

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Thirtieth Legislature
State of Maine

Daily Edition

First Special Session

beginning April 28, 2021

beginning at page H-200

STEARNS of Guilford

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

Signed:

Representatives:

- LYMAN of Livermore Falls
- ROCHE of Wells
- 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-506)** 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-506)** 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-528)** on Bill "An Act To Promote Oversight of and Competitive Parity among Video Service Providers"

(H.P. 676) (L.D. 920)

Signed:

Senators:

- LAWRENCE of York
- VITELLI of Sagadahoc

Representatives:

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

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

Signed:

Senator:

- STEWART of Aroostook

Representatives:

- CARLOW of Buxton
- FOSTER of Dexter
- WADSWORTH of Hiram

READ.

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

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-509)** on Bill "An Act To Allow a Customer with a Net Energy Billing Arrangement To Annually Donate Any Unused Kilowatt-hour Credits"

(H.P. 763) (L.D. 1025)

Signed:

Senator:

- VITELLI of Sagadahoc

Representatives:

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

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

Signed:

Senator:

- STEWART of Aroostook

Representatives:

- CARLOW of Buxton
- FOSTER of Dexter
- WADSWORTH of Hiram

READ.

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

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

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

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Currently, net energy billing customers can designate their credits that are left over to go to another customer's account, even multiple accounts. This could be changed each month. Any unused credits expire after 12 months on a rolling basis. So, in other words, not by a calendar year, but if you had a credit and it's left over, say, from June, the following June, that would expire if not used or if it didn't go to another customer's account that you had designated. During the hearings on this bill, both the consumer-owned utilities and the investor-owned utilities expressed concerns about managing an already complex system with this additional language. It will likely add administrative costs which will be passed on to all ratepayers. In the Public Utility Commission's neither for nor against testimony at the hearing, they also made that point. They also raised concerns about how this bill might cause conflicts in the wholesale retail energy supply markets. This bill is not needed and I ask that you follow my light. Thank you, Mr. Speaker.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, I do always appreciate the perspective of the Good Representative from Dexter and his concern about cost. He's been an incredible

member of our committee and I think his comments today reflect that yet again. We did, Mr. Speaker, hear the concerns that were expressed and simplified the bill significantly in an amendment that will be coming before us shortly if the current motion passes. 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. 225

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

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

ABSENT - Arata, Bradstreet, Cebra, Grignon, Haggan, Javner, Martin, O'Connell.

Yes, 84; No, 59; Absent, 8; Excused, 0.

84 having voted in the affirmative and 59 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-509)** 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-509)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Ensure Parents' Access to Their Minor and Adult Children with Special Needs" (EMERGENCY)

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

Signed:
Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
MADIGAN of Waterville
MELARAGNO of Auburn
PERRY of Calais
STOVER of Boothbay

ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-529)** on same Bill.

Signed:
Senator:

MOORE of Washington

Representatives:

CONNOR of Lewiston
GRIFFIN of Levant
JAVNER of Chester

READ.

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

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ACCEPT** the 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 Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Mr. Speaker. I'm hitting this like 50 times and for some reason this is the first time it's allowed me to speak, so, I think it's; should I just stand up the next time it doesn't work for me, sir?

The SPEAKER: The Chair would answer in the affirmative. The member may proceed.

Representative **LEMELIN**: Thank you. Mr. Speaker, it's going to be a little difficult for me to talk about this because it's such a serious thing and it affects my own life, but I'm going to give it my best shot. I developed this bill because last November, I witnessed on the local news a mom, Millie Coombs. She brought her daughter, Nikki, to the hospital, who has severe disabilities and is nonverbal. And because of COVID, she was told that she could not stay with her child. Her child is an adult child, 36 years old, and for 36 years her or her husband never left the side of the child any time they went to the hospital, which was hundreds of times. I can relate to this because I've gone through the same thing. In the first two years of my son's life, he had 18 operations and no matter what, I never left his side. The reason I never left his side is because he can't communicate. Because you could see the fear in his eyes if somebody wasn't there just to hold his hand. He needed to feel that love, he needed to feel safe. I cannot imagine what this woman went through all because of COVID. And as I've told this Body in the past, Mr. Speaker, it's not COVID that's the culprit, it's how we're dealing with COVID. This is the year 2020 and 2021. By now, we should know how to deal with COVID and we should be able to handle this situation.

Millie's daughter, just like my son, she was scared. She was frightened. She can't hit the call button, she can't tell anybody if she's in pain, she can't tell anybody anything and the doctors and the nurses have to guess. Why should they have to guess? Why should a child of any age have to sit in a hospital by themselves in fear? Why?

Mr. Speaker, and I said this before and I'll say it again, this is commonsense, if a nurse or a doctor can be in the room safely, then they can prepare a parent in an extreme condition like this to be safe with their child. The hospitals justified their action because they feel that it's a safety issue and that they