIEDMANN**: Thank you, Mr. Speaker. Maine residents face the highest property tax burden in the United States, with the average homeowner spending 4.8% of their income on property taxes. More than any other state in the nation. Despite the State's growing tourism economy, particularly in rural areas driven by platforms like Airbnb, Maine is one of only three states that does not allow municipalities to implement a local lodging tax to help alleviate this tax burden. The others are New Hampshire, with a unique revenue model that relies on high property tax rates, and Connecticut, with a 15% state lodging tax.

Allowing Maine municipalities to implement a two percent local lodging tax by local referendum could bring in much needed revenue to reduce the property tax burden on residents for seasonal use of town services. Given the boom in short-term rentals, this is an opportunity to ensure tourism is sustainable and that municipalities can effectively maintain the infrastructure and services tourists rely on without financially punishing residents for their town's success. Maine's reliance on property taxes to fund essential services like public safety and sewer means homeowners are covering the cost for visitors who increase demand on these services.

While local lodging tax has been lobbied against in the past due to Maine's State lodging tax of nine percent, in fact, tourists are getting a bargain when it comes to lodging taxes here. According to a study by the American Hotel and Lodging Association, the average combined state and local tax paid by hotel guests in the U.S. is 13.5%, with some cities even exceeding 20%. By comparison, Maine's nine percent State tax is low. Furthermore, studies show no negative impact on lodging sales, employment or the broader economy when local lodging taxes are implemented.

This bill authorizes, but does not mandate, a two percent tax. To be enacted by a municipality, the tax must be approved by a voter referendum. And as far as the constitutional question, many have opined that the State is actually levying this tax, the bill spells out exactly how the tax would have to be implemented, every municipality would have to do it exactly the same and towns would essentially just be administering this tax.

This is not a tax on the hospitality industry, it's a tax on our visitors, many of whom are already used to higher occupancy taxes in almost every state. Plus, resort fees are often tacked onto stays at many upscale lodgings. With a rapid growth of short-term rentals like Airbnb and Vrbo, many small towns without hotels could stand to gain 10s of thousands of dollars per year from this tax, 90% of which would be returned to the collecting municipality and 10% would be directed to the Maine State Housing Authority's rural affordable housing program, which would then be accessible to every town in the State.

For these reasons, I urge Ought to Pass as Amended.

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

Representative **BOYER**: Thank you, Mr. Speaker. Just a question through the Chair, if that's all right?

The SPEAKER: The Member may proceed.

Representative **BOYER**: Thank you. Does this tax apply to Mainers who are traveling and being tourists in their own state? Thank you.

The SPEAKER: The Representative from Poland, Representative Boyer, has posed a question through the Chair to any Member who wishes to answer. The Chair recognizes the Representative from Bar Harbor, Representative Friedmann.

Representative **FRIEDMANN**: The answer is yes.

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. 568

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

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

Schmersal-Burgess, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Crockett, Lanigan.

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

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

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

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-428)** on Bill "An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Update Certain Requirements Regarding Sexual Assault Forensic Examination Kits" (EMERGENCY)

(S.P. 199) (L.D. 549)

Signed:

Senators:

CARNEY of Cumberland
HAGGAN of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-429)** on same Bill.

Signed:

Senator:

TALBOT ROSS of Cumberland

Representatives:

SATO of Gorham
SINCLAIR of Bath

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-429)**.

READ.

Representative CLOUTIER of Lewiston moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

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

Representative **RUDNICKI**: We couldn't get through the day without me doing this. So, running the Minority Report actually really tells me that you're not confident in your own position, but it bypasses the Committee work. So, once again, I will say I would appreciate Majority Reports being moved. Thank you.

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

The Bill was **READ ONCE**. **Committee Amendment "B" (S-429)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (S-429)** in concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement" (EMERGENCY)

(S.P. 707) (L.D. 1816)

Signed:

Senators:

HAGGAN of Penobscot
TALBOT ROSS of Cumberland

Representatives:

BABIN of Fort Fairfield
CARUSO of Caratunk
HENDERSON of Rumford
LEE of Auburn
POIRIER of Skowhegan
PUGH of Portland
SINCLAIR of Bath

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-427)** on same Bill.

Signed:

Senator:

CARNEY of Cumberland

Representatives:

KUHN of Falmouth
O'HALLORAN of Brewer
SATO of Gorham

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-427)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-427)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-427)** in concurrence.

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

Seven Members of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-767)** on Bill "An Act to Revise the Growth Management Program Laws"

(H.P. 1299) (L.D. 1940)

Signed:

Senators:

CURRY of Waldo
BAILEY of York

Representatives:

GERE of Kennebunkport
GOLEK of Harpswell
JULIA of Waterville
MALON of Biddeford
YUSUF of Portland

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

Signed:

Representatives:

COLLAMORE of Pittsfield
EDER of Waterboro
MINGO of Calais
ROBERTS of South Berwick
WALKER of Naples

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-768)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

READ.

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

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

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

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, I rise today in opposition to LD 1940.

I represent a district made up of small towns where hardworking people and local governments are doing their best to manage growth and protect what makes their community special, with very limited resources. These are communities that are under 4,000 each. I have two communities under 4,000 and two communities that are just over 1,000 people in each of them. They rely on volunteers, part-time officials and a strong sense of community to get things done. When we talk about comprehensive planning, we need to keep that in mind, not just in words, but in policy.

Comprehensive planning is a beneficial tool. It helps towns look ahead, it helps them make smart decisions where their developments should go, what areas need protecting and how to plan for infrastructure and housing needs in a way that matches the character and capacity of each community. LD 1940 takes that tool and turns it into a bureaucratic nightmare.

One of the most damaging changes in this bill is the removal of the completeness review, a key part of how the State partners with our towns. Currently, when a municipality submits a comprehensive plan, the State helps identify what's missing

before judging consistency. That's collaboration and support. LD 1940 ends that. Instead of working with towns to improve their plans, the bill requires the State to issue a finding of inconsistency rather than helping the municipality address missing items. That's not protective and it doesn't have the partnership, especially for our rural communities, that they need.

The bill introduces a two-track system, option one and option two, and claims to offer towns a choice. But what it really does is create two flawed systems, both of which increase in complexity, confusion and cost. Option A is labeled as the, quote, 'simplified version,' removes some of the most essential elements of meaningful planning. It tells towns they don't need to gather data on housing, transportation or economic development. It removes the implementation programs, it leaves out regional coordination and that's not a compromise or comprehensive planning, it's dressing on the window. It also makes it harder by requiring new mapping work that's expensive and difficult for small towns to accomplish. We're asking towns to map conserved lands, rural areas and other classifications with definitions that are problematic at best and, in some cases, misleading or impossible. And because of the incorrectly worded definitions, these present a real risk to downtowns or village centers that could be mislabeled as rural.

Option two is not an equivalent alternative to option one. Both options are written as flawed and not in the best interests of Maine communities. Option two does not mirror 1751's language, which we'll deal with later. Let's not overlook the inconsistent application of growth area exemption, a critical piece of flexibility that towns have used for years to accommodate their unique needs.

Mr. Speaker, LD 1940 does not make comprehensive planning more accessible or more equitable, it makes it more burdensome, less efficient and more expensive for towns. Planning should not be about forcing towns into compliance through red tape, it should be about working together, state and local governments together. Mr. Speaker, let's protect Maine's rural communities by making planning framework that is clear and realistic and actually addresses the housing issue and comprehensive planning issues that are in our Statute. For the sake of our small towns, our overburdened volunteers and the future of fair and effective planning in the State, please vote no on 1940. Thank you.

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

Representative **COOPER**: Thank you, Mr. Speaker. I'm rising in opposition to this bill.

My own town planner, a much larger town than the Good Representative from Pittsfield's communities—we're over 20,000 people—our town planner has a considerable career in town planning. His former job was in South Portland. He reached out and expressed his desire to defeat this bill. It will make his job much more difficult, our town's job much more difficult, confuses things. He was adamant that he does not support this and thinks it will be much more difficult for most towns. Thank you.

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

Representative **ANKALES**: Thank you, Mr. Speaker. I rise in strong support of this motion. If LD 1940 had been law back in 2019, my community would have been spared six years of a true bureaucratic nightmare and an absolute train wreck of a process. And I know a thing or two about wrecking trains, Mr. Speaker.

I want to quote from one of our comprehensive plan committee members who traveled to Augusta to testify in support of LD 1940. She said, "our committee has been meeting weekly since September of 2019, comprised of nine citizens and three town councilors. We have had five different planning department directors oversee the project, as well as three different consulting groups. It was not until we enlisted the assistance of our current consultant did we learn how to view the forest through the trees. Through the utilization of place types in our land use planning, we have been educated in a more top-down thinking strategy. Through this enlightening step, we have quickly switched gears and are now making progress to reach the end of what we believe will result in a balanced approach to growth management and natural resource preservation. I strongly support the language in LD 1940 that clearly removes the checklist mandates from the comprehensive planning process. I also support the development of the formation of a stakeholder group to work with the Department to engage in rulemaking to help ensure that the checklist mandates don't get put in place by the State. It is my hope that LD 1940 will make the comprehensive planning process more accessible and less challenging for citizen volunteers to complete. After all, it is the people of the town who should have the loudest voices in our land use management. This process should be easier, not harder for people such as our faithful committee members to complete," unquote.

I also want to mention that we had a planner come to Brunswick named Vanessa Farr, who did a deep clean and did a hard reset on our process and rescued us from the rut this one-size-fits-all process that we're currently stuck with put us in. She has spent years, even under the threat of retaliation from her professional organization, developing this legislation with a whole team of stakeholders, so that communities like mine can develop a comprehensive plan that truly matches each community and can make the concept of growth do the most good for the most people. After the work she did for us and the work she did with legislators, I trust that the majority has gotten this one right.

Please vote green to free the planning process and add a new dimension to local control. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. I would echo the comment of the Representative from Pittsfield and would just want to remind folks that earlier this session, we passed a bill to reduce unfunded and outdated municipal mandates and county mandates as a study. And I think it's bills like this that generate bills like that and we ought to think twice before we pass this legislation. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Mr. Speaker. I rise today in strong opposition to 1940.

Comprehensive planning is a cornerstone of responsible local governance. It provides communities with the tools to guide development, protect natural resources and plan for infrastructure and housing in a way that reflects local values and realities. But this bill, rather than supporting and strengthening that process, fundamentally undermines it by creating a confusing, costly and burdensome process that is especially unworkable for small and rural communities.

As you've heard, LD 1940 removes the completeness review process, a critical checkpoint where the State helps municipalities identify missing elements before a plan is evaluated for consistency. Eliminating this step does not

streamline planning, it lengthens review timelines and increases the cost burden on municipalities. So, instead of being a partner in the planning process, the State becomes an arbiter of failure, obligated to declare plans inconsistent without first helping communities course correct.

The bill creates parallel but unequal tracks, each with different requirements and expectations. This bifurcation is not simplification, it's fragmentation. It introduces unnecessary complexity into a process that already challenges our smallest towns, particularly those with limited administrative staff or no full-time planners at all. Option A, which is presented as a simplified option, eliminates foundational planning tools. It allows town to forego assembling basic population housing, transportation and economic data, data that is essential for crafting meaningful local policy. It does not include implementation programs or regional coordination efforts, effectively hollowing out the very purpose of a comprehensive plan.

LD 1940 requires towns to undertake a massive amount of mapping work, including data sources that are not readily available. Conserved lands and rural areas that are defined as such that they might risk mischaracterizing core downtowns and villages as rural and require mappings of lands that may not be practically mappable. That's not just unrealistic, it places communities in a logistical quagmire. Additionally, and most concerning, arguably, the definition of conserved lands inappropriately characterizes all land owned or managed by tribes as being solely for conservation.

LD 1940 does not make comprehensive planning more accessible or more equitable. It makes it more burdensome, more expensive, more punitive, especially for rural and under-resourced municipalities. It mandates that towns absorb increased administrative responsibilities regardless of whether they have personnel or financial capability to do so. By inconsistently applying the growth area exemption, the bill creates confusion. It could remove a key flexibility tool from smaller communities, communities that may be facing significant demographic and economic headwinds. That's not planning, that's punishment. Towns will be forced to comply with a system that demands more, offers less support and exposes them for failure.

Mr. Speaker, the growth management program should serve as a guide and a partner to our towns, not a bureaucratic maze of mandates and inconsistencies. LD 1940 is a step backwards. It disregards the concerns raised by professional planners and municipal stakeholders across our State and ignores the realities of our rural communities. It asks more of them while offering less and it weakens our ability to build smart, resilient, locally driven plans. Towns that want to engage in comprehensive planning will be forced to comply with a system that demands more, offers less support and exposes them to failure.

For these reasons, and on behalf of every town trying to do the right thing with limited means, I encourage my colleagues to vote in opposition to this legislation and let us commit instead to a planning framework that is clear, supportive, equitable and grounded in the lived realities of all Maine communities. Thank you, Mr. Speaker.

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

Representative **CARUSO**: Thank you, Mr. Speaker. Very briefly, I just want to say I know firsthand how burdensome it is to write a comprehensive plan. And it's very, very difficult for especially small communities who don't have the finances to

hire a company to do that. We need the checklist. It's already, like I said, costly, it's already detailed and it can be daunting.

The majority of the Maine Municipal Association's legislative policy committee is opposed to LD 1940 for many of these reasons and what we've heard so far. So, I just wanted to add that to the conversation.

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

Representative **GERE**: Thank you, Mr. Speaker. I rise in strong support of the pending motion and 'wow' is what I want to say in response to some of the characterizations I've heard of this bill.

Mr. Speaker, comprehensive planning is the process that Maine communities use and have used to create a roadmap for the future, but it's a 30-year-old law and it needs to be updated. And I'm going to talk briefly about why that update is needed and how 1940 actually addresses the needed change in a way that works for Maine communities of all sizes and capacities.

Currently, the lengthy checklist in the comprehensive planning process doesn't necessarily lead to an actionable plan. Many of the communities that engage today, and we just heard from my good friend from Brunswick what happened there, five years and many, many thousands of dollars spent that did not result in an actionable comprehensive plan. And only when the community got together with a new method that used visual mapping to look at the map of their community and decide together where they wanted things to happen, only then were they able to make the progress and get out of the rut that they were in, the very expensive rut, I might add.

Currently, and I'll run through some communities, some other communities have also struggled with this comprehensive planning process. Topsham, seven years; Newcastle, seven years; Brunswick, as we just heard, five years and many of the planners, and we have many planners who worked together to create this bill and to create this process as well, have experience in helping communities in a much briefer process. So, we're talking about a process that, rather than taking two or three years, it might take eight to 12 months and cost half as much. So, communities; small communities that are resource constrained and that are depending on volunteers will find that option very helpful.

The other thing that's really important in 1940 is the fact that current law does not reflect the challenges that Maine communities face. Through much collaboration with groups from all around the State, the bill updates definitions and it updates the various kinds of challenges and goals that the State has around housing and adaptation to storm and flooding and many other things that actually are today what folks are dealing with. LD 1940 addresses these challenges by making a compromise. It recognizes that different communities are at different points in the process and have different needs.

In the Housing and Economic Development Committee, we often say we're going to fuel what's working and fix what isn't. And so, together, we brought the two options for planning into 1940. The first is an updated process that focuses on communities identifying their own needs and engaging in visual mapping of where they want to solve those problems, and then option B, which is an update to the current process that is actually part and pulled the language directly from 1751. And it focuses on implementation and moving to action.

I wanted to read a few quotes from folks in the world of planning. This bill is supported by MREDA, the Real Estate Developers Association, the Maine Association of Realtors, it is an Environmental Priorities Council priority, GrowSmart Maine, Build Maine and the Quality Housing Coalition, which works

around the State to make sure that affordable housing is available to people. In addition, Evan Richert, who is a distinguished, long-time land use planner and ran the State planning office from 1995 to 2012, states, quote, "I support LD 1940 as amended. Having the option to use place types as a frame to identify trends and needs of sections of town more easily opens that door to storytelling that can lead to buy-in, better understanding of where things need to go and energy to create or accept meaningful policies." In addition, many folks are familiar with John Egan. He's a resident of Freeport and has worked throughout the State to help communities with their housing challenges. Quote, "LD 1940 simplifies the comp plan process dramatically. It uses tools and maps and terms that our community residents can not only understand, but can also get excited about. Regular Mainers care deeply about their hometowns and they want a voice in the future. They want a process they can understand that shows pictures and maps of their community as they know it. And maps with overlays of different options and renderings and building types are easier to understand and more compelling than pages of text with required vocabulary."

And then finally, wanted to just respond to a few of the points that I heard earlier from folks --

The SPEAKER: The Member will defer. The House will be in order. The Member may proceed.

Representative **GERE**: Thank you, Mr. Speaker. The mapping that the bill asks folks to do only uses the maps, Mr. Speaker, that the State provides. We have made great investments in our offices, for example, the beginning with habitat maps and the various environmental system maps, and the bill would require only that those are used. So, the State would be providing the maps to folks. I don't know about you, Mr. Speaker, but I trust small town folks in Maine to be able to read a map and to look at pictures and decide what they want to happen where in the community.

In addition, the two options in the bill are options. Each community will be able to choose the option that works for them. For a community that is well resourced and has the ability and has existing zoning maps and other things that they use in their planning and land use policies will be able to continue to do that. That's the magic of this bill. In addition, the folks that want the shorter, more intentional process in the place type method will be able to choose that as well. And both at the end will be able to submit their plans to the State and have the State in a timely fashion review and certify those plans.

And so, Mr. Speaker, I urge you to support the pending motion and to bring 1940 to fruition to make things cheaper, easier, faster and more results-oriented for communities all across Maine. Thank you, Mr. Speaker.

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

Representative **SACHS**: Thank you, Mr. Speaker. I rise in strong support of the pending motion. Having worked on this bill for four years with hundreds and hundreds of people and communities of all sizes here in Maine, I am proud to bring this bill forward as a bill that will provide options to communities small and large.

When I hear, Mr. Speaker, that this will be hard on rural communities, I would say, why? Because if you look in testimony, small communities like Long Island said this is what we need. I started on this after the 130th, the Housing Commission that you started and you said growth management is too hard, somebody else has to deal with it. And so, for four years, we've been talking with planners all across the State. This bill has the support of over 45 different organizations,

because planning is not just about planners, even though many of them support this bill. This is about communities. Those volunteer boards that get together to talk about what they want their community to look like in the future. How are they going to put things like conserved lands and growth areas and maybe we want senior housing, maybe we need broadband, maybe we really need to make sure our farms are taken care of.

This bill centers smart growth with conservation. It aligns with the comprehensive plan, which no other bill does; excuse me, the climate plan that no other bill does. It references, for example, conserved lands was brought up earlier. The definition in 1940 is because it aligns what's in our climate plan with Maine Won't Wait. That direct definition was put into 1940. There are State goals that were updated. And I went back to every single person for whom those goals connected. So, the Maine Coast Fishermen's Association was consulted on the State goal around our fisheries. Maine Council on Aging was consulted for those pieces that deal with our older residents here in Maine. That is the level and detail of work over the last four years.

This bill, Mr. Speaker, was highlighted as a national model at the National Caucus for Environmental Legislators because it brings things together like climate and conservation and rural protections with smart growth in growth areas where it makes sense for communities to have growth. We will not meet our housing goals, we will continue to have resistance if we don't have a better process for every community to be able to get into the comprehensive planning process in a way that is comfortable for them. That is what 1940 does.

I want to just make one more note about implementation. If you look, there's actually a whole section in 1940 that talks about implementation. There no longer needs to be that first check of consistency, because the checklist is gone. We don't mandate. The ironic thing about 1940 is it no longer mandates data. It says to communities, what are your goals, what are your needs and how did you get there and what data do you have to support that. It is deeply community-driven, intentionally community-driven that way. All of the growth area exemptions that are in the current Statute are still in 1940. As mentioned by the Good Representative from Kennebunk, all of the mapping and data that is asked for is already readily available and we actually gave the Committee links to where communities could get them. So, I think perhaps there's been some miscommunication about this bill, Mr. Speaker.

And I will also say the only people that testified against this were professional planners who like to do things one way, which is why the other pieces of another bill were put in there. Because if your community is okay with one way, go you. But we cannot continue to make this process so convoluted for the communities of every size who are not participating in comprehensive planning because we will never get where we want to go. This convoluted process that's been described simply has four things; document your citizen participation, document your needs of your community and what data you use, what are your goals and what's your implementation. We're no longer looking for a checklist of your inputs, we want to see the outputs. How is this going to make a difference, what do you want your community to look like?

I clearly didn't just slap my name on this bill, Mr. Speaker. I have worked on this for four years and I know this is the only way forward for this State to meet our goals. I urge this Body to support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Woodsome.

Representative **WOODSOME**: My goodness, where do I sign up? As a former Selectman, and I worked on comprehensive plan, it is difficult. But this miracle bill I keep hearing and magic, I wonder why the Maine Municipal Association did not endorse it. Thank you.

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

Representative **GREENWOOD**: Thank you, Mr. Speaker. I truly had not intended on rising tonight to this, but the Good Representative from Freeport just invoked me, so, I needed to set the record straight.

Upon a quick search of the public hearing, I will bring to your attention testimony in opposition to LD 1940 by Maine Municipal Association, Rebecca Graham. I will remind the Members of this Body the Maine Municipal Association and their 70-member policy committee, the Good Representative from Brunswick reminded us that that is from the 35 Senate districts, two from each town, 70 different communities, that policy committee recommended we not move forward with this bill. They testified in opposition. Thank you, Mr. Speaker.

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

ROLL CALL NO. 569

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

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

ABSENT - Crockett.

Yes, 66; No, 82; Absent, 1; Vacant, 0; Excused, 2.

66 having voted in the affirmative and 82 voted in the negative, with 1 being absent and 2 excused, and accordingly Report "A" **Ought to Pass as Amended** was **NOT ACCEPTED**.

Subsequently, on motion of Representative GERE of Kennebunkport, Report "B" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act to Improve the Growth Management Program Laws" (H.P. 1169) (L.D. 1751)

Signed:

Senators:

CURRY of Waldo

BAILEY of York

Representatives:

GERE of Kennebunkport

GOLEK of Harpswell

JULIA of Waterville

MALON of Biddeford

MINGO of Calais

YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-766)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representatives:

COLLAMORE of Pittsfield

EDER of Waterboro

ROBERTS of South Berwick

WALKER of Naples

READ.

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

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

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

The SPEAKER: The Member may proceed.

Representative **COLLAMORE**: Thank you, Mr. Speaker. Sorry, turn off my fan here, it's hot in here.

Mr. Speaker, I rise today to speak in support of LD 1751, "An Act to Improve the Growth Management Program Laws." This is a thoughtful, balanced update to the Statute that has been in place for more than three decades. I support this bill because it respects the needs of rural towns, it removes unnecessary red tape and it makes planning more accessible for communities like the ones I represent.

Mr. Speaker, I represent a part of Maine where some of the town offices are staffed by just one or two people, our local planning boards are made up of volunteers, our neighbors who are trying to do the right thing for their communities while juggling jobs, family and other responsibilities. These people are dedicated, but they are not professional planners and they are too often asked to navigate a process that is overly complex, unwieldy and outdated.

LD 1751 does not add new mandates, it does not force towns to plan in a certain way, it does not take away local control. It gives communities more flexibility, more clarity and more tools to plan for the future. This bill updates the outdated statutory language and does things like retaining the completeness review and introduces an expedited review process. It preserves rule exemptions and retains the right for communities experiencing minimal growth to utilize the growth area exemption. That's a decision that should be made by people who live there.

This bill also supports a multi-town cooperation. In rural Maine, we don't have the luxury of duplicating services. If a group of towns want to work together on housing or transportation or water infrastructure, this bill removes statutory barriers that currently get in the way of doing that. I want to be clear about something, rural planning does not mean lesser planning. Our communities care deeply about responsible growth, supporting our families and local businesses, supporting older residents and about helping young people in town. But we need a planning process that reflects our reality, not a process designed for urban or wealthier communities. LD 1751 recognizes that and removes redundant requirements. It trims language that force towns to inventory every possible resource, even if it had actually no relevance to their plan. I often hear concerns from constituents about State government making things more complicated than they need to be. This bill helps alleviate that. It is the government working smarter, reducing confusion, saving money and clearing a path forward for towns that want to plan for their future.

And importantly, Mr. Speaker, this bill has absolutely no fiscal impact. It is a smart, cost-effective update that removes burdens and helps our communities focus on implementation, not bureaucracy. It recognizes local knowledge, protects rural voices and it helps all of us work toward communities that are more resilient, more affordable and more sustainable for the long haul. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Mr. Speaker. I rise in opposition to the current motion, in support of LD 1751. I think it might be clear at this time that the Good Representative from Pittsfield and I did not compare notes ahead of time, because she may have said most of what I was going to say and I'll save us some time here.

What we have here is this bill provides municipalities cost, time and savings. It retains clear language that's not legally ambiguous and provides process flexibility across the State, with particular regard for rural Maine. It's going to improve our growth management program and encourage communities to develop and update comprehensive plans through efficiency, flexibility and cost effectiveness.

Mr. Speaker, as we've heard, the Growth Management Act is over 35 years old. While its goals remain sound; supporting responsible growth, protecting natural resources and encouraging thoughtful public participation; the Statute has not kept pace with the challenges facing Maine communities today. What LD 1751 does is align the law with the realities that communities face in 2025. And this is especially critical for rural towns and those under-resourced.

It's important to emphasize that LD 1751 does not impose new mandates. There is no new requirement to write or update a comprehensive plan. There is no penalty for towns that choose not to engage in this framework. Instead, the bill offers a more efficient and navigable pathway for communities that want to engage in planning. It makes that path viable even for small towns with limited resources. I will, as you've heard conversing on the other, this bill was supported in the LPC with the Maine Municipal Association and one of the most unanimous votes that they've seen in a while and obviously has the Maine planners support as well.

Mr. Speaker, I won't read this whole thing for you. So, I will ask my colleagues to oppose the current motion before us and so, that we can move on to the next. Thank you.

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

Representative **MALON**: Thank you, Mr. Speaker. I rise in support of the pending motion, but not with particularly great passion. I realize that this is a debate that for most folks is incredibly esoteric, and I do not mean any insult to the people who have been working on this issue so intensely on all sides over the course of this session and, in the case of my good friend from Freeport, for multiple, multiple years.

I will simply note as a caution to the Body that the issues around housing, around how we manage growth, around how we grow smartly and better empower our communities are ones which certainly exist within our municipal borders, but extend far beyond them as well. These are issues that are regional, these are issues that are statewide and the issues around them are not going away, regardless of what happens to LD 1751. And I hope Members will keep that in mind as we work on these policies in the future. Thank you.

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

Representative **GERE**: Thank you, Mr. Speaker, and I will echo my Good Colleague from Biddeford's sentiment in terms of the level of passion here, but I just want to make sure to state for the record that the reason for my support of the pending motion is that LD 1751 actually does not do some of the key essential things that we have an opportunity to do with regard to comprehensive planning. Specifically, it does not meaningfully update the goals to reflect the current challenges that Maine faces and Maine communities face. It does not provide an option for an easier, faster, more visual and intuitive type of planning that so many communities around Maine are actually doing today at less expense and in a shorter period of time. And it does not give Maine towns the option to really do the thing that works best for them and to have those two options before them. And for those reasons, I urge my colleagues to support the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Golek.

Representative **GOLEK**: I just want to stand, and didn't plan on speaking on this, but throw my support for the motion on the board for everything the Good Representative Gere just said and more. But I also want to note while people are talking who supports and who doesn't, there's not one environmental protection agency that came out and testified in support of this bill, as they did; all of them did on the other one. Thank you.

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

ROLL CALL NO. 570

YEA - Abdi, Ankeles, Archer, Arford, Beck, Bell, Blier, Boyer D, Boyer M, Brennan, Bunker, Cloutier, Cluchey, Cray, DeBrito, Dhalac, Dodge, Faircloth, Faulkingham, Fredette, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Julia, Kessler, Kuhn, Lajoie, Lookner, Macias, Malon, McCabe, Meyer, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roeder, Runte, Sachs, Sargent, Sato, Sayre, Shagoury, Skold, Smith, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Bridgeo, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Copeland, Crafts, Daigle, Dill, Doudera, Drinkwater, Ducharme, Eder, Farrin, Flynn, Foley, Foster, Fredericks, Friedmann, Frost, Gifford, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes,

Jackson, Javner, Lance, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Mastraccio, Mathieson, Matlack, McIntyre, Milliken, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Roberts, Rollins, Rudnicki, Salisbury, Schmearsal-Burgess, Simmons, Sinclair, Soboleski, Strout, Swallow, Thorne, Tuell, Underwood, Wadsworth, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Crockett.

Yes, 63; No, 85; Absent, 1; Vacant, 0; Excused, 2.

63 having voted in the affirmative and 85 voted in the negative, with 1 being absent and 2 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-766)** 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-766)** and sent for concurrence.

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

ENACTORS Act

An Act to Implement the Recommendations of the Maine Commission on Public Defense Services to Clarify the Types of Cases for Which the Commission Is Responsible for Providing Counsel

(S.P. 698) (L.D. 1796)

(S. "A" S-424 to C. "A" S-418)

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

Resolve

Resolve, to Allow Hemphill Farms, Inc. to Sue the State

(S.P. 661) (L.D. 1667)

(S. "A" S-422 to C. "A" S-406)

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

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

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. Mr. Speaker, permission to speak on the record?

The SPEAKER: The Representative from Winter Harbor, Representative Faulkingham, has requested unanimous consent to address the House on the record. Hearing no objection, the Member may proceed.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. As you know and you, partially, you made possible, there was a public hearing on the citizens' initiative for the so-called red flag law. In the Statutes on the law that was followed for that public hearing, it says in part that; Constitution of Maine, Article IV, Part Third, Section 18, Subsection 1, must be afforded a public hearing conducted by the joint standing committee of the legislature having jurisdiction over the subject matter of the petition or by special legislative committee established for that purpose by the Legislative Council. The public hearing must be conducted in the same manner as other public hearings.

Mr. Speaker, public hearings; when bills are heard, they have public hearings, but then they also have work sessions. It does no good to have a public hearing on this bill without a work session. As tomorrow is going to be our final day, I'd like to ask, are we going to be able to have a work session of the Judiciary at some point tomorrow, so that they can finish their work on the work session of that bill?

The SPEAKER: The Chair has had conversations with Members of the Judiciary Committee and that request is in the possession of the presiding officers. It requires approval from both presiding officers, and I am in conversation with the presiding officer in the Other Body.

On motion of Representative ROEDER of Bangor, the House adjourned at 10:43 p.m., until 10:00 a.m., Wednesday, June 18, 2025, in honor and lasting tribute to Minnesota State Representative Melissa Hortman and her husband Mark Hortman.