

ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
21st Legislative Day
Tuesday, June 6, 2023

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

Prayer by Pastor Nic Benner, Granite Hill Church, Hallowell.

National Anthem by Monmouth Memorial School Chorus.

Pledge of Allegiance.

The Journal of Thursday, June 1, 2023 was read and approved.

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Maine Beer Company, of Freeport, which won a 2023 Good Food Award for the company's Little Whaleboat IPA from the Good Food Foundation, which honors food crafters who produce food with exceptional craftsmanship and flavor and have a strong commitment to social and environmental responsibility. Maine Beer Company is one of only 15 breweries in the nation to receive this honor. We extend our congratulations and best wishes;

(HLS 430)

Presented by Representative SACHS of Freeport.

Cosponsored by Senator DAUGHTRY of Cumberland.

On **OBJECTION** of Representative SACHS of Freeport, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **SACHS**: Thank you, Madam Speaker. I can't think of a better way to start our session today than talking about Maine Beer Company. They are a three-time Good Food Award winner which, as mentioned, is a national award that honors companies not only for craftsmanship but also for social and environmental responsibility. When Dan Kleban, who lives in Freeport, was asked by his brother would you rather be a lawyer or brew beer for the rest of your life; happily, the answer is Maine Beer Company. I wanted to let people know that their motto is Do What's Right and that's so fitting because Maine Beer Company gives 1% for the planet of all of their profits and supports many, many local and statewide organizations to make our world a better place, Madam Speaker. I also want to invite everybody Saturday, June 10th, as Maine Beer Company is celebrating their 10 years in Freeport. It's the first time ever they'll offer tours of their production facilities from 12-4, as well as live music, folks like Love Point Oysters will be there, and also Center for Wildlife with Perseus the Spotted Turtle. If you've ever had the Percival Beer, it's; Prince Percy Pilsner is a favorite. Make quality beer, give back and smile each day is something that this amazing company does and I'm so glad to honor them today and recognize their National Good Food Award for 2023.

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

The **SPEAKER**: The Chair recognizes the Representative from Freeport, Representative Sachs, who wishes to address the House on the record.

Representative **SACHS**: Thank you, Madam Speaker. I have one other notice today regarding Maine's charitable nonprofit sector and the Maine Association of Nonprofits, because today is the 19th Nonprofit Day here in the State House. The Maine Association of Nonprofits is a statewide organization representing the full spectrum of the State's nonprofit organization with members from all 16 counties, ranging from the smallest all-volunteer groups to some of our State's largest institutions. So, since 1994, MANP had grown to become Maine's comprehensive resource for the tools, knowledge and connections of nonprofits, which need to be strategic, creative and courageous while building and thriving equitable communities. With a growing statewide membership of more than 1,000 nonprofits and 160 business and government supporters, they are a vocal advocate, Madam Speaker, for the work and worth of Maine nonprofits, championing their vital contributions to the economy and quality of life in our State. To that point, their Adding Up Impact Report affirms that approximately \$14 billion per year to the economy through wages paid, retail and wholesale purchases. They pay over \$5 billion annually in wages, which translates to an estimated \$300 million in personal income tax. They have 16% of Maine's workforce, more than 100,000 jobs and they mobilize over 400,000 volunteers per year. In this era of increasing needs, MANP is here and committed to working together to make sure the quality of life here in Maine is for everyone. We send our appreciation to MANP for its excellent work on behalf of the nonprofit organizations and we extend our thanks for organizing this Nonprofit Day. Thank you, Madam Speaker.

REPORTS OF COMMITTEE

Change of Committee

Report of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services to Contract for Discounted Insulin Manufactured and Distributed by Civica Rx

(S.P. 718) (L.D. 1793)

Reporting that it be **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

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

The Resolve was **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Decriminalize Public Drinking"

(S.P. 415) (L.D. 1046)

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello
HASENFUS of Readfield
LAJOIE of Lewiston
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-145)** on same Bill.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

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

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-337)** on Bill "An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System"

(H.P. 262) (L.D. 429)

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello
LAJOIE of Lewiston
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-338)** on same Bill.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-337)** 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-337)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand"

(H.P. 1005) (L.D. 1560)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
LOOKNER of Portland
MADIGAN of Waterville
MATHIESON of Kittery
MILLIKEN of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-261)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

ARDELL of Monticello
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **PERKINS**: Thank you, Madam Speaker. Despite what some say who are opposed to this bill, this is not a Stand Your Ground bill, as was confirmed by the Committee analyst during our work session. Unlike Stand Your Ground laws, as some States have, this bill contains no presumptive processes, hearings or languages for immunity, nor does it contain any free passes for someone who uses lawful force to defend themselves or others against the unlawful use of deadly force. It does remove the duty to retreat and the requirement that a person abstain from taking any action as demanded them by an unlawful aggressor.

Anyone who is put in the unfortunate situation to have to use force to defend their life would still be subject to the same standards of reasonableness for self-defense already

established under the law but it would bring to parity the right to defend your life and the lives of innocent victims around you to both inside and outside of your home by removing the duty to retreat or being forced to take an otherwise lawful action if so ordered by a violent, unlawful person. Such actions could include leaving your home or contacting police or other authorities. I ask that you let that sink in, Madam Speaker. Under the 'physical force in defense of a person' section of our current Law, an unlawful aggressor can force someone under the threat of violence or death to stay in their home, locked away and secluded from help, or prevent them from taking any other affirmative action and a victim must comply before being given the right to defend themselves. Legal scholars have studied duty to retreat, which Maine adopted when it adopted the Model Criminal Code, and the Law as written allows for someone to become a hostage before they can defend themselves.

Sorry, Madam Speaker. This bill would not remove any civil or criminal liability from the improper use of force; there would be no change to the law in this respect. It does not give people the right to chase people down, to act without thinking nor would it turn Maine into the wild, wild, great white north. Such claims are no more valid now than when we passed constitutional carry. By making a minor change to our already established law and allowing people the constitutional right to life and liberty without the threat of violence or fear and without instituting stand your ground guidelines as has been done in other states, we can help ensure the safety and security of Maine citizens, especially those under the threat of domestic violence and abuse, sexual assault, dangerous stalkers and others who are most vulnerable to those that prey upon the weak. As the father of seven daughters who has taught them all never to be a victim, I respectfully ask that you not support the motion of Ought Not to Pass. Thank you.

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

ROLL CALL NO. 116

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Landry, Lanigan, Lavigne, Lavelle, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Lajoie, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 74; No, 66; Absent, 10; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-327)** on Bill "An Act to Ensure a High-quality Education for Students with Disabilities by Clarifying the Definition of 'State Agency Client' and Who Provides Special Education Programs and Services" (H.P. 49) (L.D. 79)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-327)** 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-327)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-328)** on Bill "An Act to Update the Special Education Laws" (H.P. 66) (L.D. 98)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-328)** 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-328)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-329)** on Bill "An Act to Provide Funds to the Malaga 1912 Scholarship Fund"

(H.P. 171) (L.D. 273)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-329)** 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-329)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-287)** on Bill "An Act to Improve Behavioral Health Support for Students in Public Schools"

(H.P. 518) (L.D. 829)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-287)** 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-287)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Create a Liaison Position Between the Department of Education and the Department of Health and Human Services on Early Childhood Education Matters"

(H.P. 595) (L.D. 948)

Signed:

Senators:

LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
BAGSHAW of Windham
DODGE of Belfast
POLEWARCZYK of Wiscasset
SARGENT of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-305)** on same Bill.

Signed:

Senator:

RAFFERTY of York

Representatives:

LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SAMPSON of Alfred
WORTH of Ellsworth

READ.

Representative BRENNAN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-271)** on Bill "An Act Regarding the Authorization of Public Charter Schools" (H.P. 684) (L.D. 1089)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
BAGSHAW of Windham
DODGE of Belfast
LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SAMPSON of Alfred
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representative:

POLEWARCZYK of Wiscasset

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-271)** 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-271)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-272)** on Bill "An Act to Establish the School Meal Equipment and Program Improvement Fund"

(H.P. 755) (L.D. 1183)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-272)** 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-272)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Provide Transparency in Public School Curricula" (H.P. 759) (L.D. 1199)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-286)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

Representative BRENNAN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative SAMPSON of Alfred **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 Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I did intend to stand this morning before you to offer my support of LD 1199, "An Act to Provide Transparency in Public School Curricula." First, I really want to acknowledge the teachers in my life, the ones who taught me, encouraged me, corrected me, invested in me and believed in me when I believed I was of no value.

Mrs. Meisner, my second-grade teacher in Andover, Maine, who I remember best for her strong and kind demeanor and for a second-grade field trip to her farm. What second-grader doesn't want horse rides for a school day?

Diane Tarr, a high school teacher, her humor and sarcasm may have worn off on me.

Dayleen Palk, a high school supervisor, a woman of principle, a core of steel and unwavering expectations of me. And yet, I still have a handwritten note from her in green pen telling me how she believed in me and how she believed one day I was going to do great things.

And, finally, my mother. And for the sake of time and my emotions, I will just leave it at that.

My life has been blessed beyond measure with strong, principled women to guide me. And, in kind, Oxford County has been equally blessed with its quality of teachers. In fact, of the 2023, 16 County Teachers of the Year, two of them are residents of Rumford; Tanya Perreault and Lacey Todd. And I want to make this very clear; I'll do my best to keep my eyes on you, Madam Speaker, I almost wavered; I want to make this very clear. This bill is not a reflection of the quality of teachers in my district. This is not an attack on our school systems. This is simply a voice of advocacy for our parents.

As a State and as a nation, we have always considered transparency to be a cornerstone of our democracy. From the municipal to the State level, the policy and processes are subject to public access. It is a constitutional demand. Over the last three and a half years, the pandemic has magnified the need for transparency in our school systems. In moments, our worlds came to a screeching halt. Every social process, every structured procedure was rethought and reworked. For our school systems, these closures and transitions to remote learning were tragic for Maine students. One item that was brought to light during this time was the importance of parental participation with regards to their children's education and what is being taught in the classroom. Teachers were forced to become IT gurus and parents were forced to become teachers overnight. Parents became intimately aware of what was being taught as they listened and engaged alongside their students. The internet era has provided this generation access to almost unlimited information with the tap of a screen or the click of a mouse. Students spend much of their time on the computer, completing assignments, reading online textbooks and, as we have seen, can even remotely participate in the classroom. Parents can now locate stats on students' performance, along with some curriculum. Current State laws about academic transparency were written as if none of these technological advances have taken place and, at that time, they very well may not have, but that really does need to change. And regardless of recent criticism to the fact, now we have this post-pandemic reality that parents are concerned over what is being taught in public schools.

Heritage Foundation's Jonathan Butcher stated in an interview with Sutherland Institute's Education Fellow, Christine Cooke Fairbanks; as a culture war continues to heat up around subjects like American History and Civics, it seems obvious that parents, not policymakers, ought to make the final call about their children's education. But this requires that they be given as much information as possible in the first place. Enter curriculum transparency policies that increase parental access to what schools are teaching students. It seems too obvious that this should already be the case. In fact, it seems odd that curriculum wouldn't be transparent, but a further look reveals that robust curriculum transparency has not yet been realized in most places, end-quote.

Parents have ultimate legal authority over the education of their children. The law is quite clear on this. Schools and teachers have an obligation to uphold the existing and long-established professional and ethical codes that govern K-12 education in schools and teachers have a moral and ethical responsibility to engage in full disclosure and truth in advertising and the conduct of their professional affairs, including teaching. Parents have a legal right and a parental duty to insist on this. These codes call for neutrality and impartiality when dealing with matters of contention in the classroom. Teachers and schools are responsible for maintaining the highest professional standards of accuracy, honesty and appropriate disclosure of information when representing the school or district within the community and in public communications. There is a general understanding that teachers act *in loco parentis*, or in place of the parents, and thus may not undermine the parents in interactions with their children who are legally entrusted to their professional care. Transparency in public education is critical, as is transparency in all levels of government, but the real key is empowering parents. Simply put, lack of transparency breeds anger and distrust, while transparency itself increases accountability and credibility. Thank you.

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

ROLL CALL NO. 117

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Lajoie, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 77; No, 63; Absent, 10; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-330)** on Resolve, Directing the Department of Education and Department of Health and Human Services to Study Placing Child Care Facilities in Secondary Schools

(H.P. 975) (L.D. 1520)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-330)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-330)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Increase School Security Through Design and Protocol"

(H.P. 839) (L.D. 1326)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
POLEWARCZYK of Wiscasset
SAMPSON of Alfred
SARGENT of York
WORTH of Ellsworth

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-307)** on same Bill.

Signed:

Representative:

BAGSHAW of Windham

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-332)** on Bill "An Act Concerning Students Who Experience Educational Disruption Due to Temporary or Permanent Changes Where They Live"

(H.P. 1133) (L.D. 1769)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-332)** 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-332)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-331)** on Bill "An Act to Reduce Chronic Student Absenteeism"

(H.P. 1191) (L.D. 1861)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-331)** 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-331)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-268)** on Bill "An Act to Promote the Community School Program"

(H.P. 982) (L.D. 1527)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

Representative SAMPSON of Alfred **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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you. This bill before us will establish and encourage wraparound services for a school. These services can range from mental health, medical, dental and other types of services. This is the intent in the inception of community schools and at first glance, it looks great. However, what is not mentioned is that this effectively expands the role of school and influence the schools have over our children. In light of the fact that we just passed a bill allowing for privileged communication, which essentially and effectively keeps secrets from parents, the effects of this bill is a concerning slippery slope. There is no doubt students may need essential services. However, those services must be generated in concert and consultation with parents and have their explicit consent. It's at that point parents can determine the best course of action for their child. This is not the role of the State. We must help to empower parents and not the State. I oppose this motion and I request you 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. 118

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Costain, Dhalac, Galletta, Lajoie, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 76; No, 63; Absent, 11; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-268)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-268)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-276)** on Bill "An Act to Clarify the Public Utilities Commission's Authority to Consider the Impact on Low-income Residential Ratepayers When Setting Rates"

(H.P. 923) (L.D. 1427)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock
HARRINGTON of York

Representatives:

ZEIGLER of Montville
BABIN of Fort Fairfield
BOYLE of Gorham
FOSTER of Dexter
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

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

Signed:

Representatives:

DUNPHY of Embden
PAUL of Winterport

READ.

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

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

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

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

ROLL CALL NO. 119

YEA - Abdi, Albert, Ankeles, Arata, Ardell, Arford, Babin, Bell, Blier, Boyer, Bradstreet, Brennan, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Collings, Copeland, Costain, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eaton, Faulkingham, Fay, Foster, Fredericks, Gattine, Geiger, Gere, Gifford, Golek, Graham, Gramlich, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Jackson, Jauch, Javner, Kessler, Kuhn, Landry, LaRochelle, Lee, Lemelin, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Morris, Murphy, Nutting, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Poirier, Polewarczyk, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Schmursal-Burgess, Shagoury, Shaw, Sheehan, Skold, Stover,

Strout, Swallow, Terry, Theriault, Thorne, Warren, White B, Williams, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Bagshaw, Cray, Cyrway, Davis, Dunphy, Greenwood, Lavigne, Libby, Lyman, Mason, Ness, Newman, Paul, Perkins, Pomerleau, Quint, Smith, Soboleski, Underwood, Walker, White J.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Lajoie, Lanigan, Mathieson, Parry, Pluecker, Riseman, Rudnicki, Supica.

Yes, 116; No, 22; Absent, 12; Vacant, 1; Excused, 0.

116 having voted in the affirmative and 22 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-276)** 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-276)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-318)** on Bill "An Act Regarding Environmental Justice"

(H.P. 1046) (L.D. 1621)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
DOUDERA of Camden
HOBBS of Wells
O'NEIL of Saco
WOODSOME of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-319)** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

CAMPBELL of Orrington
SCHMERSAL-BURGESS of Mexico
SOBOLESKI of Phillips

READ.

Representative GRAMLICH of Old Orchard Beach moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative CAMPBELL of Orrington **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 Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. Over the past 30 years of being in and out of this Body, I've come to respect the Department of Environmental Protection. The leadership over the past 10 years has been incredible and when it comes to testimony; neither for nor against or for or opposing a bill; I take it seriously. In this bill, the testimony of the Department basically said the Department recommends amending Section 1 by removing definitions and removing Paragraph 2-A. I just wanted to read you the definitions and why I believe that the DEP was opposed to this. The definitions go from line four, as you see in bills proposed, to line 27. And under the Section 1 definitions as used in this section unless the context otherwise indicates, the following terms have the following meanings.

Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income, with respect to the development, implementation, and enforcement of environmental laws, rules, regulations and policies. And then it goes on from line nine to line 27. They basically oppose this because the EPA is developing at the national level rules that they wanted to coordinate with. So, later on in work session, they came back and they were okay because the EPA seems to be following and they have an opportunity to adjust as it happens.

So, in Section A, I'm fine as it goes to means the fair treatment and meaningful involvement of all people. All people. All of us. Every person. Every citizen. And then it goes on to say regardless of race, color, national origins or income. I don't understand why all people doesn't include all those people. So, why are we putting that in Statute? And another question; why have we decided not to include gender and every other specificity that we can come up with?

Now, going down to removing paragraph 2-A, rules adopted by the Department pursuant to this subsection must define environmental justice populations taking into consideration at a minimum median household income, race, ethnicity and English language proficiency. Why can't we just define citizens and people as all people? Why do we have to identify and segment and possibly divide those who aren't mentioned? I just believe that, as the DEP does, that removing definitions; although in the bill as proposed, it still has definitions; and removing paragraph 2-A makes sense. We're already included as all people. So, I know we're not supposed to talk about another proposal which could be coming before us but it's basically taking out the language that I just spoke of. So, I encourage you to defeat this motion and go on to the next. 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. 120

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Lajoie, Mathieson, Pluecker, Riseman, Rudnicki, Supica.
Yes, 76; No, 64; Absent, 10; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-318)** 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-318)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Allow Health Care Workers to Return to Work by Reinstating Exemptions from Immunization Requirements" (H.P. 113) (L.D. 172)

Signed:

Senators:

BALDACCI of Penobscot
INGWERSEN of York

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
GRAHAM of North Yarmouth
MADIGAN of Waterville
SHAGOURY of Hallowell
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-303)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **JAVNER**: Thank you, Madam Speaker, Men and Women of the House. I object to the motion and I thank my colleague for calling for the Roll Call. This is a workforce bill. We can all agree that especially in the health care world, we need all hands on deck. Twenty-six days ago, the federal emergency for COVID-19 was declared over and at the federal level the mandate for COVID-19 vaccines was rescinded. We as the Maine State Legislature need to return our health care workers back to work. This is a great bill. I urge you, all of us, get our health care workers back to work.

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, this is my bill and I think it's a no-brainer. On the bus tour, the legislative bus tour, we stopped in Bangor and heard from the hospitals in the area there, they had a 31% vacancy rate for registered nurses, 37% for CNAs. Went to a separate event in Lewiston at the hospital there, one of the hospitals there, and they said they had over 900 vacancies for nurses. So, I agree with Representative Javner. This is a workforce issue. It's also a science issue. Because the science is clear, Madam Speaker. Look at *The Lancet*, studies in *The Lancet*; it shows that transmission rates are the same. We know the vaccine does not stop transmission. They told us during the beginning of the pandemic that it would. They were wrong or they lied, Madam Speaker, and it's time, after two and a half years, to address this. We've done it at the federal level, we know through *The Lancet*, through science, that natural immunity is stronger than the protections afforded by the vaccine, so, why is that part of the conversation excluded when it comes to science, when it comes to these nurses being able to make a living doing what they studied to do, to take care of people. At what point is, you know, some care better than no care? We have; we can't take care of our people and we don't have the mask mandates for the hospitals, we don't have the vaccines, the federal government lifted, the universities, the military. Why is Maine the holdout on this unscientific policy?

Back when this was implemented, there wasn't even a provision for testing for the unvaccinated nurses. I'm sure they would agree to test every day to keep their jobs. But, no, that wasn't allowed. Why? What's the science behind that? It got so bad that the hospitals during the pandemic let COVID-positive nurses work, all while telling the healthy nurses to stay home, we don't need you. Our current policy is untenable. We have travel nurses being paid two or three times what we pay veteran nurses, all while the veteran nurses are training these greenhorns. How does that feel for our veteran nurses? It's not right, it doesn't make sense and it's time to change this. Other states have changed this, the federal government has dropped it. At what point are we going to be able to look back with clear eyes and thoughtfulness and say we made a mistake? That the vaccine didn't work the way we told folks it was going to work and a mea culpa to those nurses. I knocked on doors, I had nurses that lost their job because of this. I had a nurse that didn't want to get it but she was in the process of adoption and she wouldn't risk losing that adoption so she got it as well under duress. For what? We all know people that have vaccinated that caught COVID two, three, four, five times. It doesn't work. Give it up. It's a dogma. Thank you, Madam Speaker.

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

Representative **LIBBY**: Thank you, Madam Speaker. I started my nursing career at Maine Medical Center back in 2003 and for years I worked in SCU-3. That's the ICU that focused on pancreas and kidney transplant, also caring for trauma victims, neuro, medical and surgical patients. And during my time there, I also worked for Dr. Richard Reiker in SCU research. I facilitated pharmaceutical studies on sedation and sepsis and tracked data regarding the then-groundbreaking therapeutic hypothermia after cardiac arrest. I give you that background, Madam Speaker, to illustrate my competence to read, comprehend and apply medical research, which is at the crux of this bill.

The Good Representative from Poland referenced a study published in *The Lancet* and I'd like to share with all of you an article by Dr. Akshay Syal entitled "Immunity acquired from a Covid infection is as protective as vaccination against severe illness and death, study finds," published by ABC News on February 16, 2023. Immunity acquired from a COVID infection provides strong, lasting protection against the most severe forms of the illness according to research published Thursday; in February; in *The Lancet*. Protection, experts say, that's on par with what's provided through two doses of an mRNA vaccine. Infection-acquired immunity cut the risk of hospitalization and death from a COVID reinfection by 88% for at least 10 months, the study found. This is really good news in the sense that protection against severe disease and death after infection is really quite sustained at 10 months, said the senior study author, Dr. Christopher Murray, the director of the Institute for Health Metrics and Evaluation at the University of Washington. The findings may be a small silver lining to the explosive omicron outbreak of last winter. With so many people infected, many likely still benefit from the protection against severe disease, Murray said. This study was the largest meta-analysis to date to look at immunity following infection. It included 65 studies from 19 countries and it compared the risk of developing COVID again in people who had recovered from infections to people who hadn't been infected through September of last year. Dr. Bob Wachter, the chairman of the Department of Medicine at the University of California, San Francisco, said he did not expect the protection acquired from infection to be as robust as the meta-analysis found. The protection against severe infection, both the extent and the length of it at almost a year is really surprisingly high, said Wachter, who was not involved with the research. So, does infection-acquired immunity outperform vaccines? The immunity generated from an infection was found to be at least as high, if not higher, than that provided by two doses of an mRNA vaccine, the authors wrote. Murray and Wachter stated that having a past COVID infection should at least be considered in policymaking decisions going forward, such as vaccination requirements, they said.

New York and many other states have been following the science and repealed their vaccine mandates. Given that Maine's medical infrastructure continues to crumble, we should do the same. I am by no means suggesting that the COVID-19 vaccine mandate is solely to blame for our medical infrastructure's problems. I referenced my earlier work at Maine Medical Center at the beginning of my career and even back then, we had ER hallways lined with medical and mental health patients who had no placements available. We have been in crisis for decades and we've gotten used to it, it has become the status quo. What I do believe is that when we have the opportunity to help make a difference to improve that

infrastructure, we should do so. Since the COVID-19 vaccine mandate went into place, Central Maine Medical Center in Lewiston has been very transparent, unlike most other facilities in our State, with the fact that they were harmed by the mandate. Just a few months ago, the Androscoggin legislators were all invited to an event where the Central Maine Medical Center CEO said that they lost over 200 staff directly related to the vaccine mandate and they are still down hundreds of staff. Please follow my light. Let's follow the science and let's get Maine health care workers back to work.

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

Representative **SMITH**: Thank you, Madam Speaker. I stand today here for my constituents who have emailed me and told me over and over how their aunt has been left in an emergency room waiting room for five hours to be seen while she was suffering a heart attack, while a man who had clots in his leg was sent home because there was no one to care for him. People are suffering in Maine and they are suffering because there are not the staff to treat them. People go home, are sent home sick and ill and dying; not from COVID. We must allow people to go back to work. Even if it's only a hundred; I believe it's more, I know many people who lost their job and left their job; if we had a hundred extra staff, that makes a difference. What if it's 200? What if it's a thousand? We must allow the people to go back to work and stop this mandate from saving the people of Maine. Thank you.

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

Representative **DRINKWATER**: Thank you, Madam Speaker. Why? Why can't we follow the law? Madam Speaker, I have in my hand right here a recent decision by the First Court of Appeals and it names as defendant the Chief Executive Officer, Governor Mills, and several others, filed by nurses and health care workers that claimed a religious exemption and were let go and fired. And the Chief Executive Officer here a few years ago claimed in her State of the State Address that the courts have agreed with her, and she was proud of that. Well, guess what? The First Court of Appeals in Boston on May 25th said those people are guaranteed a religious exemption under the Constitution and have sent the case back to Maine with its findings. Why do we have to run to the courthouse to reinforce what we all swore an oath to, to uphold the Constitution? We are winning one case at a time, Madam Speaker, in the courthouse. There's another case, *Fox v. State of Maine* on the religious exemption in education. But, Madam Speaker, the most recent case right here, I encourage everybody to Google *Lowe v. Mills* and read it. We are guaranteed a religious exemption that was denied to these health care workers. It's time we put them back to work. In my campaigning, I knocked on doors of nurses, very upset that they were denied their jobs. Madam Speaker, why do we have to spend hundreds of thousands of dollars in attorneys' fees to claim a religious exemption when it's guaranteed in the Constitution? Folks, let's say; do our job, agree with the Constitution and put these people back to work. Thank you.

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

Representative **QUINT**: Thank you, Madam Speaker. It's confusing to me why this is actually still going on, just from all of the reasons that other people have given. But I actually speak as a nurse who did lose her job because of the mandate. There are many of us. So, to say that we are not many is not truthful. Sorry, I'm looking around at everybody and I will; I will look directly at you. With the number of people that have sent me

emails; in other words, nurses saying they would return to work if this were overturned. I've actually had health care facilities reach out to me and say well, what happens if we just let them work, like, what will happen to us? Do we have to pay back the money that we received? Actually, you know, how will they be punished if they allow their workers to come back. We have facilities that want their people to come back.

The facility that I work for, or did work for; I've maintained very good relationship with, they would hire me back tomorrow. There's no animosity there. It isn't something where I feel a lot of the nurses are holding grudges against people. They want to work. They just don't want to be told they have to put something inside of their body against their will that was not tested; and their concerns were accurate, I mean, it's not a vaccine that did what it said it was going to do, it did not prevent disease, it did not prevent transmission. Thank you.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker. I just wanted to stand up and say, you know, none of us are wearing masks today and here we are, we're voting to stop nurses from going back to work, and I think it's very sad. You know, we can push the button against them but not do what we think is the same. So, I think that it's time we go and send them back. Thank you, Madam Speaker.

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

Representative **GRAHAM**: Thank you, Madam Speaker. Madam Speaker, I've been a nurse since 1981 and a nurse practitioner since 1986 and I can say that my entire professional life has been committed to prevention. I have a very dear friend who has lymphoma. I'm going to talk about her. What if she is in a car accident, is admitted to the hospital, and while she's in the hospital, she gets COVID and dies? It's a possibility. I want to remind all of us that Maine was a leader; a leader in preventing severe illness and preventing death. Many vaccines are required to work in the hospital, including hepatitis B. I feel confident that if I ever went back to work in a hospital, I would take every vaccine necessary to protect my patients. I'd like to remind the Body that Department of Health and Human Services, the CDC will actually no longer require COVID vaccine as of October 2023. That's done. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker, and Distinguished Members of this House for allowing me to stand in opposition of this Ought Not to Pass. Madam Speaker, a saying comes to mind immediately when I look at this bill; hero to zero. I'm going to keep this really simple and short and hopefully this is the last talking point. By voting no today, you are taking a stand with health care workers, with Mainers, the people we represent. By voting yes today, you are essentially backing Big Pharma. The same people who targeted Mainers with opiates.

Representative **ROBERTS**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Madam Speaker. Point of Order; the Member is questioning the motives of other Members.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick objected to the comments of Representative LANIGAN of Sanford because he was questioning the motives of other Members of the House.

The SPEAKER: The Chair would remind our Members not to question the motives or impugn the character of others.

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

The SPEAKER: The Member may proceed.

Representative **LANIGAN**: I was just saying; I guess I don't know if I'm targeting anybody, I was just targeting Big Pharma, is that targeting? It's not a Member. I'm a little green, so I apologize.

The SPEAKER: The Chair will once again remind Members not to question the motives or impugn the character of those who may have voted in any particular way on this issue. The Member may proceed.

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

The SPEAKER: The Member may proceed.

Representative **LANIGAN**: I apologize. And I did want to say that I'm not a health care worker, I'm not a professional in the health care field, but I did stay at a Holiday Inn last night so, thank you so much.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I urge you to vote against the pending motion today and whatever happened to my body, my choice? Thank you, Madam Speaker.

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

Representative **MEYER**: Thank you, Madam Speaker. LD 172 reinstates the religious and philosophical exemptions for all immunizations for all health care workers. I urge my colleagues in the name of public health to support the Majority Ought Not to Pass Report.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Libby, and inquires as to why she rises again.

Representative **LIBBY**: Thank you, Madam Speaker. It is only my second time rising. I just wanted to clarify and make really clear given some of the recent comments that this bill is only directed at the COVID-19 vaccine. It does not address hepatitis or any other vaccines that are required for hospital employment. So, we're only looking at the science that has come out regarding that vaccine.

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

Representative **LEMELIN**: Thank you, Madam Speaker. We hear in our Committee daily how every organization is in dire need of staffing, yet we're not willing to do anything to help.

COVID-19 is behind us. Regardless of whether every person in the hospital is vaccinated with the COVID vaccine or not is pointless. If a person comes to the hospital, no matter what they have, no matter how susceptible they are, there is not one person in that hospital that is not able to pass on COVID to that person. So, if a person comes in with lymphoma or any other problem, they can get COVID from the doctor, from the nurses, today. Every vaccinated person can pass COVID. This is science. This is proven. Dr. Shah has agreed to it. Every individual, every doctor and nurse knows that they can pass on the COVID-19 virus regardless of whether they're immunized or not. So, this is silly. It has been proven scientifically that the COVID vaccine does not in any way, shape or form prevent transmission. Nobody in this room can dispute that. It is scientifically proven that the COVID-19 vaccine does not prevent hospitalizations. It doesn't prevent you from being in the ICU, it doesn't prevent you from being on a ventilator and it

doesn't prevent you from dying of COVID. These are proven facts. Nobody can dispute them. Not only that, Madam Speaker, but in the first nine months of the vaccine being given out, more people died from the vaccine than died of COVID-19 itself. That fact is not out in public because Dr. Shah chose not to deliver it. This was testified to in a court of law. This isn't hearsay, this isn't just gibberish; it was testified to in a court of law. He chose, through negligence, not to tell the Maine people. So, before we vote here, we have to give this some thought and we have to realize that why are we saying no when it's proven that every individual in hospitals to this day that works there that are fully vaccinated can pass on the COVID-19 virus to anyone that comes into that hospital and kill them? What's the purpose of having the vaccine? There isn't any. This is nonsense. So, I urge everybody, please, use common sense, follow the science and follow my light. Thank you.

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

Representative **SAYRE**: Thank you, Madam Speaker. I'll keep this short and sweet. I appreciate now more than ever that this is a legislative Body. We are a deliberative Body that represents the people. We were not put in these seats because of our medical expertise. We are clearly not medical experts. I've heard many in this Body say trust the science, follow the science and I agree. The Body that should be making this decision, if indeed the science is as clear and indisputable as we have heard, is the Maine CDC. And I think we should rely on them to make the call at the appropriate time and not intervene with the heavy hand of government in telling them what to do. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Ness.

Representative **NESS**: Thank you, Madam Speaker. I just wanted to bring up a couple of points. I've had the honor of serving on the IDEA Committee this Session and we have heard so many bills come before our Committee having to do with the health care industry and the shortage that we have with nurses and doctors. And this is a bill that would help to mitigate some of that crisis that we're facing. And one quick story I just wanted to bring up. My aunt worked in the health care field out of Dover-Foxcroft and she was fired because of this issue and she didn't even work at a hospital. She worked from home. So, I think that is something that we could do to maybe help relieve the worker shortage that we have in the State and the medical field and I urge people to vote against the current motion. Thank you.

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

Representative **LANIGAN**: Thank you, Madam Speaker, for allowing me to stand again. And I wanted to thank our Representative Sayre, who I have a lot of respect for, serving with him on the IDEA Committee and his point that he made, he made a very good point and I'd like to pose a question through the Chair is shouldn't we have the health care facilities themselves make the decision and not a bureaucratic agency like the Maine CDC? Thank you, Madam Speaker.

The SPEAKER: The Member has posed a question to any other Member who cares to answer. Seeing none, 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. 121

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Milliken, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Gere, Lajoie, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 73; No, 66; Absent, 11; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-301)** on Bill "An Act to Provide Support Services for a Transitional Housing Program for Homeless Persons"

(H.P. 376) (L.D. 599)

Signed:

Senators:

BALDACCI of Penobscot
INGWERSEN of York

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
GRAHAM of North Yarmouth
MADIGAN of Waterville
SHAGOURY of Hallowell
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

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

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

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

Representative **JAVNER**: Thank you, Madam Speaker, Men and Women of the House. This is a duplicative bill. The Department is already in motion with a program for this and we have a whole Committee this term focused on our housing issue and I think that that is where the solutions need to be at. 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. 122

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Gere, Lajoie, Mathieson, Perkins, Pluecker, Riseman, Rudnicki, Supica.

Yes, 75; No, 63; Absent, 12; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-301)** 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-301)** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Amend the Laws Governing Practicing Chiropractic Without a License" (H.P. 101) (L.D. 160)

Signed:
Senator:

RENY of Lincoln

Representatives:

ARFORD of Brunswick
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford
MATHIESON of Kittery
PRINGLE of Windham
SWALLOW of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-326)** on same Bill.

Signed:
Senators:

BAILEY of York
BRAKEY of Androscoggin

Representatives:

PERRY of Calais
CYRWAY of Albion
MORRIS of Turner
NUTTING of Oakland

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to the pending motion. This bill is about recognizing the term chiropractic physicians, a term that is recognized by 33 other states as well as the federal government. It should be noted that this in no way changes the scope of practice of chiropractors in our State, it simply removes barriers by allowing them to sign contracts. Acknowledging the term chiropractic physician, this is something that they are being asked to sign with insurance companies as well as with the federal government for Medicare and Medicaid reimbursements. This bill would simply bring us in line with what is going on around the country right now at the moment as it relates to chiropractors by acknowledging the phrase chiropractic physicians. I urge this Body to reject 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 Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 123

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell,

Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Swallow, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Perry A, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Adams, Andrews, Boyle, Dhalac, Galletta, Gere, Lajoie, Mathieson, Pluecker, Riseman, Rudnicki, Supica. Yes, 73; No, 65; Absent, 12; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-299)** on Bill "An Act to Allow Maine Families to Increase Their Savings by Removing Asset Limits for Eligibility for the Temporary Assistance for Needy Families Program"

(H.P. 592) (L.D. 945)

Signed:

Senators:

BALDACCI of Penobscot
INGWERSEN of York

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
GRAHAM of North Yarmouth
MADIGAN of Waterville
SHAGOURY of Hallowell
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-300)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford
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.

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

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

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

Representative **JAVNER**: Thank you, Madam Speaker, Men and Women of the House. This is actually a really good concept. We are not objecting to the raising of the asset limit at

all. However, what I'm objecting to, particularly, is that it is being quintupled; and, yes, I did just look that word up; five times the amount of what is on the law right now. We would agree to doubling this. Actually, we went to a little bit more than that. So, I would ask you to just make sure that we are being a little bit responsible; a lot responsible with our tax dollars and making sure that what we are investing in is reasonable. Thank you.

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

Representative **MEYER**: Thank you, Madam Speaker, Colleagues of the House. LD 945 increases the asset limit for TANF families from \$2,000 to \$10,000 and increases the vehicle asset limit to one vehicle per licensed driver in the home from just one vehicle per household. This bill will help our low-income families build longer-term economic security by enabling them to save for larger or unexpected expenses and supporting their participation in the workforce. Without adequate savings for unforeseen expenses, something as simple as a car breakdown or the need to replace a vehicle with a reliable used vehicle, hence \$10,000, which is certainly more reasonable when looking at the cost of a vehicle, or a rent increase or a hefty medical bill that was unexpected. The inability to pay for these items can set off a chain reaction that can lead people to lose their jobs, lose their housing and plunge them deeper into debt and into poverty.

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

Representative **FAULKINGHAM**: Madam Speaker, may I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **FAULKINGHAM**: Madam Speaker, I apologize but sometimes the speakers don't come in very loudly in this corner. Is the difference between Report A and Report B; is the only difference that one is for \$10,000 and one is for \$5,000? Thank you.

The SPEAKER: The Member has posed a question to anyone who can answer. The Chair recognizes the Representative from Chester, Representative Javner.

Representative **JAVNER**: The Member would answer in the affirmative.

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. 124

YEA - Abdi, Albert, Ankeles, Arford, Babin, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Theriault, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Arata, Ardell, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmursal-Burgess, Smith,

Soboleski, Strout, Swallow, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Campbell, Dhalac, Galletta, Gere, Lajoie, Lanigan, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 78; No, 59; Absent, 13; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 59 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-299) 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-299)** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Maintain the Integrity of the Individual and Small Group Health Insurance Markets"

(H.P. 801) (L.D. 1253)

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford
MATHIESON of Kittery
PRINGLE of Windham

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion
MORRIS of Turner
NUTTING of Oakland
SWALLOW of Houlton

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to this motion as well. I put this bill in due to what is going on in the individual market with seeing double-digit rate increases. In 2019, the State began on a path to merge the markets, but language was inserted stating that they had to show an actuarial study that it would not raise rates in the individual or the small group market. The actuarial reports came back and it showed there would be a 4% increase in the

individual market if we went forward with merging the small group health insurance markets and the individual markets.

The reality of it is, as I've said before on this floor, those two markets are very different in terms of the reason people decide to purchase insurance and we are seeing that play out with the increase. In reality, that 4% increase has actually been much worse; it's been a double-digit increase in the insurance premiums in the individual markets. Part of that is because of the reinsurance program that we have, the Maine Guaranteed Access Reinsurance Association, they cannot deliver as effective a rate increase to the individual market with a merged market and that's why we've seen these double-digit increases. It is unfortunate that the Bureau decided to move forward continuing with this policy when they knew it was going to raise rates. The problem with this is in future years, you're going to continue to see a death spiral in the individual insurance market where you're going to have adverse selection, where people that need insurance are going to be the only ones that buy it, the high utilizers, as opposed to needing people that are healthy and don't use their insurance as much. So, I would encourage this Body to reject this motion. Let's get these markets back separate and then we can look for other solutions to help lower health insurance premiums. Thank you.

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

Representative PERRY: Thank you, Madam Speaker. The report that Representative Morris has given is accurate, but the reason for putting these two together, which was done in the last session, was also to boost up the small group market that was having more and more trouble sustaining. This has been the first year and a half where this has happened. I think we need more time to see what's happening in both the small group market and the individual market and I think this request is too soon.

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. 125

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Davis, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmursal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyle, Campbell, Dhalac, Galletta, Gere, Lajoie, Lanigan, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 76; No, 61; Absent, 13; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act to Remove the Limits on Bass Fishing in Washington County Rivers"

(H.P. 342) (L.D. 537)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
CLUCHEY of Bowdoinham
GOLEK of Harpswell
HEPLER of Woolwich
MASON of Lisbon
THORNE of Carmel
WOODSOME of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-263) on same Bill.

Signed:

Representatives:

DILL of Old Town
DRINKWATER of Milford
WOOD of Greene

READ.

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act to Establish Youth Deer Hunting Weekend"

(H.P. 441) (L.D. 672)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
CLUCHEY of Bowdoinham
DILL of Old Town
DRINKWATER of Milford
GOLEK of Harpswell
HEPLER of Woolwich
WOODSOME of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-335) on same Bill.

Signed:

Representatives:

MASON of Lisbon
THORNE of Carmel
WOOD of Greene

READ.

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act to Protect Inland Water Quality, Shorelines, Wildlife and Public Safety by Prohibiting Operation of a Wake Boat to Create an Enhanced Wake Close to Shore or in Shallow Water" (H.P. 462) (L.D. 693)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
DILL of Old Town
DRINKWATER of Milford
HEPLER of Woolwich
MASON of Lisbon
WOOD of Greene

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-336)** on same Bill.

Signed:

Representatives:

CLUCHEY of Bowdoinham
GOLEK of Harpswell
THORNE of Carmel
WOODSOME of Waterboro

READ.

Representative LANDRY of Farmington moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative CLUCHEY of Bowdoinham **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 Bowdoinham, Representative Cluchey.

Representative **CLUCHEY**: Thank you, Madam Speaker, Fellow Representatives. I am speaking today in support of a bipartisan Minority Report that would protect our lakes from the negative impacts of wake boating.

The kinds of boats that we're talking about use powerful propulsion technology to create waves as large as six feet that people can surf on. This propulsion draws massive amounts of water up from the lake. If done in shallower water, it stirs up sediment and can release large amounts of phosphorus, which feed algae blooms, deoxygenating the water and killing the fish and other aquatic life. Since the waves are so large, it takes a much greater distance for them to dissipate. If they're too close to shore, the waves cause increased shoreline degradation and erosion and swamp loon and duck nests. And because the boat's ballast tanks are so large and pull in so much water, there's a greater chance of spreading invasive plants and animals such as microscopic zebra mussels. Research rooted in peer-reviewed scientific studies has shown that to minimize these negative impacts on lakes, this activity should take place at least 500 feet from shore and in water at least 20 feet deep.

IF&W Deputy Commissioner Tim Peabody testified that the time to manage any relevant concerns of wake boating is now, before they become well-established and more widespread. Despite this statement, the Department opposed the bill language because they said it would be too difficult to enforce 500 feet and 20 feet of depth. It is important to note that a 200-foot wake safety zone, which is not big enough to protect our lakes from these larger wakes created by wake-generating boats, is already in force. However, the majority of the Committee agreed with Deputy Commissioner Peabody and voted for the bill Ought Not to Pass. This amendment addresses the Department's concern but also answers Deputy Commissioner Peabody's call to act now to protect our lakes. MDIFW indicated that they would be able to enforce this activity if it were only allowed on certain bodies of water. To that end, rather than focusing on depth and distance from shore, the amendment prohibits the activity of operating a boat in wake-surfing mode on any bodies of water except those where Maine Department of Inland Fishery and Wildlife has deemed it safe and it directs the Department to create a list of lakes large enough for the activity to be done.

Already this Session, our Committee passed LD 397, a bill to conduct a study involving interested parties to review the body of literature on wake surfing and provide recommendations back to the Committee. This study can be used to create that list of lakes and guidance for where the wake surf activity can be done safely. Interestingly, one of the arguments raised against regulating this activity was from a dealer who sells wake boats. He shared that some of his customers would be quite upset if they are suddenly limited to where they can operate a vessel that they have likely invested about \$350,000 in. Madam Speaker, I do not know very many Mainers that have the extra \$100-600,000 to spend on a boat for leisure activity. These boats are by and large being purchased and brought to Maine by vacationers that won't have to pay taxes to restore the environmental damage they cause to our lakes or have to deal with the ramifications of declining property values because of permanent and practically irreversible infestation of invasive aquatic species. Passing this amendment will allow us to do just what Deputy Commissioner Peabody said; act now, before this activity becomes well-established and more widespread. Our amendment will ensure that by next summer we'll have clear criteria for where this activity can be done safely in our State. I hope that you will vote no to accept the Majority Report so that we can vote yes on the Minority Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Carmel, Representative Thorne.

Representative **THORNE**: Thank you, Madam Speaker. A simple way to put this is if I ask for a show of hands of those here in the Legislature that owned wake boats, I don't think I'd see a hand go up. But if I asked how many owned camps or how many enjoy going to camp or how many enjoy boating without four-foot waves all across the lake because one party decided that they wanted to go out on the middle of the lake and create havoc throughout the whole atmosphere of a camp, maybe on a Sunday morning or whenever they could get out there. I was on the Minority Report, not because I support banning watercraft; I was on the Minority Report because, as the Good Representative stated, the Deputy Commissioner of the Maine Department of Inland Fisheries and Wildlife recommended that before these boats get a big foothold here in Maine and we can't do anything or we do have major impact, that we address it now in its infancy, before it does spread. So, Madam Speaker, I urge to vote against this measure on this bill. Thank you.

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

Representative **DILL**: Thank you, Madam Speaker. This is one of those bills that I think, you know, it's kind of like motherhood and apple pie. We're all concerned about the environment and what's happening to our lakes. But in this particular case, what we have done, we have already passed a bill that would give the Department the go-ahead to bring in all the studies that are already out there concerning wake boats and to try to get it right next time. We need to work deliberately to come up with a bill that's going to work and can be actually enforceable. So, in this case, let's not put the wake before the boat.

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. 126

YEA - Albert, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Bradstreet, Brennan, Carlow, Cloutier, Collamore, Collings, Costain, Crafts, Craven, Cray, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Gattine, Gere, Graham, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Hobbs, Jackson, Javner, Landry, Lavigne, Lee, Libby, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Moonen, Morris, Murphy, Ness, Nutting, O'Connell, Osher, Parry, Paul, Paulhus, Perkins, Perry A, Perry J, Poirier, Pomerleau, Pringle, Rielly, Roberts, Roeder, Runte, Russell, Salisbury, Sampson, Sargent, Schmursal-Burgess, Shaw, Smith, Soboleski, Stover, Strout, Swallow, Terry, Theriault, White B, White J, Williams, Wood, Zager, Zeigler, Madam Speaker.

NAY - Abdi, Adams, Ankeles, Bridgeo, Campbell, Carmichael, Cluchey, Copeland, Crockett, Cyrway, Dodge, Doudera, Eaton, Geiger, Gifford, Golek, Gramlich, Hasenfus, Jauch, Kessler, Kuhn, LaRochelle, Lemelin, Lookner, Lyman, Madigan, Millett R, Milliken, Montell, Moriarty, Newman, O'Neil, Polewarczyk, Quint, Rana, Reckitt, Sachs, Sayre, Shagoury, Sheehan, Skold, Thorne, Underwood, Walker, Warren, Woodsome, Worth.

ABSENT - Andrews, Boyle, Dhalac, Galletta, Hymes, Lajoie, Lanigan, Mathieson, Pluecker, Riseman, Rudnicki, Supica.

Yes, 91; No, 47; Absent, 12; Vacant, 1; Excused, 0.

91 having voted in the affirmative and 47 voted in the negative, 1 vacancy with 12 being absent, 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** with the exception of matters being held.

SENATE PAPERS

The following Joint Resolution: (S.P. 827)

**JOINT RESOLUTION SUPPORTING
THE WRITERS GUILD OF AMERICA**

WHEREAS, the Writers Guild of America West and the Writers Guild of America East, labor unions that represent over 11,500 writers in film and television across the country, are currently without a contract and are on strike; and

WHEREAS, the Writers Guild of America's reasonable demands to the major media companies that employ their members, including The Walt Disney Company, NBCUniversal Media, Paramount Pictures Corporation, Netflix Inc., Apple Inc. and Amazon.com, Inc., have not been met; and

WHEREAS, writers are facing the most comprehensive assault on their compensation and working conditions in a generation, with media companies taking advantage of the industry's transition to global streaming to underpay workers, resulting in writers doing more work for less pay and with less job security; and

WHEREAS, this erosion of writer pay and working conditions has happened while their employers have collected almost \$30,000,000,000 in entertainment operating profits each year from 2017 to 2021; and

WHEREAS, without writers, the entertainment industry would not have stories to tell; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to express our support for the writers of film and television and their demands for a fair resolution of their contract negotiations.

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

READ.

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

Representative **MORRIS**: Thank you, Madam Speaker. Today is June 6th and on this day in 1944, the Greatest Generation landed on the Beaches of Normandy and began to liberate the European continent. It's important to recognize this because on the first order of business we are dealing before us is dealing with a Resolution on a strike in Hollywood, 3,000 miles away. I take no position on what is happening with this strike. I think that is for the people out there to deal with, only to point out there are more important things happening that we could be recognizing. I think of my great-grandfather, Lucien Pomeroy, who was a World War II veteran, who fought heroically in the Battle of the Bulge. I wanted to make sure that people like him and those who fought on the beaches of Normandy are recognized for their heroic sacrifice on a momentous day in our nation's history. Thank you.

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

Representative **ANKELES**: Thank you, Madam Speaker. I didn't realize that this was coming until a couple days ago. I don't have very much to say on it except that my brother is striking out in L.A. and I love my brother and so, I just wanted to say on mic I support him and I hope they are successful. Thank you, Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED** in concurrence.

COMMUNICATIONS

The Following Communication: (H.C. 193)

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

May 31, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 1, MRSA, Ch. 13, Subchapter 1, §411.2-B, I am pleased to appoint the Honorable Erin Sheehan of Biddeford to the *Right to Know Advisory Committee* effective immediately.

Representative Sheehan will serve as a member of the House of Representatives who is also a member of the joint standing committee of the Legislature having jurisdiction over judiciary matters.

Should you have questions regarding this appointment, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 194)

**SENATE OF MAINE
131ST LEGISLATURE
OFFICE OF THE PRESIDENT**

May 31, 2023

The Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 5, Chapter 167, §2041(2) (A), I am pleased to appoint Sharon Treat to the Maine Prescription Drug Affordability Board, effective the date of this letter.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Troy D. Jackson

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 195)

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

June 1, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under M.R.S.A. Title 20-A, Chapter 413, subchapter 2, §11053, 1-E, I am pleased to appoint the Honorable Holly Sargent of York to the *New England Board of Higher Education*, effective immediately.

Should you have questions regarding this appointment, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 198)

**SENATE OF MAINE
131ST LEGISLATURE
OFFICE OF THE PRESIDENT**

June 1, 2023

The Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Pursuant to my authority under Title 5, section 12004-I, subsection 52-C, I am pleased to appoint the following individuals to the Cannabis Advisory Commission, effective the date of this letter:

Senator Craig Hickman

Senator Eric Brakey

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Troy D. Jackson

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 196)

**MAINE DAIRY & NUTRITION COUNCIL
337 STATE STREET
AUGUSTA, MAINE 04330**

May 31, 2023

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Attn: Speaker of the House

Enclosed for your review is the calendar year 2022 Audit Report of the Maine Dairy and Nutrition Council, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 530-9043.

Sincerely,

S/Sarah J. Littlefield

Executive Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 197)

**MAINE DAIRY PROMOTION BOARD
337 STATE STREET
AUGUSTA, MAINE 04330**

May 31, 2023

Honorable Rachel Talbot Ross
Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Attn: Speaker of the House

Enclosed for your review is the calendar year 2022 Audit Report of the Maine Dairy Promotion Board, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 530-9043.

Sincerely,

S/Sarah J. Littlefield

Executive Director

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

The Following Communication: (H.C. 199)

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

June 6, 2023

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Agriculture, Conservation and Forestry

L.D. 1700 An Act to Protect Agricultural Lands by Creating a Permitting Process for Solar Development on Those Lands

Appropriations and Financial Affairs

L.D. 193 An Act to Provide Excess General Fund Revenue to the School Revolving Renovation Fund and the Education Stabilization Fund

Health and Human Services

L.D. 151 An Act Regarding Child Welfare

L.D. 389 An Act to Improve Rural Transportation and Access to Mental Health Care and Physical Health Care

L.D. 545 An Act to Establish a Cabinet-level Position to Ensure a Continuum of Care to Support Children and Their Families

L.D. 1131 An Act to Support Continuity in Perinatal and Emergency Care by Requiring Notice of a Voluntary Hospital or Facility Closure or Reduction in Services

L.D. 1754 Resolve, to Establish the Commission to Study the Delivery of Services to Children and Families (EMERGENCY)

L.D. 1941 Resolve, to Ensure Access to Critical Orthodontic Care by Increasing the MaineCare Reimbursement Rate

L.D. 1993 An Act to Expand Home Visiting Services and Provide for Reimbursement Under the MaineCare Program for Perinatal Doula Services and Midwifery Services

Housing

L.D. 388 An Act to Require the State and Municipalities to Reimburse Landlords for Unpaid Rent During Eviction Moratoriums

L.D. 885 An Act to Help First-time Home Buyers in Maine

L.D. 1265 An Act to Make Adjustments to Affordable Housing Requirements

L.D. 1293 An Act to End Chronic Homelessness by Creating the Housing First Fund

L.D. 1901 An Act to Improve Affordability and Opportunity for Maine Renters and Landlords

L.D. 1905 An Act to Create a Residential Rental Unit Registry Judiciary

L.D. 1629 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Recognize the Right to Personal Privacy

Labor and Housing

L.D. 719 An Act to Support Maine Industry

L.D. 856 An Act to Reduce Recurring Workplace Harassment and Provide Consequences for Serial Offenders

L.D. 1759 An Act to Clarify the Disability Retirement Program of the Maine Public Employees Retirement System

State and Local Government

L.D. 1616 An Act to Make the Description of the State Seal Gender-neutral and to Depict One of the Human Images on the State Flag as Female

L.D. 1758 An Act to Require a Municipality to Pay a Homeless Shelter on a Per Capita Basis for Persons Released or Delivered by the Municipality to the Shelter

Taxation

L.D. 1212 Resolve, to Study the Economic Effects of Instituting a Seasonal Sales Tax

L.D. 1355 An Act to Establish a Behavioral Health Employment Income Tax Credit for Student Loan Payments

L.D. 1569 An Act to Exempt Certain Disabled Veterans from Property Taxes in Accordance with Their Disability Ratings

L.D. 1595 An Act to Exempt the Estates of Veterans Who Were Disabled in the Line of Duty from Property Taxes

L.D. 1853 An Act to Conform the Mining Excise Tax Laws to the Maine Metallic Mineral Mining Act and Set the Mining Excise Tax at 10 Percent (EMERGENCY)

L.D. 1894 An Act to Establish a Home Heating Income Tax Deduction

L.D. 1928 An Act to Protect Maine Taxpayers from Unconstitutional Federal Expenditures

L.D. 1945 An Act to Provide a Property Tax Exemption to All Veterans Who Are 62 Years of Age or Older and Increase the Current Exemption

Transportation

L.D. 1572 An Act to Ensure Proper Funding of the Highway Fund by Imposing a Surcharge on Electric Vehicle Registration

L.D. 1780 An Act to Regulate the Operation of Micromobility Devices on Public Ways

L.D. 1897 An Act to Improve Public Roadways on Unbridged Islands Not Served by the Maine State Ferry Service

L.D. 1899 An Act to Establish a Maine Commercial Driver's License for Use Within State Borders

L.D. 1938 An Act to Require a Reminder for Vehicle Registration Renewal

- Veterans and Legal Affairs
 L.D. 94 An Act Regarding the Use of Medical Cannabis by Minors
 L.D. 839 An Act to Allow On-premises Consumption of Adult Use Cannabis and Adult Use Cannabis Products on the Premises of Cannabis Store Licensees

Sincerely,
 S/Robert B. Hunt
 Clerk of the House

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

The Following Communication: (S.C. 585)

**MAINE SENATE
 131ST LEGISLATURE
 OFFICE OF THE SECRETARY**

June 1, 2023

Honorable Rachel Talbot Ross
 Speaker of the House
 2 State House Station
 Augusta, ME 04333-0002

Dear Speaker Talbot Ross:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 131st Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry:

- Gwendolyn Hilton of Starks for reappointment to the Maine Land Use Planning Commission.

Upon the recommendation of the Committee on Innovation, Development, Economic Advancement and Business:

- James Brann of Wells for appointment, of the Maine Space Corporation, Board of Directors,
- Deborah Bronk, PhD of Trevett for appointment, of the Maine Space Corporation, Board of Directors,
- Sascha Deri of Brunswick for appointment, of the Maine Space Corporation, Board of Directors,
- Dawn M. DiBlasi of Fairfield for appointment, of the Maine Space Corporation, Board of Directors,
- Daniel Greisen of Yarmouth for appointment, of the Maine Space Corporation, Board of Directors,
- Barbara Silber Lamont of Portland for appointment, of the Maine Space Corporation, Board of Directors,
- John Lesko of Portland for appointment, of the Maine Space Corporation, Board of Directors,
- Phillip Rench of Waterboro for appointment, of the Maine Space Corporation, Board of Directors,
- Charles Rudelitch of Harrington for appointment, of the Maine Space Corporation, Board of Directors,
- Kristen Sims of Appleton for appointment, of the Maine Space Corporation, Board of Directors,
- Scott Wardwell of Presque Isle for appointment, of the Maine Space Corporation, Board of Directors,
- Lance Boucher of Manchester for reappointment to the Midcoast Regional Redevelopment Authority.

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** with the exception of matters being held.

ORDERS

On motion of Representative RIELLY of Westbrook, the following Joint Resolution: (H.P. 1288) (Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: ANKELES of Brunswick, ARATA of New Gloucester, HYMES of Waldo, JAUCH of Topsham, LaROCHELLE of Augusta, MORIARTY of Cumberland, Senators: President JACKSON of Aroostook, VITELLI of Sagadahoc)

**JOINT RESOLUTION CONDEMNING THE
 WRONGFUL IMPRISONMENT OF WALL STREET
 JOURNAL REPORTER EVAN GERSHKOVICH**

WHEREAS, Wall Street Journal reporter, Bowdoin College alumnus and United States citizen Evan Gershkovich while reporting in Russia was taken into custody on March 29, 2023 in Yekaterinburg and wrongly accused of spying by the Russian government; and

WHEREAS, the White House declared on April 10th that Mr. Gershkovich is being "wrongfully detained," a designation signaling that the United States will devote more resources to the case and that the United States Department of State will lead the effort to free him; and

WHEREAS, Mr. Gershkovich has become the first American journalist to be imprisoned by Russia on fraudulent espionage charges since the Cold War; and

WHEREAS, Russia recently in a closed-door hearing extended the arrest of Mr. Gershkovich by 3 months; and

WHEREAS, the Russian government has not detailed what, if any, evidence has been gathered to support the espionage charges; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to condemn the wrongful imprisonment of Evan Gershkovich by the Russian government and to declare our hope that he will be returned safely to his family in America and will be able to continue his work as a journalist.

READ.

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

Representative **RIELLY**: Thank you, Madam Speaker. Evan has ties here to Maine. He's a graduate of Bowdoin College where he majored in Philosophy, played soccer and wrote for the student paper. He was wrongfully arrested about 10 weeks ago while reporting in Russia for the *Wall Street Journal*. A free press is absolutely essential for a free society. It's the difference between democracy and autocracy, and I stand here today to condemn the Russian government and pray for his safe return to his family. Thank you, Madam Speaker.

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

Representative **ARATA**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Maine has a history of producing brave journalists. In 1837, Elijah Lovejoy from Albion was murdered by an angry mob for producing an abolitionist newspaper. Today, Evan Gershkovich, who attended Bowdoin College, sits in a Russian prison for daring to tell the truth about Putin's failures as a leader. We need more journalists like these, who are unafraid to tell the public the truth no matter the risk and no matter who it offends. It's my hope that Maine journalists will

be inspired by this bravery and I pray for Evan Gershkovich's safe return home. Thank you.

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

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

CONSENT CALENDAR

First Day

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

(S.P. 311) (L.D. 753) Bill "An Act to Allow Retired Teachers and Educational Technicians to Be Recertified" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-152)**

(S.P. 361) (L.D. 864) Bill "An Act to Clarify Provisions of the Maine Good Samaritan Law" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-144)**

(S.P. 370) (L.D. 873) Bill "An Act to Continue the Department of Education Diploma Program Related to the COVID-19 Pandemic" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-142)**

(S.P. 434) (L.D. 1065) Bill "An Act to Improve the Telecommunications Relay Services Council by Reducing Its Membership and Allowing for the Hiring of an Executive Director" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-154)**

(S.P. 520) (L.D. 1283) Resolve, to Reestablish the Task Force to Study the Creation of a Comprehensive Career and Technical Education System (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-153)**

(S.P. 522) (L.D. 1285) Bill "An Act to Extend Funding for the Land for Maine's Future Program" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-141)**

(H.P. 1054) (L.D. 1644) Bill "An Act to Permit the Expenditure of Accumulated Tax Increment Revenues" Committee on **TAXATION** reporting **Ought to Pass**

(H.P. 1242) (L.D. 1934) Resolve, to Improve the Coordination and Delivery of Planning Grants and Technical Assistance to Communities in Maine Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 106) (L.D. 165) Bill "An Act to Increase the Governor's Salary" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-292)**

(H.P. 121) (L.D. 197) Bill "An Act to Address Employee Retention at the Maine State Police Crime Laboratory and the Computer Crimes Unit in the Department of Public Safety" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-312)**

(H.P. 142) (L.D. 221) Bill "An Act Regarding Airboat Noise" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-334)**

(H.P. 187) (L.D. 289) Bill "An Act to Require the State to Purchase Farms Contaminated with Perfluoroalkyl and Polyfluoroalkyl Substances" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-324)**

(H.P. 194) (L.D. 296) Bill "An Act to Ensure Municipalities Receive a Higher Percentage of All-terrain Vehicle Registration Fees to Cover Increased Expenses" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-333)**

(H.P. 248) (L.D. 397) Bill "An Act to Allow Sponsorship Signs at Outdoor Athletic Facilities" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-298)**

(H.P. 283) (L.D. 466) Bill "An Act to Develop and Enforce Mandatory Recycling of All Solar and Wind Projects" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-274)**

(H.P. 284) (L.D. 467) Bill "An Act to Require Accessible Electric Vehicle Charging Stations" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-264)**

(H.P. 289) (L.D. 472) Bill "An Act to Support Certified Community Behavioral Health Clinic Projects" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-302)**

(H.P. 299) (L.D. 482) Bill "An Act to Extend the Time for Youth Deer Hunting" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-262)**

(H.P. 302) (L.D. 485) Resolve, to Amend the Rules Regarding Athletic Director Qualifications Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-290)**

(H.P. 313) (L.D. 496) Bill "An Act to Address Solar Energy Development Decommissioning" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-288)**

(H.P. 321) (L.D. 516) Bill "An Act to Reduce Cancer Among Firefighters by Providing Grants for Safety Equipment" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-317)**

(H.P. 375) (L.D. 598) Bill "An Act to Require a Vehicle Operator to Notify an Owner or Law Enforcement Officer of an Accident Involving a Dog, a Cat or Livestock" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-265)**

(H.P. 455) (L.D. 686) Bill "An Act to Enhance Safety for Unregistered Farm Tractors and Animal-drawn Vehicles on Highways" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-266)**

(H.P. 461) (L.D. 692) Bill "An Act Regarding Eligibility of County Jail Inmates for a Community Confinement Monitoring Program" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-316)**

(H.P. 515) (L.D. 826) Bill "An Act to Prohibit the Disposal of Certain Solar Panels in the State and to Require Bonds to Cover Disposal Costs" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-275)**

(H.P. 549) (L.D. 883) Bill "An Act to Exempt Emergency Medical Services Community Paramedicine Programs from Home Health Care Provider Licensing Requirements" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-304)**

(H.P. 550) (L.D. 884) Resolve, to Study the Creation of a State Employee and Legislative Child Care Center Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-291)**

(H.P. 650) (L.D. 1014) Bill "An Act Regarding Payments to Recipients of Restitution" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-311)**

(H.P. 654) (L.D. 1018) Bill "An Act to Increase the Membership of the State Board of Education and Review the Board's Responsibilities, Functions and Staffing" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-289)**

(H.P. 655) (L.D. 1019) Bill "An Act Regarding Water Testing Related to Salt and Sand Storage Facilities" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-297)**

(H.P. 662) (L.D. 1026) Resolve, To Direct the University of Maine System to Establish a Dental Therapy Degree Program Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-273)**

(H.P. 664) (L.D. 1028) Bill "An Act to Expand the Higher Education Tuition Waiver for Persons Who Have Resided in Foster Care" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-269)**

(H.P. 691) (L.D. 1096) Bill "An Act to Help Retired Teachers and State Employees Keep Pace with Inflation by Matching the Cost-of-living Adjustment for Social Security Benefits" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-313)**

(H.P. 727) (L.D. 1155) Bill "An Act to Address Legislative Salaries" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-267)**

(H.P. 836) (L.D. 1311) Bill "An Act to Provide That the Legal Use or Possession of Cannabis Is Not a Violation of Probation, Parole or Pretrial Release" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-310)**

(H.P. 847) (L.D. 1333) Bill "An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-325)**

(H.P. 855) (L.D. 1341) Bill "An Act to Modernize the Bureau of Motor Vehicles' Mobile Services" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-295)**

(H.P. 881) (L.D. 1367) Bill "An Act Regarding the Funding Formula for Adult Education" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-270)**

(H.P. 1081) (L.D. 1682) Bill "An Act to Create the Maine Experiential Education Program" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-314)**

(H.P. 1109) (L.D. 1730) Bill "An Act to Implement Changes to the Laws Relating to Judicial Separation and Divorce Regarding Preliminary Injunctions as Recommended by the Family Law Advisory Commission" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-281)**

(H.P. 1238) (L.D. 1930) Resolve, to Authorize the Exchange of Interest in Certain Lands Owned by the State in Piscataquis County Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-315)**

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

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

(H.P. 20) (L.D. 16) Bill "An Act to Make Technical Changes to Maine's Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-284)**

On motion of Representative HEPLER of Woolwich, was **REMOVED** from the First Day Consent Calendar.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-284)** was **READ** by the Clerk and **ADOPTED**

Representative HEPLER of Woolwich **PRESENTED House Amendment "A" (H-354) to Committee Amendment "A" (H-284)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-284) as Amended by House Amendment "A" (H-354) 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-284) as Amended by House Amendment "A" (H-354)** thereto and sent for concurrence.

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

**ENACTORS
Acts**

An Act to Strengthen Third-party Liability Requirements for the MaineCare Program

(S.P. 51) (L.D. 84)

An Act to Support Maine's Farmers in the Development of Sustainable Irrigation

(H.P. 141) (L.D. 220)

(C. "A" H-224)

An Act to Compensate Tribal Governments for Basic Training for a Law Enforcement Officer Hired by Another Government Agency

(H.P. 150) (L.D. 229)

(C. "A" H-242)

An Act to Exempt Nonprofit Land Trusts from Sales Tax
(H.P. 464) (L.D. 695)
(C. "A" H-234)

An Act to Prohibit Off-trail Operation of a Snowmobile in an Area Closed to Off-trail Operation
(S.P. 290) (L.D. 732)
(C. "A" S-136)

An Act to Require the State to Hold a Public Hearing in a Municipality Before the State Constructs a Solar Project in That Municipality
(S.P. 293) (L.D. 735)
(C. "A" S-123)

An Act to Establish an Exception to the Hearsay Rule for Forensic Interviews of a Protected Person
(S.P. 324) (L.D. 765)
(C. "A" S-115)

An Act to Require and Standardize Labeling of Water Treatment Equipment
(S.P. 334) (L.D. 775)
(C. "A" S-132)

An Act Regarding Dental Licensure for Charitable Care
(S.P. 348) (L.D. 789)
(C. "A" S-129)

An Act Regarding Licensure in the Field of Emergency Medical Services
(S.P. 390) (L.D. 919)
(C. "A" S-137)

An Act to Advance the Maine Retirement Savings Program
(S.P. 451) (L.D. 1082)
(S. "A" S-135)

An Act to Require a Disclaimer on Promotional Materials for Medicare, Medicaid and MaineCare Products by Private Entities
(S.P. 508) (L.D. 1271)
(C. "A" S-139)

An Act to Improve Women's Health and Economic Security by Funding Family Planning Services
(S.P. 598) (L.D. 1478)
(C. "A" S-122)

An Act to Address Teacher Shortages Through Financial Assistance and Career Advancement Opportunities
(S.P. 640) (L.D. 1608)
(C. "A" S-128)

An Act to Extend the Time for Certain Public Utilities Commission Proceedings
(S.P. 659) (L.D. 1654)

An Act to Amend the Kennebunk Sewer District Charter
(S.P. 680) (L.D. 1693)

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, to Establish the Commission to Study Measures to Improve Safety for Residents of Recovery Residences
(H.P. 77) (L.D. 109)
(C. "A" H-230)

Resolve, Directing the Department of Inland Fisheries and Wildlife to Study the Effects of Wake Boats on Shoreline Property and the Environment
(H.P. 230) (L.D. 379)
(C. "A" H-240)

Resolve, to Update Allowable Limits on Mortuary Trusts for the Purposes of MaineCare Eligibility
(S.P. 201) (L.D. 446)

Resolve, to Increase Residential Care and Nursing Facility Residents' Personal Needs Allowances Under the MaineCare Program
(S.P. 255) (L.D. 587)
(C. "A" S-131)

Resolve, Naming a Pond in Elm Stream Township as Plummer Pond
(H.P. 430) (L.D. 661)
(C. "A" H-227)

Resolve, to Study Implementation of a Program to Provide Trauma-informed Training for Law Enforcement Officers at the Maine Criminal Justice Academy
(H.P. 536) (L.D. 847)
(C. "A" H-229)

Resolve, to Establish a Stakeholder Group to Inform the Development of a Farm Apprenticeship Pilot Program
(H.P. 557) (L.D. 901)
(C. "A" H-225)

Resolve, Directing the Public Utilities Commission to Initiate a Proceeding to Explore Strategies to Procure Standard-offer Service in a Manner that Promotes the Stability of Residential Standard-offer Rates
(S.P. 406) (L.D. 987)
(C. "A" S-127)

Resolve, Directing the University of Maine System to Study the Potential Effects of the State's Adopting Permanent Eastern Standard Time or Permanent Eastern Daylight Time
(S.P. 408) (L.D. 989)
(C. "A" S-140)

Resolve, Directing the Secretary of State to Report on the School Bus Driver Shortage
(H.P. 666) (L.D. 1030)
(C. "A" H-223)

Resolve, Directing the Department of Education to Develop and Distribute Guidance for Diploma Options at the Arthur R. Gould School
(H.P. 669) (L.D. 1033)
(C. "A" H-244)

Resolve, to Study Expansion of Civics Education and Engagement Through the Secretary of State
(H.P. 808) (L.D. 1260)
(C. "A" H-245)

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

SENATE PAPERS

Bill "An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals"

(S.P. 830) (L.D. 2009)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Resolve, to Remove the Prohibition Against Live Plants in State-owned Buildings

(S.P. 829) (L.D. 2008)

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

Came from the Senate, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Resolve **READ TWICE** and **PASSED TO BE ENGROSSED**.

On motion of Speaker TALBOT ROSS of Portland, the Resolve was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** 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.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act to Allow Sunday Hunting by Landowners on Their Land"

(H.P. 738) (L.D. 1166)

Signed:

Senators:

- LaFOUNTAIN of Kennebec
- BLACK of Franklin
- CURRY of Waldo

Representatives:

- LANDRY of Farmington
- CLUCHEY of Bowdoinham
- DILL of Old Town
- DRINKWATER of Milford
- GOLEK of Harpswell
- HEPLER of Woolwich
- WOODSOME of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-320)** on same Bill.

Signed:

Representatives:

- MASON of Lisbon
- THORNE of Carmel
- WOOD of Greene

READ.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-323)** on Bill "An Act to Provide Energy Efficiency Program Outreach and Assistance to Manufactured Housing Residents"

(H.P. 504) (L.D. 815)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

- ROEDER of Bangor
- GEIGER of Rockland
- GERE of Kennebunkport
- MALON of Biddeford
- RUSSELL of Verona Island
- SKOLD of Portland

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

Signed:

Representatives:

- DRINKWATER of Milford
- SOBOLESKI of Phillips

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-323)** 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-323)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-322)** on Bill "An Act to Allow Employees to Request Flexible Work Schedules"

(H.P. 516) (L.D. 827)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

- ROEDER of Bangor
- GEIGER of Rockland
- GERE of Kennebunkport
- MALON of Biddeford
- RUSSELL of Verona Island
- SKOLD of Portland

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

Signed:

Representatives:

- DRINKWATER of Milford
- GALLETTA of Durham
- SOBOLESKI of Phillips

READ.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-321)** on Bill "An Act to Create a Rebuttable Presumption Under the Workers' Compensation Law for Line Workers Diagnosed with Post-traumatic Stress Disorder"

(H.P. 827) (L.D. 1302)

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

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

Signed:

Representatives:

DRINKWATER of Milford
GALLETTA of Durham
SOBOLESKI of Phillips

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-321)** 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-321)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-293)** on Bill "An Act to Amend the Laws Governing Retirement Benefit Reductions for Certain Employees Currently Included in the 1998 Special Plan"

(H.P. 300) (L.D. 483)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

ROEDER of Bangor
BRADSTREET of Vassalboro
DRINKWATER of Milford
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland
SOBOLESKI of Phillips

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

Signed:

Senator:

POULIOT of Kennebec

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-293)** 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-293)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass** on Bill "An Act to Amend the Maine Equal Pay Law by Prohibiting Pay Discrimination Based on Race"

(H.P. 1092) (L.D. 1703)

Signed:

Senators:

TIPPING of Penobscot
POULIOT of Kennebec

Representatives:

ROEDER of Bangor
BRADSTREET of Vassalboro
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

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

Signed:

Representatives:

DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The same Representative **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. 127

YEA - Abdi, Albert, Ankeles, Arata, Arford, Babin, Bell, Blier, Boyer, Bradstreet, Brennan, Bridgeo, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Collings, Copeland, Craven, Cray, Crockett, Cyrway, Davis, Dill, Dodge, Doudera, Ducharme, Eaton, Faulkingham, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Greenwood, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Jackson, Jauch, Javner, Kessler, Kuhn, Landry, Lanigan, LaRochelle, Lee, Lemelin, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Morris, Murphy, Ness, Newman, Nutting, O'Connell, O'Neil, Osher, Parry, Paulhus, Perkins, Perry J, Poirier, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Smith, Stover, Strout, Terry, Theriault, Thorne, Walker, White B,

White J, Williams, Wood, Worth, Zager, Zeigler, Madam Speaker.

NAY - Ardell, Campbell, Drinkwater, Dunphy, Foster, Fredericks, Gifford, Griffin, Lavigne, Libby, Lyman, Mason, Paul, Polewarczyk, Pomerleau, Quint, Sampson, Soboleski, Swallow, Underwood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Dhalac, Galletta, Lajoie, Mathieson, Perry A, Pluecker, Riseman, Rudnicki, Schmersal-Burgess, Supica, Warren, Woodsome.

Yes, 112; No, 20; Absent, 18; Vacant, 1; Excused, 0.

112 having voted in the affirmative and 20 voted in the negative, 1 vacancy with 18 being absent, 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** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act to Allow Workers to Work Without Having to Pay Labor Organization Service Fees"

(H.P. 1096) (L.D. 1707)

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-294)** on same Bill.

Signed:

Representatives:

DRINKWATER of Milford
GALLETTA of Durham
SOBOLESKI of Phillips

READ.

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

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to the pending motion. In 2018, the United States Supreme Court ruled in *Janus v. AFSCME* that requiring public employees to pay dues to a labor union violated their right to freedom of association. This bill codifies that in law, not just for public sector workers, but for private sector employees as well. I have no issue with labor unions. If an individual wishes to join a union, that is their right and they should exercise it if they believe it improves their wages and working conditions.

Unions are offering a service and like any other service, an individual should have the option not to pay for it. If the workers are happy with the service the union is offering them, they will pay their dues. If they are not, they should not have to. Requiring them to pay fees for a service that they did not ask for is a violation of their fundamental rights to freedom of association. Many labor unions contribute money to causes and to candidates that the members may object to and they should not be forced to pay dues to that union if they do not agree with the agenda of the union. For that reason, that's why I put this bill forward, I ask that this Body follow my light and vote against the pending motion. Thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. I wanted to share just a couple of facts and figures from Right to Work states. In Right to Work states, wages are about \$6,000 less per year than a worker in a free bargaining state. The poverty rate is a little under 15% higher in Right to Work states, and health benefits are 16.3% lower and workplace fatalities stand at 54.4% higher in Right to Work states. Thank you.

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

ROLL CALL NO. 128

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Craven, Crockett, Cyrway, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, Lanigan, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Cray, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Dhalac, Galletta, Lajoie, Mathieson, Perry A, Pluecker, Riseman, Rudnicki, Schmersal-Burgess, Supica, Warren, Woodsome.

Yes, 75; No, 57; Absent, 18; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 18 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Notify School Boards and Select Boards That Lobbying Associations Are Not Governmental Agencies"

(H.P. 822) (L.D. 1297)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-260)** on same Bill.

Signed:

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

READ.

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **SOBOLESKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm opposed to the pending motion because lobbying associations are not governmental agencies and have no authority to set policy. The organizations like the Maine School Management Association, the Maine Principals' Association, the Maine Superintendents Association and the Maine School Boards Association don't make that perfectly clear in dealing with our school systems.

Recently, I had an incident in one of the school districts in my district where a parent called me to tell me that in the athletic handbook for the middle school and also in the high school, a transgender competition policy had appeared. I went back through the minutes of the previous board meetings and I couldn't find where it was discussed or debated. So, I went and I spoke with the school district and I asked them how did it get there. They said that they were required to put it in there by the Maine Principals' Association or they would be prohibited from competition in interscholastic sports.

The Maine Principals' Association didn't make it perfectly clear to them that they're a lobbying association, that they do not set policy. After dialogue with the Maine Principals' Association, with the Executive Director; I've gotten the information from them, it's in writing and I'll be going back to the next school board meeting to explain to them that they do not set policy; the board sets policy. But it's not being made perfectly clear to our school districts that we deal with. So, that's why I am opposed to this motion. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. I rise to speak to the motion of Ought Not to Pass. For people who are elected to municipal offices, school boards, and select boards, there is a formal introduction by a municipality and people do have an understanding and the information is available who is a lobbying organization, what they do and what their function is. Oftentimes, they provide training and orientation and a newly-elected municipal officer would have been notified by these organizations and also those organizations are required to register with Ethics and therefore, that's why our Committee moved the Ought Not to Pass report.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. Madam Speaker, no disrespect to the colleague who just rose before me but I was a Town Councilor in the Town of Pittsfield and received no such training. So, if there are bigger cities doing that, I can tell you that there are a lot of towns not doing that. I had no idea when I first entered politics as a Town Councilor what was or was not considered a lobbying agency, nor did I know what it meant to check the Ethics thing until I ran for this office to know who was a lobbyist and who wasn't. Thank you.

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

Representative **LANIGAN**: Thank you, Madam Speaker. And to follow my colleague from Pittsfield, I also served and we are a larger municipality, we're the seventh-largest in the State, and I also received no notification. I served six years on the City Council, two of them as Deputy Mayor, and I was never made aware of any of these things that were just mentioned now before me. So, I think offering this clarity just so our elected officials can make the proper decision, it may change the way they think of it, it may not, but I just; I don't know when disclosure has ever been bad, from consumer to boards. So, I just ask that you follow my light and vote against this motion. Thank you.

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

ROLL CALL NO. 129

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Craven, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Newman, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Dhalac, Galletta, Lajoie, Mathieson, Perry A, Pluecker, Riseman, Rudnicki, Schmursal-Burgess, Supica, Warren, Woodsome.

Yes, 74; No, 58; Absent, 18; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 58 voted in the negative, 1 vacancy with 18 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Eliminate Certain Motor Vehicle Inspections"

(H.P. 790) (L.D. 1242)

Signed:

Senators:

CHIPMAN of Cumberland

FARRIN of Somerset

Representatives:

WILLIAMS of Bar Harbor

ALBERT of Madawaska

ANKELES of Brunswick

MASON of Lisbon

O'CONNELL of Brewer

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-296)** on same Bill.

Signed:

Representative:

WHITE of Guilford

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-306)** on Bill "An Act to Establish a Qualifying Condition Review Board to Provide Benefits to Certain Service Members"

(H.P. 978) (L.D. 1523)

Signed:

Senators:

HICKMAN of Kennebec

BRENNER of Cumberland

Representatives:

SUPICA of Bangor

BOYER of Poland

COLLINGS of Portland

MALON of Biddeford

MONTELL of Gardiner

RIELLY of Westbrook

RISEMAN of Harrison

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris

HYMES of Waldo

RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-306)** 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-306)** and sent for concurrence.

Six Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-277)** on Bill "An Act to Comprehensively and Equitably Reform Electricity Rates" (H.P. 347) (L.D. 542)

Signed:

Senator:

LAWRENCE of York

Representatives:

ZEIGLER of Montville

BOYLE of Gorham

GEIGER of Rockland

RUNTE of York

WARREN of Scarborough

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-278)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

BABIN of Fort Fairfield

FOSTER of Dexter

PAUL of Winterport

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

Signed:

Senator:

GROHOSKI of Hancock

Representatives:

DUNPHY of Embden

KESSLER of South Portland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-277)** 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-277)** and sent for concurrence.

Seven Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-308)** on Bill "An Act to Provide Funding for a Chapel at the Maine Veterans' Memorial Cemetery in Augusta"

(H.P. 889) (L.D. 1375)

Signed:

Senators:

HICKMAN of Kennebec
TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland
COLLINGS of Portland
HYMES of Waldo
RIELLY of Westbrook
RUDNICKI of Fairfield

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

Signed:

Senator:

BRENNER of Cumberland

Representatives:

SUPICA of Bangor
MALON of Biddeford
MONTELL of Gardiner

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-309)** on same Bill.

Signed:

Representative:

RISEMAN of Harrison

READ.

On motion of Representative RIELLY of Westbrook, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

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

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

Representative **COLLAMORE**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **COLLAMORE**: Thank you. I'm curious as to what items are being held.

The SPEAKER: The Chair would answer that item 6-3, LD 429, is being held.

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, June 1, 2023, 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 (10) **Ought to Pass** - Minority (3) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Rockland" (EMERGENCY)

(H.P. 573) (L.D. 917)

TABLED - April 27, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - Motion of Representative STOVER of Boothbay to **ACCEPT** the Majority **OUGHT TO PASS** Report.

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

Representative **GEIGER**: Thank you, Madam Speaker. I would like to speak in favor of this bill. It is my bill that I sponsored. Madam Speaker, this is a small technical bill for the City of Rockland but every town, city, water district, county and school district that knows about this bill is holding their breath as we take this vote.

In November of 2022, Rockland placed three bonds for referendum. They passed easily. One was just a paving sidewalk and road bill bond, one was a stormwater separation bond, and the third was closing our landfill by the DEP order. In December of 2022, the bond lawyer noticed that the treasurer's note had been left off the bonds and he suggested that we submit a bill to the Legislature to fix this. In the 116th, 118th, 121st, 123rd, 126th and 128th, one county, one water district, two school districts and two cities submitted bond bills to this Legislature to fix a glitch. In every case, those bonds passed unanimously out of Committee and almost unanimously by the House and the other Body. Until now. For the first time, there is a divided report coming out of Committee. For the first time, Madam Speaker, the bill was tabled for two months because leadership told me that our Republican colleagues would not vote for this bill. During the Committee hearing and work session, the Good Representative from Wales asked why should we help Rockland. They made the mistake and if they were immediately started the process back in December to hold another referendum, they would've met the timeline. And, Madam Speaker, that is true. If the city and I had known that the 131st would, for the first time in history that I can find, not help a municipality when it was within our power to do so, we would've done this differently. I want to thank Representative Greenwood of Wales. He did, in fact, vote this bill out of committee and I thank him for that.

We have always chosen to help our schools, our counties, our towns and cities when they have asked us and when we have had the power to do so. There is no fiscal note with these kinds of bills. So, I ask my colleagues to vote for this bill, to support my city today because next week your water district, school district, town, city or county may come before us for one of a hundred fixes that it is in our power to do. I ask you to fix this one because we can and we always have. Thank you.

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

Representative **BRIDGEO**: Madam Speaker, thank you, Members of the House. This Chamber has a long and honorable tradition of assisting our counties, cities and towns,

sewer and water districts and other quasi-governmental organizations by the use, typically, of Private and Special Laws designed to remedy a problem or facilitate an opportunity when one of those entities finds itself in need. Generally speaking, such laws are targeted and have little or no effect on the rest of the State. Characteristically, they are bipartisan and, more often than not, they go under the gavel.

In the 24 years that I was the city manager of Augusta, the Legislature came to the city's aid on at least two occasions that I can recall. The first went back to the King administration when a special Act created the Capitol Riverfront Improvement District. This was in the time of contentious negotiations between the city, the State and the U.S. Department of the Interior over the proposed removal of the 134-year-old Edwards Hydroelectric Dam. The idea was that the new district would create a novel entity that would facilitate ongoing positive relations between the State and its host city. It was a key element of the resulting national-precedent-setting agreement that saw the dam removed and, interestingly, the enabling of a significant Bath Iron Works expansion. More recently, a year or so before I retired, the city missed a statutory deadline to file an executed tax increment financing agreement with the Department of Economic and Community Development that the City Council had approved for a major business expansion that kept several hundred good jobs from moving out of the State. The company had gone forth in good faith and we were in a real pickle. Our bipartisan delegation stepped up and sponsored a Private and Special Act that waived that DECD deadline for this one instance and the bill passed with overwhelming support on both sides of the aisle.

The other day, my friend, the Representative from Livermore Falls, asked me to help her by cosponsoring her bill to provide some assistance to the Town of Jay to help cushion the adverse impacts of that community's paper mill closure. I was happy to do so. I suspect that there are many here today who could do a bit of research and find that at some point in the past, a community in their district has been the beneficiary of such a Private and Special Law. Certainly, those with many years of legislative experience will verify what I'm saying.

The City of Rockland enjoys sound professional management and nonpartisan elected leadership. At the staff level, a mistake was made and a statutorily required statement of existing indebtedness was left off the bottom of a ballot question that dealt with a proposed bond issue, much of the proceeds of which would fund the city's share of a mandated landfill closure and qualify the city for 75% reimbursement from a State landfill closure fund. Notwithstanding that, the Rockland voters approved the issuance overwhelmingly. You might argue that the City could've scheduled another election and revoted, but that would've likely involved significant expense and delay. I understand full well why the Council and the City Manager would have turned to their State Representative to put in a bill to remedy the situation. I ask you all to continue the tradition of extending assistance to localities in need and provide the two-thirds majority necessary to help the City of Rockland in this instance. Thank you.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. This isn't a partisan issue. This may be a process issue but I know it isn't a partisan one. I've been contacted by several Republicans from the City of Rockland. Actually, as a matter of fact, I think the person that made the mistake may have been a Republican, I don't know that for sure. But I do know that this affects Republicans, Democrats, and Independents in the

City of Rockland and this was over a simple mistake which has unfortunately become pretty common and it's also very common for the Legislature to take action to correct it. Thank you, Madam Speaker.

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

Representative **BRADSTREET**: Thank you, Madam Speaker. Noting that that might've been a Republican, it would be the first one of the year if it was a mistake. I'd like to rise in support especially of the testimony of the speech that the Good Representative from Augusta made. I believe I sponsored the bill that rectified the situation he mentioned that happened a couple years ago and as the Good Representative from Winter Harbor says, this is not a partisan thing. This is something we should all be voting in the affirmative for. I urge everybody to join me in voting yes for the pending motion.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Madam Speaker. What I was going to say has been addressed. This isn't a partisan issue, it shouldn't be a partisan issue. It's just the right thing to do and I would just encourage my colleagues on this side of the aisle to support the bill.

Subsequently, 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** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-147)** - Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Restrict the Daytime and Nighttime Killing of Coyotes"

(H.P. 503) (L.D. 814)

TABLED - May 18, 2023 (Till Later Today) by Representative LANDRY of Farmington.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Representative LANDRY of Farmington moved that the House **ACCEPT** the Majority **Ought Not to Pass Report**.

Representative CLUCHEY of Bowdoinham **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 Bowdoinham, Representative Cluchey.

Representative **CLUCHEY**: Thank you, Madam Speaker. Madam Speaker and Fellow Representatives, when you complete Maine's hunter education course, you are informed that the Maine Department of Inland Fisheries and Wildlife requires that you read *Beyond Fair Chase*, a book by Jim Posewitz. Focused on the ethics and tradition of hunting, this book lays out what it means to hunt ethically and responsibly. Under all circumstances, it explains, the ethical hunter cares for harvested game in a respectful manner, leaving no waste. Maine's proud hunting tradition is grounded in this ethos and the vast majority of hunters in the State strongly support it. In fact, they live it every day. That is why I hope you will support our amendment to LD 814, which would close a loophole that excludes coyotes from ethical hunting practices and provide the

State with data about coyote populations so that they can be managed more effectively.

This amended bill will not limit coyote hunting in Maine in any way but it will discourage wasteful killing. Coyotes are the only game animal in Maine not included on the Wanton Waste Statute, and you might wonder why this is the case. During our work session, we learned that IF&W didn't even know. Well, Madam Speaker, after working with the Legislative Law Library, I was able to learn that coyotes were exempted from this Statute in an amendment to an unrelated bill just prior to enactment in 2010. There was no public discussion or notice on this legislation.

Now, during the public hearing on this bill, it was clear that most Maine coyote hunters already behave ethically and do not leave coyotes on other peoples' property after they have been killed. But some do not. We've heard stories of landowners stumbling across piles of rotting coyote carcasses on their land. Allowing practices like this, which was allowed through legislation that was passed without having ever been discussed in a public forum, it actually threatens to alienate landowners and undermine hunters' access to land in the State.

This amendment will also reduce lead poisoning and contamination. Coyotes are often shot with lead ammunition. Improper disposal of coyote carcasses results in toxins that threaten other wildlife and contaminate our soil and water. Eagles and other scavengers that ingest their remains frequently die from lead poisoning. Additionally, this amendment will give us data to manage our coyote population. A fact that became obvious during the hearing is that data on coyote populations in Maine is woefully lacking. The last coyote population survey was conducted in 1995. To address this, our compromise amendment would require the Department of Inland Fisheries and Wildlife to improve data collection, perhaps through surveys, electronic tagging or other methods, so that Maine can gather important data on how many coyotes are killed every year. During the public hearing, we heard valid concerns from deer hunters who worry about the threat that coyotes pose to deer populations. We also heard from farmers who value the role coyotes play in culling deer that would otherwise be devouring their crops. Improving data collection would mean that management efforts could be focused on protecting deer in some parts of Maine, while protecting farms in others.

Lastly, this amendment will bring Maine back into compliance with the North American model of wildlife management. Wanton Waste violates the North American model of wildlife management, which prohibits casual killing and wasting of wildlife. This model requires the use of science, not opinion or conjecture, in order to sustain wildlife populations. We simply do not have the necessary data when it comes to coyotes. The Maine Department of Inland Fisheries and Wildlife relies on the North American model to create the State hunting policies, except in the case of the eastern coyote. Madam Speaker, this amendment is good policy. We've heard that from hunters, wildlife biologists, farmers, Maine Audubon and lobbyists from a number of hunting organizations. I hope that you and my fellow Representatives will join me in voting no on the Majority Report so that we can move to pass LD 814 as amended in the Minority Report and strengthen Maine's ethical hunting traditions. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Golek.

Representative **GOLEK**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I'm rising to speak in support of the Minority Amendment. First, let me state this Report will not affect the hunting season of coyotes

in any way. What it will do is benefit the Department of Inland Fisheries and Wildlife, hunters and landowners.

During the public hearing on this bill, two things became very apparent. The first was that the Department's data collection on coyote populations is flawed, as it does not represent all coyote kills, it only represents the ones trapped or sold for fur. We listened to many hunters in the room who state that the Department's data did not correspond with what they saw. Requiring the tagging of all coyotes killed would give the Department the best data, instead of estimations on our coyote populations and locations. The second is that coyotes are the only animals that can be killed and left and not disposed of. They are the only animal exempt from our Wanton Waste Law. Even porcupines and skunks are on that list. Maine's Wanton Waste Law prohibits a person from intentionally leaving a wild bird or a wild animal that has been wounded or killed by that person while hunting. The Department of Maine Inland Fisheries and Wildlife relies on Maine's Wanton Waste Statute to create the State hunting policies, except in the case of the Eastern Coyote.

During the work session, I asked why are coyotes the only game animal excluded from the list. There was no clear answer that day. By this Body accepting the Minority Report, it will place the coyotes back on the Wanton Waste list. This is important for many reasons. The first is because we are an open access State that allows people to hunt and hike, et cetera, on others land unless it is posted. This means that coyotes can be killed and left on other peoples' land to rot. This is just wrong on so many levels and so very disrespectful of landowners that share their land with us to hunt and recreate on. I mean, think about it; Maine has a litter law. If I toss my trash on someone else's land, there are legal consequences. But I can leave as many dead coyote carcasses as I want on my neighbor's land and I can do so legally. Now, we know that most Maine coyote hunters already behave ethically and do not leave dead coyotes on others peoples' property after they have been harvested, yet some do. We've heard stories of landowners stumbling across piles of rotting coyote carcasses on their land. Simply put, allowing practices like this threatens to alienate landowners and undermine hunters' access to land in the State. This is an issue that needs to be corrected. Landowners that share access to hunting and recreation deserve this respect. By accepting the Minority Amendment, we will address the need to reduce lead poisoning and contamination of other wildlife. Coyotes are often shot with lead ammunition. Also, eagles and other scavengers that ingest their remains die from lead poisoning, even in low doses.

The Minority Report will address two very simple things. It will include coyotes in the Maine's existing Wanton Waste Statute, thus requiring a reasonable effort to be made to retrieve the wounded or killed animal and render it for use as in the case for all other game animals in Maine. Coyotes are the only game animal in Maine not included on this list. Two, it will direct the Department of Inland Fisheries and Wildlife to develop a process by 2025 to improve year-round data collection which would provide valuable population data as well as the number of coyotes killed that are not currently tracked. Support for the Minority Amendment again will not affect the hunting season of coyotes in any way. It will simply fix a couple of issues in our coyote hunting laws that are currently broken and it will create better policies for our entire State. I hope you will follow my light on this and thank you all very much.

Representative HEPLER of Woolwich **REQUESTED** that the Clerk **READ** the Committee Report.

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

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to state that, you know, I grew up on a farm and coyotes can really be devastating to chicken farmers, ducks, young cattle or calves and also sheep. They are a violent predator and they do not just kill them, they torture them. And so, we're talking about an animal that probably is one of the most tough animals that we have to deal with because they're very elusive as well and they come a lot at night. I've seen as many as a dozen ducks or chickens, their feathers are just left and that's it.

So, I just wanted to also say that I stand today to acknowledge my continued confusion with this agenda-driven bill process as we are living through the 131st Maine legislative Session. This bill, LD 814, adds to my confusion in 2023. And in recent years, we've seen a move to disregard life, such as allowing physician-assisted suicide, taxpayer funding for abortion, a move to allow --

Representative **MALON**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Biddeford, Representative Malon, and inquires as to why the Member rises.

Representative **MALON**: The Member is not speaking to the substance of the bill before us right now.

On **POINT OF ORDER**, Representative MALON of Biddeford asked the Chair if the remarks of Representative CYRWAY of Albion were germane to the pending question.

The SPEAKER: The Chair would just remind all Members to limit their comments to the bill before us. The Member may proceed.

The Chair reminded Representative CYRWAY of Albion to stay as close as possible to the pending question.

Representative **CYRWAY**: Thank you, Madam Speaker. Some might remember that a few years back, I posted a bill that would allow for burial of human fetus and this was named the Death with Dignity Bill. So, it was with dignity. This meant to be an option for women after abortion or miscarriage. We found that human remains --

Representative **MALON**: Point of Order.

The SPEAKER: The Member may defer. The Chair recognizes the Representative from Biddeford, Representative Malon.

Representative **MALON**: Thank you, Madam Speaker. The Member is still not speaking to the bill before us right now.

On **POINT OF ORDER**, Representative MALON of Biddeford asked the Chair if the remarks of Representative CYRWAY of Albion were germane to the pending question.

The SPEAKER: The Chair would remind the Representative to limit his comments to LD 814. The Member may defer. The Chair will recognize the Representative from Albion, Representative Cyrway.

The Chair reminded Representative CYRWAY of Albion to stay as close as possible to the pending question.

Representative **CYRWAY**: I see that this bill, LD 814, would seek to rein in how we hunt coyotes. More incredibly, there was a suggestion that coyotes receive; now I see that this bill, LD 814, would seek to rein in how we hunt coyotes. More incredibly, that there was a suggestion that coyotes receive a proper burial when killed. Do I have to describe how confusing that idea is to me? How this Maine Legislature would sponsor bills to abort babies but then offer --

The SPEAKER: The Member may defer. The Member may defer. The Chair would ask the Member to limit his comments to LD 814 and if he is unable to do so, the Chair will

move on to the next Member in the queue. The Chair recognizes the Representative from Albion, Representative Cyrway.

The Chair again reminded Representative CYRWAY of Albion to stay as close as possible to the pending question.

Representative **CYRWAY**: Thank you, Madam Speaker. I just wanted to say that, you know, I just am confused on what I had to do two years ago and now we're discussing something that just kind of, is hypocritical of what happened from that to this. And so, I just wanted to point it out because I think that we're making a big mistake in what our values are. And I think when it comes to this situation, I think farmers really take a toll if you think that we should limit the hunting season or as well as the burial. Thank you.

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

Representative **DRINKWATER**: Thank you, Madam Speaker. I'm a hunter. I've hunted my whole life. I've shot coyotes. I've left them in the woods. Because I've seen what they do to our deer herd. We have a lot of families that depend on venison and I would just like to read a few statistics that Sportsman's Alliance of Maine presented to us. Maine has a 51-year legacy of year-round coyote hunting. Fifty-one years. The population has not gone anywhere, Madam Speaker, it's still there and doing what it does. The Minority Report would reverse longstanding legislative intent to reduce the damaging effects of coyotes. Department of Inland Fisheries and Wildlife will be hampered in its effort to mitigate the negative impacts of a growing, growing coyote population. Did I mention that it was growing? The average homeowner and farmers will be dealing with more conflicts with coyotes and Maine's hunting economy will experience a net loss. Finally, the Department's new program to restore deer in northern Maine through purchase and management of DWAs would be jeopardized by their inability to manage coyote predation.

Here's a few facts that they presented. Since 1986, antlerless deer harvests have been reduced by thousands Statewide. In the northern two-thirds of Maine, doe hunting has been practically nonexistent. And why is that, Madam Speaker? Because of coyote predation. They prey on the newborn fawns. This time of year, when the does deliver, the coyotes go to those birthing areas and they seek out the fawns. It's just how nature works. And, as we have witnessed, when we start micromanaging what the Department does, it has a disastrous effect. As we witnessed in New Jersey on the bear management and the problems they're having down there with bears. So, I would urge this Body to vote with the Majority, it was an 11-2 vote, and let's put this debate to bed. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Golek.

Representative **GOLEK**: Thank you, Madam Speaker. I just want to make a couple of clarifications about the Minority Report because it was mentioned. The Minority Report does not change the hunting season at all.

Representative **FAULKINGHAM**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham. The Member will proceed.

Representative **FAULKINGHAM**: Madam Speaker, we're moving on the Majority Report. I believe the Minority Report is not before us?

On **POINT OF ORDER**, Representative FAULKINGHAM of Winter Harbor asked the Chair if the remarks of Representative GOLEK of Harpswell were germane to the pending question.

The SPEAKER: The Chair will cite Mason's Manual of Legislative Procedure, Section 433. Motion to postpone indefinitely opens main motion to debate. The motion to postpone indefinitely is debatable and opens the main motion to debate. This is because any motion that proposes to make a final disposition of a proposal opens the merits of the proposal to debate. The Representative may proceed.

The Chair ruled that the remarks of Representative GOLEK of Harpswell were germane to the pending question pursuant to Mason's Manual, Section 433.

The SPEAKER: The Representative may proceed.

Representative **GOLEK**: Thank you. So, I'm just trying to respond to a comment that was made from Representative Drinkwater, he mentioned the Minority Report would change the hunting season and legacy as we know it, and that's inaccurate. It would not change any of the hunting season at all, it would add two things. It would put coyotes on the Wanton Waste list and create a way to track them. Nothing more, nothing less. The Minority Report does not change anything. Thank you.

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

Representative **DILL**: Thank you, Madam Speaker. Simply, this bill was put forward as a coyote hunting bill, and that's what our issue is at the moment. And the Department has very graciously offered to work with the Committee going forward to look at the whole coyote situation in the State of Maine and try to resolve wanton waste, tagging, whatever the situation may be. So, I would just like to say let's go ahead and Ought Not to Pass this bill and let the Committee continue its work as we go forward. Thank you.

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

Representative **CLUCHEY**: Thank you, Madam Speaker. Just to clarify; the language that we included in the Minority Report about how to collect the data, that was actually language that we did get from speaking with members of the Department because we wanted to make sure that it was in line with what they were thinking and so, I just want to make sure everybody's clear on that and so, I'm not sure that we need additional time or discussion because I think this amendment gives the Department, actually, I think it's called unallocated language, so it actually gives the Department the discretion to do what it needs to do without actually having to bring this back to the Legislature and use more taxpayer dollars and legislative time to re-debate this bill when it was clear from a lot of the discussion that passing this bill is an ethical thing to do and something that makes good sense.

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. 130

YEA - Albert, Arata, Ardell, Babin, Bell, Blier, Boyer, Bradstreet, Brennan, Campbell, Carlow, Carmichael, Collamore, Collings, Copeland, Craven, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Gattine, Gere, Gifford, Graham, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Jackson, Javner, Landry, Lanigan, LaRochelle, Lavigne, Lee, Lemelin, Libby, Lyman, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Morris, Ness, Newman,

Nutting, O'Connell, Parry, Paul, Paulhus, Perkins, Perry J, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Rielly, Roberts, Roeder, Russell, Sachs, Salisbury, Sampson, Sargent, Shagoury, Shaw, Smith, Soboleski, Stover, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Williams, Wood, Worth, Zeigler, Madam Speaker.

NAY - Abdi, Ankeles, Arford, Bridgeo, Cloutier, Cluchey, Crockett, Dodge, Doudera, Eaton, Geiger, Golek, Gramlich, Jauch, Kessler, Kuhn, Lookner, Madigan, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Rana, Reckitt, Runte, Sayre, Sheehan, Skold, Terry, Zager.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Dhalac, Galletta, Lajoie, Mathieson, Perry A, Pluecker, Riseman, Rudnicki, Schmursal-Burgess, Supica, Warren, Woodsome.

Yes, 98; No, 34; Absent, 18; Vacant, 1; Excused, 0.

98 having voted in the affirmative and 34 voted in the negative, 1 vacancy with 18 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-232)** - Minority (4) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Restore the Former State of Maine Flag"

(H.P. 54) (L.D. 86)

TABLED - May 30, 2023 (Till Later Today) by Representative TERRY of Gorham.

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

Representative GREENWOOD of Wales **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 Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I draw your attention to the flag behind the Speaker. The flag, as the official flag of the State of Maine, shall be blue, the same color as the blue field in the flag of the United States. It shall be a shield, argent, charged with a pine tree, with a moose deer at the foot of it, recumbent; supporters: on the dexter side, a husbandman resting on the scythe; on the sinister side, a seaman, resting on the anchor. In the foreground, representing sea and land, and under the shield shall be the name of the State in large roman capitals, to wit: MAINE. The whole shall be surrounded by a crest, the North Star. The motto, in small Roman capitals, shall be in a label interposed between the shield and the crest, *Dirigo*; I lead. Madam Speaker, I really enjoy the flag we have now. I think it's a well representation of our heritage of our State and I am opposed to the pending motion. Thank you.

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

Representative **PAULHUS**: Thank you, Madam Speaker. I appreciate the former speaker describing our current flag but mostly our State seal. As most of us know, the State seal was created in 1820 in the 1st Legislature and was designed and is still in use for official documents. It was not designed for a flag, for Maine did not have a flag in 1820, nor all of the 19th century.

The first flag, the original flag, the one we're talking about and as the title of the bill is to restore, because it was the first flag. The first flag in 1901 with a pine tree and star.

As many of you know, we are the Pine Tree State. And as we've debated this in the past, and this has been brought up, the people of Maine, the citizens of Maine, have really led on this issue. I think most people when you are out and about, when you go out and take a drive, I know for me, you know, when I drive down to my in-laws in Phippsburg, in the five-minute drive, I see five pine tree flags, the original Maine flag, on houses. I know when I came in today, parked in the parking lot, I saw several of the pine tree and star flags, stickers on a bipartisan menagerie of stickers on vehicles.

What we're asking to do; and I agree that flags are important. Flags are symbols that people rally around. Flags are symbols that people look to. And I have nothing wrong with the flag that we have, I just think that what the design is; as it was, it was designed to be for official documents. And we're not saying that that goes away. The seal is still the seal, it's still used on official documents, still used on all of our notepads and everything that we have here. So, the seal doesn't go away, the seal is still representative of Maine and will be used on official documents continuously. But what we're asking to do, and the Legislature has the power to do that, is to follow the lead of the people. Because the people have really embraced this image, embraced this flag as the symbol that they want to show off their pride of their State. And we're not changing any real design; we're restoring the original design of the State of Maine. In 1901, the Adjutant General, John Richards, designed this flag, the original Maine flag, with a pine tree and star. The pine tree, as I've already stated, was to symbolize our heritage, our known fact that we are the Pine Tree State, that the pine tree is very symbolic to our history and our industry and everything about our State. And the North Star, when we came into the Union in 1820 as the northern State. So, I think the design is representative of us, I think the people, again, have embraced this and we need to follow what they're doing. Other states are starting to take looks at their flags. And, as I've said in the past, if you take our flag and put it against all the other 50 flags of the union, you'll probably have a hard time distinguishing our flag unless you see the words Maine on it because most of our state flags in the Union all look the same. They all have blue backgrounds with the State seal. The ones that probably most of us can remember are ones that are very distinctive, very simple.

You know, I am not a flag expert but I have had the privilege of working on flags 10 years ago for the City of Bath because we didn't have a flag and I had the opportunity to work; chair a Committee that worked on the flag that we now have in the City of Bath. And we followed all the guidelines of what a good flag should be. And a flag should be simple, should be recognizable, should be two to three colors with no words because the point of the flag is to see it from a distance, know what it is, recognize it and be able to see it, not have to read it or anything like that. So, I think we have a great seal, I think it does represent our history, but it's not designed for a flag. It was designed for paperwork, for official documents. And in 1901, I just would leave this, when we adopted the original Maine flag, I just want to leave with this quote; Maine is everywhere known as the Pine Tree State and what could be more appropriate than that a representation of the tree should be one of the salient features of the flag. While the State coat of arms might not be easily recognized, the pine tree would be known in any state in the Union as the emblem of Maine. Where a flag bearing the pine tree carried through any city, the people would say there is

Maine. And, with that, Madam Speaker, I think, again, we should follow the lead on this issue from the citizens of Maine and I would request that the Clerk read the Report.

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in opposition to the pending motion. Let me explain. As I researched the bill and the action of the Committee, I found testimony from a Mr. Hirshfield. In his testimony, he stated the North American Vexillological Association also highlights five key points of flag design compiled by Ted Kaye and 20 other experts in the publication *Good Flag, Bad Flag*. They are as follows. I will only read number one; keep it simple. The flag should be so simple that a child can draw it from memory. Madam Speaker, I would say that this flag that's proposed here in this bill goes beyond simple in that regard. I know that all of my grandchildren, if they looked at this flag for a couple of minutes, could draw it from memory, including my rather bright two-and-a-half-year-old, Reed. It's been a long time, Madam Speaker, but when I was attending Mrs. Liotta Brown's eighth grade class on Maine history, one of the items that we were required to study was the State of Maine flag. We went through that flag piece by piece, bit by bit. We had to learn what each part of the flag represented and almost every part on that flag represents part of the history of the State of Maine, Madam Speaker. We were also required, and I was somewhat limited in this aspect, to draw that flag in our eighth grade Maine history notebook, scrapbook. I did. I don't remember the grade I got on it but in doing so, I gained much more respect for what items are on that flag.

I'd like to mention that my understanding from what I've seen, the original flag that was talked about, that was our flag from 1901 to 1909, actually came from a merchant mariner type background with an anchor on it. I don't see that on the current design that's proposed now. I also would say, for those of us who grew up in my part of the State where the woods industry is very prevalent, that doesn't look like a pine tree that I've seen. It looks more like a Christmas tree that a child might've drawn. So, I understand the Secretary of State would have to ferret that out and try to find a design that does resemble a pine tree if this were to pass.

I'll speak to those that are on the flag. The heritage of the gentleman with the scythe goes back to the days when this State was settled, when the settlers learned to plant, learned to harvest, learned to go to the forest and provide wood for their homes and later on a burgeoning industry in the State, one which made queen cities and especially the City of Bangor, lumber capital of the world. That brings us to the sailor. That sailor represents generations of sea-going men and women in the State of Maine, going back to the days when it was first settled, for those carrying lumber around the world and ice from our lakes and ponds around the world. It also represents folks like myself that went to sea for a living in the modern age. And it includes one of my classmates at Maine Maritime Academy, Sue Warren who went to sail with Exxon, she was the first lady midshipman from Maine Maritime Academy or from any academy because we graduated before any of the military academies that year, she was the first to complete four years, first lady to do so in our country. She went to sea just as I did and just as many before us and, unfortunately, many more since we have that have graduated from Maine Maritime Academy, Madam Speaker.

That flag represents a lot of heritage. One of the reasons is it has been our State flag for not eight or nine years but for 114 years. And I believe, Madam Speaker, we should continue to honor the heritage that that flag represents and keep it as our flag going forward and I would ask that you follow my light and oppose the pending motion.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Ness.

Representative **NESS**: Thank you, Madam Speaker. As a proud resident of the State of Maine and also a student of flag history and symbolism, I strongly oppose the current motion before us. The current flag has been the symbol of our State's history and values for well over a century and it would be a mistake to discard it in favor of a new old design.

I want to tell you about one of the first flags I ever purchased. I've collected flags from a very young age and I was at my grandparents' one day and randomly asked my grandmother if there was a flag store nearby. And we looked it up in the phonebook and there was a flag store. So, we went there and I had the opportunity to purchase two flags. And, being a very young child at the time, even though I lived in the state of New Hampshire, half a mile across the border, at the time, I mistook the state of New Hampshire's flag for the Canadian flag and I asked for the Maine and Canadian flag. But one of the very first flags I ever purchased was the current flag of the State of Maine. Since then, I've collected all 50 states and the one thing I will say about the current flag as we have it is it represents home. The complexity of our current flag makes it unique and memorable. One has to take but a short trip to the Hall of Flags to see that versions of our current flag have their roots to the Civil War and before, even to 1822. Many of the unit flags that were flown during the Civil War had the design of our current flag and variations of it.

The famous Dirigo star reminds the nation that Maine leads in the day. The pine tree is a symbol of Maine's rich forests and natural beauty, while the moose represents our State's wildlife and rugged terrain. The sailor represents Maine's maritime history and our long history as a seafaring State, while the farmer represents our rich agricultural resources and history. These elements all work together to create a flag that is beautiful and deeply meaningful to Mainers. Not to forget the bold title of our great State placed under the seal, underscoring the symbolism of all that is above.

Arguments that I've heard in favor of changing the flag is that it does not accurately reflect Maine's diverse population and culture. However, LD 86 would change the flag to one that represents one industry in our State, being the forest industry. It retains the color of cowardice and surrender and only keeps the north star, without the rays of light and the Dirigo emblem below it. The only recognizable point of the flag that is proposed in LD 86 is the fact that it was our flag for eight years back in the early 1900s.

Our flag represents not just who we are but who we have been for generations. It is a reminder of our State's unique identity and heritage and changing it would be a disservice to Mainers who have come before us. Changing the flag would be a costly and unnecessary endeavor. Just one indoor flag like the one behind you, Madam Speaker, costs about \$80. If you take even the number of flags here in the State House, that would put a financial strain on the budgets of the respective departments, especially when you consider that quite often newly-designed flags cost significantly more. Maine is facing numerous challenges in priorities, from improving our infrastructure to addressing our State's opioid epidemic. Spending time and resources on a flag redesign would distract

from those important issues and would not provide any real benefit to our State or to its residents.

In conclusion, I urge my colleagues on both sides of the aisle to reject LD 86. The current flag is a symbol of our State's history, value and identity and it should be preserved and celebrated for generations to come. Let us focus our efforts on real challenges facing our State and leave this important symbol of our heritage untouched. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to stand up. I knew some fantastic and great people that I've met through my lifetime. I've met Olympia Snowe, Bill Cohen, George Mitchell, Ed Muskie; my brother even dated his niece and I got to know Ed Muskie, he was from the Waterville area and actually he came to my classroom and talked about the Maine flag. He was very proud of it. And for us to change what the pine tree looks like, Euell Gibbons would starve to death, you know, because he always says ever eat a pine tree, to look around this State and try to find a tree that looks like that? He would not find it. It is not the look of a pine tree. I went to University of Maine and minored in Forestry and I've never seen a pine tree look like that. I don't think you could find a tree that looks like that, Madam Speaker, in this State. So, I totally think; and also, just to say that this flag was made back in the early-1900s, it was made in the early-1900s but then they lost what the actual look of it was and they came up with this flag, I believe, in like 1936. So, we actually are deceiving what actually this flag is coming from. So, I really hope to not go with this motion and to go for our Maine flag. I'm so proud of it. Thank you, Madam Speaker.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. I, too, rise in opposition of the pending motion, and not just because I love our flag, because I do, it hangs in my house, it's hanging in my parents' house in North Dakota because they are Mainers as well. But also, all of the places that I visit, and I get to travel a lot for my work that's something that I'm very grateful to do. I also have been able to travel because my parents have moved across the country. And I've visited North Dakota, the North Dakota State Fair, where the Maine State flag flies, this flag, and I look for it every time because it moves, just to make you look for your flags. Madam Speaker, I've also been to South Dakota at Mount Rushmore, where this beautiful flag also rises and flies. And I have been able to take a picture in front of it. Washington DC at the World War II Memorials where this flag is flying. This is not impacting just the State of Maine, Madam Speaker. This is impacting every state where our flag is flying, where people proudly buy the Maine flag because they're like I was born there or I've been to Maine and I want their flag, and bring it back to their State with them. So, Madam Speaker, please follow my light and keep our flag the way it is. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. We all have a connection to that flag. I was on the Bicentennial Commission and we were searching for a good parade unit. So, why don't we have a living State of Maine seal? So, we created one. We had the shield, we had a live farmer, and we had a live fisherman; a sailor. So, I happened to be the sailor. So, if we change that shield, I'm not going to be able to be a sailor

anymore in the parades. I do have one question, if I might, through the Chair?

The SPEAKER: The Member may proceed.

Representative **CAMPBELL**: We're talking about the 1909 to 1919 flag. I've always thought of that as the North Star in blue and this spiky tree with spiky branches as the green element on a beige field. So, my question to anyone who would like to address it is are we going to have the spiky branches or are we going to have the lofty brown-green pine tree branches?

The SPEAKER: The Member has posed a question to anyone who wishes to answer. The Chair recognizes the Representative from Bath, Representative Paulhus.

Representative **PAULHUS**: Thank you, Madam Speaker. I will say in Committee we had discussion about this and the amended version of the bill, if you look at it, states that the Secretary of State will pick the final design. So, it's not; we're talking about different designs and stuff, that's not what we're talking about. We have the original description, the Secretary of State's office will be the one with the final decision on a design.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, I am reading the comments and testimony by Secretary of State Shenna Bellows and it struck me, she mentioned that there's no records remaining of the debate in 1909 when the flag was changed, eight years after it was first designated. And it made me think that while we can't know the debate that happened, I'm left wondering if perhaps it was thought that we should include more than simply the Pine Tree State but include important industries in our State, include a much broader context for what our State brings forward and provides, which is broader than simply the pine tree. And I think the current flag does a good job of demonstrating a lot of our industries in our State. And the other thing that I thought of at the same time is that it's remarkable to me that we have what I think is a very weighty responsibility that we are able to change our State flag by a simple majority. To me, that bears the weight of a constitutional amendment or something like that. And so, I just would ask that the Members of this Body to think long and hard about such a significant change after over a hundred years, when after only eight, the Legislature in 1909 made a significant change to this flag.

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

Representative **STOVER**: Thank you, Madam Speaker. Madam Speaker, LD 86 proposes to restore the official Maine flag to the original flag first offered in 1901. We have seen a resurgence of the use of this flag with our 200th celebration of our Statehood. The buff background with the simplistic yet meaningful pine tree and star is easy to recognize as the symbolic representation of our beautiful State. I invite the Members of this Body to make history here tonight and vote for the Ought to Pass as Amended by Committee Amendment "A". Thank you.

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

Representative **LANIGAN**: Thank you, Madam Speaker, and I'm going to have to wear glasses for this one. So, I'm just going to give a little history because we keep talking about this flag that actually only one of them exists and it's not the one that we're talking about today.

The one that we're talking about today could either be one of three different designs. In 2008, CRW Flags in Glen Burnie, Maryland, began offering an exact copy of the only known existing flag from the 1900s. In 2017, the Maine Flag Company

began producing an applique version of the original Maine flag in their studio in Portland. As the original flag began to gain more visibility through 2018, Maine Stitching Specialties of Skowhegan and the Bath Flag Company of Bath, all in Maine, began selling their respective variant of the original Maine flag. Rather than doing a full redesign, Flags for Good sells a version of the flag as part of their Better State Flag series. In addition, the Gettysburg Flag Works of East Greenbush, New York, sells a version of the design.

The flag that we are talking about from 1901, the only description that we have is Section 1, Chapter 233. It was approved on March 21, 1901. The State flag is hereby declared to be a buff charged with emblem of the State, a pine tree proper in the center and the polar star, a mullet of five points in blue in the upper corner, the star to be equidistant from the hoist and the upper border of the flag. The distance from the two borders to the center of the star being equal to about one-fourth of the hoist. This distance and the size of the star being proportionate to the size of the flag. And this act shall take effect when approved.

So, when we sit here and we talk about this flag that we're looking at and approving today, it is; really, it's kind of like a Teenage Mutant Ninja Turtle. It's what we think 1901 had, it's a part of the marine; it says it right here, sorry, the; the merchant and marine flag, that's the pine tree that they're using in this version. Some of these other firms selling clothing, hats, stickers, patches, beverage coolers and other items bearing the flag or its elements, what it tells me is that this was a lot easier to replicate for a profit and these companies chose to kind of pursue a flag that they saw that was easier to sell than actually what Maine is here to represent or is represented by, by its constituents and us as their legislators. Thanks to these manufacturers, the 1901 Maine flag is undergoing a surge in popularity, surprisingly.

A legislative bill was submitted in 2019 to change the State's official flag to one more resembling the original. After an initial wave of support, the bill died in Committee due to larger outcry over changing the flag. That was pre-COVID, I understand, that was a long time ago. But I just want to give a little more history to this. In both 1991 and 1997, David B. Martucci of Washington, Maine, advocated for proposed legislation brought forward by his representatives in the Maine Legislature to revert to the 1901 flag, arguing that it was a simpler, more representative design of Maine as the Pine Tree State, and was unlike any other U.S. State flag. In both 1991 and 1997, the proposed failed; receiving zero votes the first time and one vote the second time. Now, we come to February 3, 2021. This is a little bit after COVID, now we're on Zoom. The State and Local Government Committee of the Maine Legislature considered LD 115, "An Act to Restore the Former State of Maine Flag," sponsored by Representative Sean Paulhus and took testimony from 13 individuals including the Representative. All but one supported the bill. The Secretary of State testified neither in favor nor in opposition of the bill. On February 10; February '21, the Committee voted out a divided report. Subsequently, the Maine Legislature defeated the proposal. And I know I'm new here but when I look around, I really look at all the institutional knowledge that I've been able to gain from the experience in this Legislature so it tells me that a lot of people that are in these seats have been here during this time period that this exact bill has been brought up and brought down. And I just don't know; and I get it, it's a cool-looking flag, it's more of like an Apple design, it's kind of what we're all going towards these days, simple, we can all do it on our iPad and we can draw it ourselves, but I fear that we're missing what a flag

means and the heritage of it. It's not so we can sell it and, like my colleague from Pittsfield mentioned, we're not just talking about Maine. We don't have that many residents in Maine comparative to the United States and there's probably more Maine flags in other parts of the United States than there are even here in Maine. And by changing this flag we're changing our brand. And what company would change their brand on a whim because someone likes something different. It's like Nike saying you know what, we're done using the swoosh or Just Do It. You know what, Air Jordan, we're not going to do the flying guy anymore. Adidas, we're done with the three stripes. And that's how I look at this. This is our brand, this is who we are. And if we want to change the Maine flag, let's do it, but let's do it the proper way. Let's study it, let's put it to a process where more than one voice or a couple voices are telling us how it should be done. And I just encourage my colleagues to follow my light today and just let's keep things the way that they are right now because there's a lot of other pressing issues and this is not one that I really see determining who we are as a State, I actually see this as a detriment by changing something so well-known and let's not rebrand ourselves midstream here tonight. Thank you so much, Madam Speaker, for allowing me to speak.

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

Representative **SMITH**: Thank you, Madam Speaker. Something was needling at the back of my brain about this flag and so, I pulled up what is the Appeal to Heaven flag and it is almost exactly like this flag that's being offered. The Appeal to Heaven flag has become popular again. It says that in 2010, the flag became appropriated as a religious and political symbol by some conservative and nationalist activists within the United States. In 2013, the flag was seen at a Million-Vet March where it flew behind Sarah Palin and its modern usage is by political conservatives. In 2015, the Freedom from Religion Foundation demanded the flag's removal from a county courthouse in Arkansas. I would say this flag is exactly like that flag and I'm not sure that that is where we intended to go with the representation of Maine. Thank you.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I just had to get up to weigh in on this because I feel like the people of Maine really don't want us changing the flag right now. I feel like there's a lot of important work we need to get through, 900 bills, we've just spent a ton of time on this bill. I'm spending a little bit more but that's because I feel like this is not what the people of Maine want us to do, changing this flag. We don't even have the actual alternative, so, there's not even a choice here. We're voting to replace the flag when we don't even know what the replacement is going to look like. That seems pretty careless to me, Madam Speaker, over something that's very important. It's what our State is represented by, by our flag. So, I just; I wanted to stand up and weigh in on that. I hope the Members vote against the pending motion. Thank you, Madam Speaker.

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

Representative **PAULHUS**: Thank you, Madam Speaker. I just wanted to try to clarify some things that were made. It was good to hear some information from Wikipedia on the history of the State flag. This; well, not this Legislature but the Maine State Legislature again in 1901 and in 1909 by majority votes changed the flag. Again, as I said in my previous statement, that removing the State seal, the State seal is still the State seal, will continue to be the State seal, will still represent, you can still be

the farmer or the seaman in parades or have that design put on. We're not going to remove it from anything or anything like that.

The State of Utah just recently changed their flag design and have a brand-new flag, which I imagine in all other locations will have to be replaced where the current previous state flag was flown with the new one.

There's mention and also just another clarification that the language of the 1901 flag is what we're using and the original design which is you can see that the Adjutant General John Richards did design in 1901, you can see that design and see what it did look like, it is available. And, again, we're not removing the State seal, it is still the State seal. The people of Maine have embraced this flag and I would just remind, you know, I agree that flags are important and we discuss important things. We've discussed, you know, State desserts and State snacks in the past and had long debates. I remember I was a staff member here when we did that. And, you know, in the middle of the Revolution in 1777, we have Flag Day coming up, the original United States flag was designed and adopted right in the middle of the Revolution. Again, I don't think many people were asking the Continental Congress at that time to not do anything like that or that it was a waste of time. We can have differing ideas on these things, that's perfectly fine, that's why we're here, we represent all the citizens of Maine and stuff but I do think on this issue, we're actually taking the lead of the people on this issue who have embraced this image and this flag and I do think it's important. I think the people have really shown through their actions and everything that they do approve this and we have discussed it in the past and there are many issues that come before our Legislatures that come repeatedly to us, so, with that, again, I think this is, as the original quote I stated, I think people would say that there is Maine when they see this flag and that all people can be represented by it and under it, not just industries or anything like that. Like I said, our nickname and what we're known as is the Pine Tree State and our history is our history, that; and our State seal will continue to represent all of our other history. But this flag has been embraced by the people and I think we need to listen to them and follow their lead. Thank you, Madam 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. 131

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Cloutier, Cluchey, Collings, Copeland, Crockett, Dill, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Dodge, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Hasenus, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Montell, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Sampson, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Craven, Dhalac, Galletta, Haggan, Lajoie, Mathieson, Perry A, Pluecker, Riseman, Rudnicki, Schmearsal-Burgess, Supica, Warren, Woodsome.

Yes, 66; No, 64; Absent, 20; Vacant, 1; Excused, 0.

66 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 20 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-232) 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**.

Representative NESS of Fryeburg **PRESENTED House Amendment "A" (H-285)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Ness.

Representative **NESS**: Thank you, Madam Speaker. Basically, the point of my amendment was to take the current State flag that we have and the 1901 version and try to put the two together. Hopefully, everyone received a copy of my best-I-could-do rendering in an email. And I would appreciate your support on the amendment. Thank you very much, Madam Speaker.

Representative TERRY of Gorham moved that **House Amendment "A" (H-285)** be **INDEFINITELY POSTPONED**.

Representative NESS of Fryeburg **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE House Amendment "A" (H-285)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of House Amendment "A" (H-285). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 132

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Cloutier, Cluchey, Collings, Copeland, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Rana, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Underwood, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Jauch, Javner, Kessler, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Reckitt, Sampson, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White B, White J, Wood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Craven, Dhalac, Galletta, Haggan, Lajoie, Lavigne, Mathieson, Perry A, Pluecker, Pringle, Riseman, Rudnicki, Schmearsal-Burgess, Supica, Warren, Woodsome.

Yes, 67; No, 61; Absent, 22; Vacant, 1; Excused, 0.

67 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 22 being absent, and accordingly **House Amendment "A" (H-285)** was **INDEFINITELY POSTPONED**.

Subsequently, Representative FAULKINGHAM of Winter Harbor **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-232)**.

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 Sanford, Representative Lanigan.

Representative **LANIGAN**: Thank you, Madam Speaker. I think this is a big moment in our history in Maine and I just feel we should take the time and kind of go through what, you know, the flags of the United States and how they all became, you know, to choose their flags and why Maine chose their flag and I'm just going to really go through this just so we have some knowledge of it, so, we make sure that we're making the right decision today here for the State of Maine. So, please bear with me, it might take a minute.

The flags of the United States, states, territories and the District of Columbia, Washington D.C., exhibit a variety of regional influences and local histories, as well as different styles and design principles. Modern U.S. state flags date from the turn of the 20th century, when states considered distinctive symbols for the 1893 World's Columbian Exposition in Chicago, Illinois. Most U.S. state flags were designed and adopted between 1893 and the end of World War I. The most recently adopted state flag is the state of Utah, adopted on March 9, 2023, as my colleague mentioned, although not in use until March 9, 2024. While the most recently adopted territorial flag is that of the Northern Mariana Islands, adopted July 1, 1985, the flag of the District of Columbia was adopted in 1938. Recent legislation in Massachusetts 2021 has started --

The SPEAKER: The Member will defer. The House will be in order. The Member may proceed.

Representative **LANIGAN**: Thank you, Madam Speaker. Has started the process of redesigning the State flag. Despite a variety of designs, the variety of state flags share the same design pattern consisting of the State seal superimposed on a monogram background, commonly a shade of blue, which remains a source of criticism from vexillologists. According to a 2001 survey by the North American Vexillological Association; sorry, I massacred that; New Mexico, the best designed state flag of any U.S. state, U.S. territory, or Canadian province, while Georgia's state flag was rated the worst. So, New Mexico is considered the best, if you've taken a look at that, and Georgia's state flag is rated the worst.

Now, current state flags, I can't really show you the symbols but there's a lot that use the State seal and I just wanted to bring that to everyone's attention is this isn't a rare occasion, as it was made to sound before, when the House was a little bit emptier. The simplistic State flag, again, that we're going to be adopting here today of the pine tree and the blue star, though it is cool, I'm not saying that it's not, I just; I don't feel that it's the State flag that Mainers have chosen. And so, I ask my colleagues here just to reconsider and think about this as we move forward in the process that we're taking here. We're making a decision that changes a lot of things. And I brought up this point earlier, Madam Speaker, about branding. If all of a sudden, Michael Jordan walked into Nike one day and he said hey, you know, let me see my sneakers and they showed him three stripes on it instead of a guy flying through the air, he would be confused because that wouldn't be his brand. Now, when a camper pulls up to a campground in Arkansas and they have the Maine sticker, you know, the State flag, you know, how they have the United States and they kind of get a sticker of every state they visit and that blue sticker is on there and that

guy down in Arkansas is like no, that's not; where's that sticker from? New Brunswick? And he's like no, that's Maine, and he's like no, no, Maine's the pine tree with a star on it. So, if you can see where I'm going with this, it creates a lot of confusion. We have Maine tourism industry, we have all these different; the work in Maine, we have all these different entities in our State and different organizations that are quasi-governmental that use this flag as a symbol of who they are. It's their brand, okay. Government agencies don't have expensive marketing departments to be able to go and hire to redesign a logo for them or do a branding campaign. Most branding campaigns can cost up to \$2 million for a small business. That's changing letterhead, that changing their corporate logo, that's changing everything outside.

This flag is our brand. This is our corporate logo. This is who we are as a State. And I feel that we're hastily making a decision here; though, again, it is a cool design. And if it was a design that was actually worked together, it was a collaborative of artists and people of Maine and businesses of Maine and the tourism industry of Maine and it was rolled out over a period of time, you know, I might be voting on the other side of this, honestly, Madam Speaker. But what I find here is, is that we're rushing something because we can. Because it's convenient, you know, it's easy to do. And anything that's good in life isn't easy, it's not the easiest thing to do. The process is what makes the item. The process is what makes the meaning. And by just rushing this, there's no meaning behind this. I can't tell my kids that the pine tree is any; I mean, really, a pine tree and a blue star? I mean, when I look at the stars at night, they're yellow, kind of, and twinkly, they're not even blue. I just don't understand where we're going with this. Why we are taking something so beautiful and ruining it and just because we can.

So, I wanted you to understand a little bit about flags, marketing, branding and understand that we're doing a lot more damage than we think that we're doing to ourselves and to our State. I know it says in the fiscal note we have to change, you know, within the budgets, we're able to change things, but all these other businesses that sell Maine flags, all these other businesses that sell the stickers to go on these RVs or the pamphlets that they've made up, they're going to have to change them. They're going to have to spend money. So, this doesn't just affect us. This doesn't just affect what we fly up behind you, Madam Speaker. It affects a lot of other things that I fear that we're tearing down very hastily and that's just all I had to say. I thank you for allowing me to say it. I don't even know if I was supposed to say it but I appreciate it and I just wanted to make sure that I spoke to that tonight. Thank you so much.

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I'd be supportive of this bill if it was to go out to the voters to approve this flag change. I don't think it should be this Chamber or the Chamber across the hall. I think this should be a vote on the people and if that were the case, I would be supportive, but it's not and I'm not. So, thank you, Madam Speaker.

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

Representative **HENDERSON**: Thank you, Madam Speaker. I missed the earlier deliberations or discussion. I'll keep this relatively brief. As I'm sure everyone in this room, I love my country, I love my State, and I love our flag. None of us are standing here because of the pine trees in the State of Maine, we're standing here because of the people in the State

of Maine and I'm highly concerned with what it symbolizes for us to remove those people from our flag. Thank you.

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

Representative **SAYRE**: Thank you, Madam Speaker. I wanted to refer to two things. I'm saddened to see that this has broken down on partisan lines because I feel it would be a mistake for us to adopt a flag that had the; that was identified with one party and not the other. When I campaigned last year, I wore a pin that I'm wearing today that has that symbol and I had people ask me why are you wearing that, that's a Republican symbol. I also had people ask me oh, I didn't realize that was a Democratic symbol. So, until today, I thought that this was something that we were either equally agreed on or equally disagreed on, I'm not sure which. But, I mean, it's a symbol of Maine and many people that I have met in wearing this around here and around home is like that's a symbol I can really get behind because it's neutral, it doesn't have people on it and it has a couple of really enduring symbols of Maine.

I appreciated the comments, Madam Speaker, of my colleague, Representative Smith, who shared interesting history but only part of the history of the Appeal to Heaven flag, which is just one of many, many flags that flew over New England or flew over the 13 colonies to feature a pine tree. It's unfortunate that that particular symbolism became associated, fairly or not, with a modern political movement, but the Appeal to Heaven flag is the original flag of the U.S. Navy. It was commissioned by George Washington. And in using the pine tree symbol, he was adopting a symbol that goes back to the very roots of New England, the first flag under which New Englanders bore arms together was a flag that contained that same green stylized rudimentary pine tree. The pine tree is a symbol of Maine and a symbol of New England because the pines of Maine were the most valuable thing the British Navy identified from this land. That's why it was the original symbol of the U.S. Navy.

So, this is not just some whim of the past decade, it's not just some new brand. This is the, in many ways, the original brand of the people who settled this area 400 years ago and it is a symbol, the pine tree is a symbol specific to Maine and specific to New England that has been used for 400 years. I, frankly, can think of no better symbol to rally around. When I show friends the current Maine flag, they're like is that New York? Is that Massachusetts? I mean, look at the other 50 state flags. The flag we have is indistinguishable from the others. This flag that we just voted on; narrowly but in favor of; is very much consistent with 400 years of Maine history and is a unique and striking symbol of who we are that differentiates us from all the other states. Thank you.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker. I just had to say it, when you talk about the pine tree, you know, when you talk about the Navy, you talk about what we mean and what this means, you know, just from Fort Western to Fort Halifax, that's the federal road that goes right through Vassalboro, right to Fort Halifax. I've actually, you know, gotten in a canoe and went down the river and the militia would shoot off the muskets and the cannons off here at Fort Western just to celebrate how we used it in the times of when they had to use the federal road to bring their supplies to each fort. We also used Benton, where I lived for many years, was one of the top towns in the State that they went and got the masts and they went and chopped down these great big, gigantic pine trees. And I'll tell you, as a logger, I'll tell you, you ask a logger to identify that tree on that flag and they're going to say what the

heck is that? Because that is not a pine tree. I don't know where everybody says pine tree, pine tree, pine tree and it doesn't even look like one. It looks like something that is just made up. I mean, you couldn't even advertise it for a Christmas tree. So, I'm just saying that this is really; it's; we have a nice, beautiful pine tree on our flag as it is. In fact, even on my little pamphlet here for my; to take notes, it has the Dirigo emblem right on there and it has the pine tree looks so much better than what the pine tree they're trying to claim it looks like. I can't change what that looks like but it certainly is not a pine tree. I hope anybody looks it up in any book and try to find that tree, you tell me what it is.

So, thank you, Madam Speaker, I really appreciate this time because it is kind of, you know, I've gone to 25 different conferences all over the United States for the DARE program and when we did; we had the flag ceremony and I was proud to carry the Maine flag. In fact, I can remember going to Washington DC and they had the park police carrying our flags on the stage and I was so proud of that. We are taking and putting a flag that doesn't even represent this State. I don't even know an island that you could find that tree. So, thank you, Madam Speaker, I just wanted to speak up because this is embarrassing to me. I am so proud of this flag. Thank you.

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

Representative LIBBY: Thank you, Madam Speaker. I'm glad to have the opportunity to read the entirety of Speaker; the; I'm sorry, it's late at night; Shenna Bellows, the Secretary of State, and Kate McBrien, Maine State Archivist. The testimony reads as follows, and don't worry, it's short.

Neither the Department of Secretary of State nor Maine State Archives, which falls under the Department's jurisdiction, have a formal position on LD 86. But we believe we have useful information that may assist the Committee in its deliberations on this important legislation. Maine's State flag has undergone changes over the 200 years of our Statehood. Perhaps most interestingly, our State did not designate an official flag until 1901, which specified the flag design in question today. We had no official flag for our first almost 100 years of Statehood. For an unknown reason, this first official design only lasted eight years before legislation changed the flag to its current design in February of 1909. Unfortunately, any record of the debate around the change in flag design did not survive, so, we cannot provide any reasoning behind it.

Before 1901, Maine had flags, of course, but most were designed by State and local militias for their individual use. The seal of the State of Maine which now graces the blue shield of our current State flag was designed by a Joint Legislative Committee during the beginning of our Statehood. A copy of their report resides in the Maine State Archives, and while a record of their deliberations does not exist, we do have the product. The seal of the State originally was meant as the official mark, the seal to represent Maine on official documents. Often affixed to State records with wax, the State seal elevated a document and the action it represented with great solemnity. It appears to have been a common sentiment throughout New England to carry that official seal role onto the State flag. Several neighboring New England states adopted flags like our current one using their own state seals around 1909 as well.

The original 1901 flag design is important as a commonly understood symbol of Maine and its connection to New England. The pine tree became an early symbol of New England, often viewed as referencing the Tree of Peace as well as New England's, and certainly Maine's, strong timber economy. Colonists used the pine tree symbol commonly on coins and flags throughout the 17th and 18th centuries. Leading up to the

Revolutionary War, the pine tree became a symbol of colonial unrest and resistance. This common symbol is now proposed as the new license plate design, tying in to the 1901 flag and the symbols of our long and rich history and culture. Symbolically today, flags remind us of our unity as one people engaged in a common cause and of surviving difficult struggles together. The design of the flag is made meaningful by the people who embrace it. The lack of debate in the record means we do not know why the flag was changed in 1909, which leaves us only to speculate.

I have to agree with the Good Representative from Poland. I actually find the proposed flag esthetically pleasing. I like the design, however childish it may appear to some. It has a lot of common elements that are pleasing to the eye. But that doesn't make up for the extensive history of our current flag, and I agree that if this were a bill to put this question to the Maine people for a vote, I would support that wholeheartedly. I think this is the type of question that should go to the Maine people. It should not be for our Body to decide such a significant change to our Maine history. I ask you to follow my light.

The SPEAKER: The Chair recognizes the Representative from Wiscasset, Representative Polewarczyk.

Representative POLEWARCZYK: Madam Speaker, I'm relatively new to Maine, I've only been here 15 years. I came here because of Maine's way of life. That flag, to me, represents Maine's way of life and I hate to see it change.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-232). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 133

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Cloutier, Cluchey, Copeland, Crockett, Dill, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Collamore, Collings, Cray, Cyrway, Davis, Dodge, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Hasenfus, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Montell, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Quint, Sampson, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Craven, Dhalac, Drinkwater, Fay, Galletta, Haggan, Lajoie, Lavigne, Mathieson, Perry A, Pluecker, Pomerleau, Pringle, Riseman, Rudnicki, Schmersal-Burgess, Supica, Warren, Woodsome.

Yes, 64; No, 61; Absent, 25; Vacant, 1; Excused, 0.

64 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 25 being absent, and accordingly, under suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-232)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Conform State Funding to the Federal Hyde Amendment, Limiting Funding for Some Abortion Services"

(H.P. 311) (L.D. 494)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

RECKITT of South Portland

SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-280)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

HENDERSON of Rumford

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-280)** Report.

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-279)** on Bill "An Act to Protect the Reproductive Freedom of Maine People by Preempting the Field of Abortion Regulation"

(H.P. 857) (L.D. 1343)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

BRAKEY of Androscoggin

Representatives:

MOONEN of Portland

ANDREWS of Paris

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

RECKITT of South Portland

SHEEHAN of Biddeford

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

Signed:

Representatives:

HAGGAN of Hampden

HENDERSON of Rumford

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought Not to Pass** Report.

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-283)** on Bill "An Act to Provide for Civil Recovery Based on Nonconsensual Removal of or Tampering with a Condom and Considering Sexual Assault in Evaluating Parental Rights"

(H.P. 1082) (L.D. 1683)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

BRAKEY of Androscoggin

Representatives:

MOONEN of Portland

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

RECKITT of South Portland

SHEEHAN of Biddeford

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

Signed:

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

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-283)** Report.

READ.

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

Representative HENDERSON of Rumford **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 Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker. Again, I will keep it quite brief. This bill gives victims six years to file a civil suit to seek monetary relief for this infraction. Victims would be better served if perpetrators were held criminally responsible rather than just civil remedies. I guess I should end there, given the late hour. Thank you.

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

Representative **MILLIKEN**: Thank you, Madam Speaker. This is my bill and I just wanted to respond really briefly. I worked for several years as an advocate for victims of sexual violence and I have found in that work that oftentimes the criminal justice system is not the best means of dealing with various types of sexual violence. This is a very common issue both here in Maine and across the country and this will give victims of this type of assault a means for recourse. 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. 134

YEA - Abdi, Ankeles, Arata, Arford, Bell, Boyer, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crockett, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Terry, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Ardell, Babin, Blier, Bradstreet, Campbell, Carmichael, Collamore, Cray, Cyrway, Davis, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Paul, Perkins, Polewarczyk, Quint, Sampson, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood.

ABSENT - Adams, Andrews, Bagshaw, Boyle, Costain, Crafts, Craven, Dhalac, Drinkwater, Galletta, Haggan, Lajoie, Lavigne, Mathieson, Parry, Perry A, Pluecker, Poirier, Pomerleau, Pringle, Riseman, Rudnicki, Schmersal-Burgess, Supica, Warren, Woodsome.

Yes, 73; No, 51; Absent, 26; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 51 voted in the negative, 1 vacancy with 26 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-283)** 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-283)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Prohibit Health Care Services Without Parental Consent"

(H.P. 1154) (L.D. 1809)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-282)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

READ.

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

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

Representative **THORNE**: Thank you. I know the hour is late and I will be brief, but today is an important day. Because 79 years ago today was D-day. And as the Representative from Turner alluded to, and others today, D-day was the invasion of Normandy, Operation Overlord; it goes by many different names, but we've all heard it as we go through school, listening to our parents, grandparents and uncles. June 6, 1944 is the day when more than 160,000 Allied Forces landed in Nazi-occupied France as part of the biggest air, land and sea invasion ever executed. It ended with heavy casualties. More than 9,000 Allied soldiers were killed or wounded in those first 24 hours. But D-day is largely considered the successful beginning of the end of Hitler's tyrannical regime and the United States' decisive involvement in World War II. The bravery of the paratroopers and soldiers who stormed Normandy that day are well known and I think most best depicted in the movie *Saving Private Ryan*. But there are some other things you may not know about D-day. World War II, the largest and deadliest conflict in human history, involved more than 50 nations and was fought on land, sea and air in nearly every part of the world. Also known as the Second World War, it was caused in part by the economic crisis of the Great Depression and by political tensions left unresolved following the end of World War I. The war began when Nazi Germany invaded Poland in 1939 and raged across the globe until 1945, when Japan surrendered to the United States after the United States dropped the atomic bomb on Hiroshima and Nagasaki. By the end of World War II, an estimated 60-80 million people had died; 60-80 million people had died. Fifty-five million civilians in numerous cities in Europe and Asia were reduced to rubble. Among the people killed were six million Jews murdered in Nazi concentration camps as part of Hitler's diabolical Final Solution, otherwise known as the Holocaust. Many of these images are forever etched in our memories and today we remember those brave soldiers that took that leap of faith on those beaches on June 6, 1944, D-day, seventy-nine years ago. Thank you.

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

On motion of Representative PAULHUS of Bath, the House adjourned at 8:53 p.m., until 10:00 a.m., Wednesday, June 7, 2023, in honor and lasting tribute to the memory of the lives lost in the D-Day invasion 79 years ago today.