MAINE STATE LEGISLATURE

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Legislative Record

House of Representatives

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page H-277

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act to Increase the Chance of Receiving a Moose Permit for Maine Service Members and Veterans"

(H.P. 349) (L.D. 544)

Signed:

Senators:

LaFOUNTAIN of Kennebec
CURRY of Waldo

Representatives:

LANDRY of Farmington
CLUCHEY of Bowdoinham
DILL of Old Town
DRINKWATER of Milford
GOLEK of Harpswell
HEPLER of Woolwich
MASON of Lisbon
WOOD of Greene

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

Signed:

Representatives:

THORNE of Carmel
WOODSOME of Waterboro

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-35)** on Bill "An Act to Amend the Laws Governing Severance Pay to Cover More Types of Employers and Include More Workers"

(H.P. 16) (L.D. 12)

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland
POULIOT of Kennebec

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:

BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

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

Representative BRADSTREET of Vassalboro **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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. I realize this doesn't appear to be a big item in the full scheme of things, and yet it's one more thing that we are forcing upon our small businesses, indeed every business in Maine. It's like another nail in the coffin of businesses that are trying to survive, doing their best to survive and it discourages them and it also discourages other business from considering moving to Maine, who already has what is considered a really negative regulatory environment. So, I hope you would join me in voting against the pending motion. Thank you.

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

Representative **CYRWAY**: Thank you, Madam Speaker of the House and also Ladies and Gentlemen of the House. I just wanted to stand up and say I'm opposed to this bill. I think it should be Ought Not to Pass only because I believe the unions really use pieces of bartering and working things out amongst themselves and we shouldn't, as the State, be making all these union decisions. And I think that we really are taking away the spirit of what they'd like to do and it also does affect a lot of small businesses that may or may not survive because we keep adding to the pot, as Representative Bradstreet had mentioned. So, thank you, Madam Speaker, for this chance to speak and I do think that we can make a difference for the people of letting them make the choice, not just this small Body. Thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, I just want to convey to the Members of this Body this bill was brought to me by the Department of Labor and it is a requested change that simply clarifies something that has been an issue ongoing and with that language clarification, hopefully they will be able to do their jobs better. And I appreciate the consideration of our labor unions. I did want to point out that the Maine AFL-CIO testified in favor. 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. 32

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

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

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

ABSENT - Adams, Collamore, Crockett, Eaton, Haggan, Kessler, Lajoie, Lanigan, Lookner, Sachs, Sampson, Skold.

Yes, 76; No, 62; Absent, 12; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 62 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-35)** 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-35)** and sent for concurrence.

CONSENT CALENDAR
First Day

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

(S.P. 256) (L.D. 588) Bill "An Act to Promote Public Safety and Retain Essential First Responders by Funding the Maine Length of Service Award Program" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(S.P. 93) (L.D. 189) Bill "An Act to Include an Expanded Archery Permit in the Super Pack License Issued by the Department of Inland Fisheries and Wildlife" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-21)**

(H.P. 333) (L.D. 528) Bill "An Act to Improve Road Safety for Waste and Recycling Collection Employees" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 456) (L.D. 687) Bill "An Act to Increase the Allowable Width of a Snowplow" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 10) (L.D. 6) Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-33)**

(H.P. 118) (L.D. 177) Bill "An Act to Amend the Authority of the Public Utilities Commission Regarding Special Rate Contracts" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-36)**

(H.P. 369) (L.D. 574) Bill "An Act to Amend the Laws Governing Working Waterfront Covenants" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-34)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **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.

ENACTORS
Emergency Measure

An Act to Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes and Change the Standard Deduction and References in the Dependent Exemption Tax Credit

(H.P. 11) (L.D. 7)
(C. "A" H-27)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Raise the Cap on Retirement Benefits for State Employees and Teachers to Which a Cost-of-living Adjustment Is Made

(H.P. 45) (L.D. 70)
(C. "A" H-24)

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

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

Representative **DRINKWATER**: Thank you. Madam Speaker, I rise to support LD 70, An Act to Eliminate the Cap on Retirement Benefits for State Employees and Teachers to Which a Cost-of-living Adjustment Is Made. Sidney Hook once said everyone who remembers his own education remembers teachers. Not methods, not techniques. Teachers are the heart of the educational system. Teachers deserve our respect and gratitude. They've dedicated their lives to instructing our children. Everyone here can remember the name of teachers who inspired them. In my life, it was Mr. Wheeler, Mr. Duff and Ms. Bragdon. Many of them were promised a good retirement when the pay was low, but the benefits were good. I heard from many retired teachers who are struggling to make ends meet. With inflation hurting all families, the senior citizens are the ones feeling it the worst. One retired teacher in her 80s spoke about if it wasn't for her son, she wouldn't be able to continue to live in her house. Serving in the 129th, we heard a bill to fix the COLA and it passed the Committee with a funding request of $600 million but failed in Appropriations. In the 130th, the same bill passed with a price tag of $900 million but once again failed in Appropriations. Now, in the 131st, the bill was proposed again with price tag of $1.2 billion. Madam Speaker, the MEA had the opportunity to meet with the Chief Executive before she finalized the budget. The MEA asked the Chief Executive to fund the COLA and fix the problem. The Chief Executive failed to fund the COLA. I do not understand why the majority party has not made this a priority. After all, they've had majorities on all the committees, control of the House, the Senate and the Blaine House now for five years.

Madam Speaker, I regret that the Chief Executive failed to include some funding to stop the snowball from picking up speed as it's rolling downhill. This is not a Republican versus Democrat debate; this is trying to correct what they had to sacrifice for the State to have a balanced budget as the Constitution requires. We, the members of the Labor Committee, came together in a bipartisan way and requested that the COLA be raised to $40,000. It is not enough to make them whole, but it's a small attempt to slow the out-of-control cost. Because of the budget being passed by the majority party, we could not include a fix.