

ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
14th Legislative Day
Thursday, May 11, 2023

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

Prayer by Pastor Tony Maker, Larrabee Baptist Church, Machiasport.

National Anthem by Pihcintu Multicultural Chorus, Portland.

Pledge of Allegiance.

The Journal of Tuesday, May 9, 2023 was read and approved.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 776)

**JOINT RESOLUTION RECOGNIZING MAY 10, 2023 AS
NATIONAL GERMAN SHEPHERD DAY**

WHEREAS, the German Shepherd is a loyal and intelligent breed of dog that has become a beloved member of many families across the United States; and

WHEREAS, the German Shepherd has played a vital role in law enforcement, military service and search and rescue operations; and

WHEREAS, the breed was first developed in Germany in the late 19th century by Captain Max von Stephanitz, who envisioned a versatile and capable working dog; and

WHEREAS, National German Shepherd Day was founded in 2011 by Ingrid Birch in memory of her own German Shepherd and therapy dog, Peter George de Corban; and

WHEREAS, the breed is well-loved in Maine, as evidenced by the students of Fort Kent Elementary School, who have expressed their thoughts and support for the German Shepherd as representing the character and spirit of the State; 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 recognize May 10, 2023 as National German Shepherd Day, and to express our admiration for the character and accomplishments of this breed.

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

The following Joint Resolution: (S.P. 777)

**JOINT RESOLUTION DESIGNATING MAY 2023 AS
OSTEOPOROSIS AWARENESS AND PREVENTION
MONTH**

WHEREAS, an estimated 53,000,000 Americans have osteoporosis or low bone mass, and studies suggest that approximately 1 in 2 women and up to 1 in 4 men 50 years of age and older will break a bone due to osteoporosis; and

WHEREAS, approximately 1,800,000 Medicare beneficiaries nationwide suffered approximately 2,100,000 osteoporotic fractures in 2016, and osteoporosis-related bone fractures are responsible for more hospitalizations than heart attacks, strokes or breast cancer; and

WHEREAS, the total annual cost for osteoporotic fractures among Medicare beneficiaries was \$57,000,000,000 in 2018 and is expected without reforms to grow to over \$95,000,000,000 in 2040 as the population ages; and

WHEREAS, in Maine, 9,000 Medicare beneficiaries suffered over 10,500 osteoporotic fractures in 2016; and

WHEREAS, an estimated 1,400 Medicare beneficiaries in Maine suffered an initial fracture and then a subsequent fracture in 2016, which resulted in estimated costs of over \$26,900,000; and

WHEREAS, osteoporosis and the broken bones it can cause are not part of normal aging, and building strong bones must begin in childhood, with peak bone mass being reached by early adulthood, and care for our bones must continue throughout our lives; and

WHEREAS, osteoporosis is often called a silent disease because it is impossible to feel bones weakening, and breaking a bone is often the first sign of osteoporosis; and

WHEREAS, timely bone health screening and osteoporosis diagnosis and treatment can help prevent fractures that lead to hospitalization and nursing home stays; and

WHEREAS, cost-effective postfracture care that improves care coordination has been demonstrated to reduce the number of subsequent or repeat fractures, yet is not widely available or properly incentivized by Medicare; and

WHEREAS, it is crucial that we raise awareness about bone health and osteoporosis among the public, health professionals and policy makers; 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 designate May 2023 as Osteoporosis Awareness and Prevention Month and encourage appropriate health programs and activities with respect to promoting good bone health throughout life and preventing and treating osteoporosis.

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

COMMUNICATIONS

The Following Communication: (H.C. 165)

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

May 8, 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 5 MRSA, §20065, I am pleased to appoint Representative Nina Milliken of Blue Hill to the *Substance Use Disorder Services Commission*, effective immediately.

Representative Milliken will serve on this commission as a member of the House of Representatives who is also a member of the joint standing committee having jurisdiction over criminal justice and public safety matters.

If you have any questions, 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. 166)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 9, 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 7, MRSA, Part 23, Ch. 501, §19202.2-B, I am pleased to reappoint Representative Laurie Osher of Orono to the Maine HIV Advisory Committee.
If you have any questions, 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. 167)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 9, 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 26, Chapter 49, §3802, I am pleased to reappoint the Honorable Margaret Craven of Lewiston to the *Essential Support Workforce Advisory Committee*, effective immediately.
If you have any questions regarding this reappointment, 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. 163)
STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

May 11, 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:"

Education and Cultural Affairs
L.D. 1398 An Act to Increase Teacher Salaries
Health and Human Services
L.D. 1059 Resolve, to Allow Reimbursement for Remote Ultrasound Procedures and Fetal Nonstress Tests Under MaineCare

Housing
L.D. 1437 An Act to Address Poverty by Increasing Access to Energy Efficiency and Weatherization Programs

Taxation
L.D. 533 An Act to Exempt Overtime Pay from Individual Income Tax
L.D. 1168 An Act to Adjust Motor Vehicle Excise Tax Rates

Sincerely,
S/Robert B. Hunt
Clerk of the House
READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 164)
STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

May 11, 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 Joint Standing Committee on Housing has approved the requests for "Leave to Withdraw" by the following sponsors:
Senator Pouliot of Kennebec
L.D. 250 An Act to Improve Housing by Increasing Housing Options
Senator Hickman of Kennebec
L.D. 356 An Act to Invest in Construction Industry Workforce Development

Sincerely,
S/Robert B. Hunt
Clerk of the House
READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 168)
STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0006

May 8, 2023
The Honorable Troy D. Jackson, President
MAINE STATE SENATE
3 State House Station
Augusta, Maine 04333
The Honorable Rachel Talbot Ross, Speaker
MAINE HOUSE OF REPRESENTATIVES
2 State House Station
Augusta, Maine 04333

The Honorable Mark Lawrence, Senate Chair
The Honorable Stanley Paige Zeigler, House Chair
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY
100 State House Station
Augusta, Maine 04333

Re: *2020/2021 Attorney General Report to the Legislature Under the Petroleum Market Share Act*

Dear President Jackson, Speaker Talbot Ross, Senator Lawrence, and Representative Zeigler:

I am pleased to submit this report in accordance with the Petroleum Market Share Act (PMSA), 10 M.R.S.A. §1677. The PMSA requires the Attorney General to make a report to the Legislature describing the concentration of retail outlets in the State, including a recommendation as to whether additional legislation is needed to further limit or curtail the activity of refiners operating retail outlets.

Enclosed is a report describing concentration of retail outlets in the State. The report, which is based on data collected from wholesalers of both motor fuel oil and home heating oil, includes maps depicting relative concentration in designated markets throughout the State. This report is also available on the Attorney General's website: [Office of the Maine AG: Consumer Protection: Antitrust](#).

Because no refiners of petroleum products operate retail outlets in this State, we recommend no legislation to limit or curtail such operations.

Sincerely,

S/Aaron M. Frey
Attorney General

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

The Following Communication: (S.C. 448)

**MAINE SENATE
131st LEGISLATURE**

May 9, 2023
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it referred Bill "An Act to Protect Maine Taxpayers by Requiring a Person to Be a United States Citizen to Receive General Assistance Benefits and to Ensure Municipal Compliance with Federal Immigration Laws" (H.P. 437) (L.D. 668) to the Committee on Health and Human Services in non-concurrence.

Best Regards,

S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 449)

**MAINE SENATE
131st LEGISLATURE**

May 9, 2023

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Health Coverage, Insurance and Financial Services on Bill "An Act to Amend the Opioid Education Requirements" (H.P. 838) (L.D. 1323) in non-concurrence.

Best Regards,

S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Resolve, to Authorize the Exchange of Interest in Certain Lands Owned by the State in Piscataquis County

(H.P. 1238) (L.D. 1930)

Sponsored by Representative ARATA of New Gloucester.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent for concurrence.

Bill "An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River"

(H.P. 1231) (L.D. 1926)

Sponsored by Representative BELL of Yarmouth.

Cosponsored by Representatives: GATTINE of Westbrook, RIELLY of Westbrook, SALISBURY of Westbrook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act to Clarify and Improve the Laws Relating to the Background Check Center and the Maine Certified Nursing Assistant and Direct Care Worker Registry"

(H.P. 1230) (L.D. 1925)

Sponsored by Representative SHAGOURY of Hallowell.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act to Provide for Enforcement of Snowmobile and All-terrain Vehicle Laws"

(H.P. 1229) (L.D. 1924)

Sponsored by Representative DUNPHY of Embden. (BY REQUEST)

Cosponsored by Representatives: CRAY of Palmyra, HALL of Wilton, JACKSON of Oxford, POMERLEAU of Standish.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent for concurrence.

Bill "An Act to Create the Rural Prosperity Council"

(H.P. 1232) (L.D. 1927)

Sponsored by Representative PLUECKER of Warren.

Bill "An Act to Protect Consumers by Licensing Home Building Contractors"

(H.P. 1237) (L.D. 1929)

Sponsored by Representative ROBERTS of South Berwick.

Cosponsored by President JACKSON of Aroostook and Representatives: FAY of Raymond, HASENFUS of Readfield, KESSLER of South Portland, LaROCHELLE of Augusta, MASTRACCIO of Sanford, ROEDER of Bangor, SAYRE of Kennebunk, Senator: BAILEY of York.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

Sent for concurrence.

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

ORDERS

On motion of Representative MASON of Lisbon, the following Joint Resolution: (H.P. 1233)

JOINT RESOLUTION RECOGNIZING MAY 17, 2023 AS WORLD NEUROFIBROMATOSIS AWARENESS DAY

WHEREAS, the Children's Tumor Foundation is observing May 17, 2023 as World Neurofibromatosis Awareness Day to educate the public about this rare genetic disorder; and

WHEREAS, although over 2 million people around the world are living with neurofibromatosis and one in every 3,000 newborns is diagnosed with neurofibromatosis, it is still relatively unknown to the public; and

WHEREAS, neurofibromatosis affects all populations equally, regardless of race, ethnicity or gender; and

WHEREAS, neurofibromatosis causes tumors to grow on nerves throughout the body and also can affect development of the brain, cardiovascular system, bones and skin; and

WHEREAS, the disorder can lead to blindness, deafness, bone abnormalities, disfigurement, learning disabilities, disabling pain and cancer; and

WHEREAS, the Children's Tumor Foundation leads efforts to promote and financially sponsor world-class medical research aimed at finding effective treatments and, ultimately, a cure for neurofibromatosis; and

WHEREAS, the Children's Tumor Foundation is leading the way through innovative and inventive approaches to scientific advancement and improved patient care, revamping systems to accelerate the path from discovery to treatment; and

WHEREAS, the Children's Tumor Foundation works to improve access to quality patient care through its national neurofibromatosis clinic network; and

WHEREAS, the Children's Tumor Foundation provides patient and family support through its information resources, youth programs and community activities; and

WHEREAS, much remains to be done in raising public awareness of neurofibromatosis to help promote early diagnosis, proper management and treatment, prevention of complications and support for research; 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 recognize May 17, 2023 as World Neurofibromatosis Awareness Day.

READ.

On motion of Representative MASON of Lisbon, **TABLED** pending **ADOPTION** and later today assigned.

On motion of Representative COLLAMORE of Pittsfield, the following Joint Resolution: (H.P. 1234) (Cosponsored by Representatives: GRIFFIN of Levant, HAGGAN of Hampden, LYMAN of Livermore Falls, SAMPSON of Alfred, WOODSOME of Waterboro)

JOINT RESOLUTION RECOGNIZING TEACHER APPRECIATION WEEK, MAY 8, 2023 TO MAY 12, 2023

WHEREAS, Maine's future depends upon the provision of high-quality education to all students; and

WHEREAS, teachers mold future citizens through guidance and education; and

WHEREAS, teachers are among the most dedicated of public servants in the State; and

WHEREAS, it is important to raise public awareness of the contributions of teachers and to promote greater respect for and understanding of the teaching profession; 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 recognize the week of May 8, 2023 as Teacher Appreciation Week and strongly encourage the citizens of the State to recognize the efforts of teachers in educating the children of their communities and to support teachers in their efforts.

READ.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. I rise today to recognize the educators of our State. Educators play a pivotal role in shaping our future by teaching our youth as early childhood educators, elementary school teachers and secondary school teachers, as well as educating adults at postsecondary institutions throughout our State. Teacher Appreciation Week is a time for us to come together to acknowledge and honor the remarkable dedication and tireless efforts of our educators. Teachers are the architects of knowledge, the guiding lights who help us inform young minds and the catalysts for positive change in our society. They inspire, encourage and empower students to explore the depths of their potential. They ignite the flame of curiosity, nurturing a

love for learning that lasts a lifetime. Teachers transform lives, they act as mentors, role models and sometimes as a confidante to students who have no one at home to rely on. Beyond imparting knowledge, teachers are cultivating essential life skills, values and equip learners with tools they need to navigate the complexities of the world. Madam Speaker, today I ask that we honor all of our teachers and thank them for the support that they give to our State through their jobs. They are greatly appreciated. Thank you.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Lyman.

Representative **LYMAN**: Thank you, Madam Speaker, and all Members of the Chamber. To the dedicated and amazing teachers of this State, I offer my deepest thanks and appreciation for the work that they do on behalf of their students. I know firsthand the demands of the job. I know that it is the reward of being part of helping a learner move forward with their skills and understandings that motivates us. I know that smiles and the hugs and the laughter that erupts in your classrooms is contagious. I empathize with the barriers and challenges that face education. Thank you so much for your willingness to create magic for our State's students. Thank you for teaching.

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

Representative **BAGSHAW**: Thank you, Madam Speaker. I was a teacher for 25 years and I would like to say that I realize this is a very difficult time to be a teacher and God bless you all. Thanks for what you do.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Dodge.

Representative **DODGE**: Thank you, Madam Speaker. I rise to echo the kind sentiments expressed in this Joint Resolution. It is important to understand that many teachers don't just choose to teach kids; they are called into the education profession. A profession that, if you think about it, enables all other professions. Please today, this week and every day, recall with a smile your parents, who were your first teachers. Remember those favorite teachers who helped you understand something that was difficult, a teacher who sparked some new curiosity or one who praised your work ethic, one who opened a path that you chose to follow or a teacher who brought you joy in learning or one who recognized who you were. Thank you.

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

Representative **BOYLE**: Thank you, Madam Speaker. Madam Speaker, I rise in support of this Resolution. My mother was a teacher for 35 years and she's up in heaven now. Thank you, Mom. And my daughter is a school social worker at Massabesic Middle School in Waterboro, so, shout out to my daughter, Lindsay. Thank you.

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

Representative **DOUDERA**: Thank you, Madam Speaker. I thought that I appreciated all the wonderful teachers I had growing up and the great teachers that my kids had but it wasn't until I substitute taught a few times that I really realized how important teachers are. So, I just wanted to lend my voice and thank you to all the teachers that are here in this room and all those that are listening and all those throughout the State of Maine. Thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, one of my favorite things every summer was going to the Minnesota State Fair and there was one year in

particular that I went that was the best. I skipped the elephant ears, the French fries in a bucket and all of the food on a stick and I went to a booth where it allowed you to send a message to your favorite teachers. I was able to send one to my mom. And so, I rise in support of this Resolution for all the teachers that spent their vacation days, their evenings, their weekends putting up bulletin boards and grading papers. For every teacher who went out of pocket for a student in need. For every teacher who saw a kid sitting alone at lunch and sat down next to them. For every teacher. Thank you.

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

Representative **GEIGER**: Thank you, Madam Speaker. I, too, want to rise and just thank the teachers that I have had when I was a child. I had the privilege in third grade to have a teacher named Mr. Barton. He was handsome, kind, sweet and I was still deep in grief from the loss of my father and his kindness sort of woke me back up and brought me back into the world. So, thank you to Mr. Barton and to all the great teachers out there who change our lives.

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

Representative **GRAHAM**: Thank you, Madam Speaker. I suddenly came to the realization that my husband is a teacher. He has been a substitute teacher at Greely High School and Greely Middle School and even the elementary school, Mabel I. Wilson School, for many years and has been a long-term substitute teacher last semester because the phys. ed. teacher who was there had a traumatic brain injury and was unable to teach. So, he held her space and now she's back part-time and he is still there part-time and he's also a soccer coach. So, way to go, honey.

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

On motion of Representative PERRY of Calais, the following Joint Resolution: (H.P. 1235)

JOINT RESOLUTION RECOGNIZING MAY 2023 AS NATIONAL PHYSICAL FITNESS AND SPORTS MONTH

WHEREAS, every President of the United States since Ronald Reagan and including Joseph Biden has declared May to be National Physical Fitness and Sports Month; and

WHEREAS, the Maine Legislature is committed to supporting a thriving, vibrant and healthier community for residents of all ages and abilities; and

WHEREAS, the Maine Legislature recognizes the importance of providing access to safe and convenient places to be physically active for people regardless of age, gender, race, income, socioeconomic status, disability or geographic location; and

WHEREAS, approximately one in 5 children and 2 in 5 adults in the United States have obesity; and

WHEREAS, one in 2 adults in the United States lives with a chronic disease and about half of this group has 2 or more chronic diseases; and

WHEREAS, about one in 4 young adults in the United States is too overweight to serve in our military; and

WHEREAS, the United States Department of Health and Human Services Physical Activity Guidelines for Americans recommend that children and teenagers perform 60 minutes or more of moderate-to-vigorous-intensity physical activity each day and that adults perform at least 150 minutes a week of moderate-intensity activity, such as brisk walking; and

WHEREAS, only half of adults and one-quarter of youths in the United States get the recommended amounts of aerobic physical activity they need to help reduce and prevent chronic diseases; and

WHEREAS, physical activity is vital for healthy aging and can reduce the burden of chronic diseases and prevent early death; and

WHEREAS, physically active people generally live longer and are at lower risk for serious health problems such as heart disease, Type 2 diabetes, obesity and some cancers and, for people with chronic diseases, physical activity can help manage these conditions and complications; and

WHEREAS, physical activity can benefit the workforce because physically active people tend to take fewer sick days; and

WHEREAS, the United States Department of Health and Human Services, Centers for Disease Control and Prevention is leading Active People, Healthy Nation, a national initiative to help 27 million Americans become more physically active by 2027; and

WHEREAS, communities can support Active People, Healthy Nation by implementing one or more of 7 evidence-based strategies recommended by the Centers for Disease Control and Prevention to increase physical activity across sectors and settings; and

WHEREAS, building active and walkable communities can help increase levels of retail economic activity and employment, increase property values, support neighborhood revitalization and reduce health care costs; and

WHEREAS, walkable communities can improve traffic safety for people who walk, ride bicycles and drive; and

WHEREAS, individual effort alone is insufficient to improve opportunities for people to be physically active, and significant policy, systems and environmental changes are needed to support and protect individual efforts to make healthier choices; and

WHEREAS, it is important to ensure that longtime residents have the opportunity to benefit from increased community investment and that community improvement projects do not result in community displacement; and

WHEREAS, reducing barriers to safe and equitable public spaces for persons of color to be physically active is important to addressing existing health disparities; and

WHEREAS, every Active People, Healthy Nation strategy can be used to support the goal of equitable and inclusive access to opportunities for physical activity; 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 recognize May 2023 as National Physical Fitness and Sports Month; and be it further

RESOLVED: That we recognize that physical activity is one of the best things adults, children and families can do to improve their health and that, in light of the foregoing considerations, we express our support for Active People, Healthy Nation strategies, including those promoting activity-friendly routes to everyday destinations, access to places for physical activity and school and youth programs to increase physical activity before, during and after school.

READ.

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

Representative **PERRY**: Thank you, Madam Speaker. First of all, if you notice, there's only one signature on this. As a

Joint Resolution, I did not move my joints enough to get more people on this part of it. But I think it's an important thing to note that physical fitness does not have to be work. Physical fitness is fun and we do it every day. I want to mention the calisthenics we do in this Body whenever we greet somebody, up and down, by the time I get done, I think I've done my calisthenics. But I also want to recognize the staff and the legislators who have now the fun of playing basketball and seeing who can beat who and help us keep score. Walking with somebody, hiking, playing games; all of that is physical fitness and enjoyable. Enjoy it with each other. It does not have to be work.

So, as a Resolution, I am going to read that we as the Legislature recognize that physical activity is one of the best things adults, children and families can do for their health and well-being. It is interacting with each other in our fitness activities that makes a big difference. And in light of foregoing considerations, we express our support for Active People, Healthy Nation strategies, including those promoting activity-friendly routes to everyday destinations, access to places for physical activity and school and youth programs to increase physical activity before and after school, and even our school here. Thank you.

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

On motion of Representative FAULKINGHAM of Winter Harbor, the following Joint Resolution: (H.P. 1236)

JOINT RESOLUTION RECOGNIZING JULY 21, 2023 AS PARK AND RECREATION PROFESSIONALS DAY

WHEREAS, the park and recreation field is a diverse and comprehensive system that improves personal, social, environmental and economic health; and

WHEREAS, the skilled work of park and recreation professionals strengthens community cohesion and resiliency, connects people with nature and one another and provides and promotes opportunities for healthful living, social equity and environmental sustainability; and

WHEREAS, park and recreation professionals and volunteers perform essential services to provide recreational and developmental enrichment for children, youth, adults and older adults and to ensure that our parks and recreational spaces are clean, safe, inclusive, welcoming and ready to use; 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 recognize July 21, 2023 as Park and Recreation Professionals Day and to recognize the importance and benefits of park and recreation services that enrich the lives of Maine citizens and help make this State a desirable place to live, work and visit.

READ and ADOPTED.

Sent for concurrence.

On motion of Representative WHITE of Waterville, the following House Order: (H.O. 23)

ORDERED, that Representative Deqa Dhalac of South Portland be excused May 2 for legislative business reasons.

AND BE IT FURTHER ORDERED, that Representative Irene A. Gifford of Lincoln be excused Apr 25 for health reasons and Apr 27 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Daniel J. Hobbs of Wells be excused May 2 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Lucas John Lanigan of Sanford be excused May 2, 3 and 4 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Karen L. Montell of Gardiner be excused May 4 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Kevin J. M. O'Connell of Brewer be excused May 3 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Ambureen Rana of Bangor be excused May 2 for legislative business reasons.

READ and PASSED.

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

Representative **MALON**: Thank you, Madam Speaker. Madam Speaker, I rise to recognize Carmen Bernier, who is here today in our gallery along with her family. Carmen spent many years in service of the City of Biddeford as our City Clerk and recently received the Lorraine M. Fleury Award from our Secretary of State. Carmen was a statewide leader in promoting ongoing absentee balloting, leading a successful pilot project in the City of Biddeford to help show the State how effective this procedure can be. And, of course, you know, on top of this, clerks don't only have elections to deal with. They have car registration, beach permits, shellfish licenses, business licenses, dog licenses, ATV registration, tax collection, in addition to efficiently and accurately processing petitions presented to them by annoying people like me. You know, Carmen led her office and certainly our elections with grace, with efficiency and with a spine of steel. She ran a really tight ship at that polling place and she is worthy of all the accolades she is receiving today and I wish her nothing but the best as she moves on to this next chapter in her life, although I will say that the City misses her deeply. Thank you.

The SPEAKER: The Chair recognizes the Representative from Owls Head, Representative Matlack, who wishes to address the House on the record.

Representative **MATLACK**: Thank you, Madam Speaker. Madam Speaker, I rise in recognition of Maddie and Gavin's successes this year. Maddie and Gavin are twins. They wrestle on the same wrestling team from Owls Head at Oceanside High School and they were both Class B Champions. Maddie beat a guy. So, she was the first woman in State history to win her weight class for Class B wrestling, which was not divided between men and women but was just all athletes. Then she went on to Virginia Beach a couple of weeks later and she became an All-American. She was second in the women's division in her weight group and went four and one and was recognized as an All-American Wrestler. Today, she will go play softball. Then she and her brother and her parents will drive to New Jersey where she will compete in another wrestling match tomorrow. Maddie is going on to study Nursing at a school of her choice and her brother, Gavin, will also be going on. He is the Class B Champion in his weight class for the State of Maine and also competed in Virginia Beach a couple of weeks ago. But he's hoping to go on and study at perhaps Maine Maritime Academy, which is dear to my heart, and study Engineering there. But both Maddie and Gavin are very successful students,

athletes and are the pride of Oceanside High School. Thank you very much, Madam Speaker.

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

Representative **GEIGER**: Thank you, Madam Speaker. I, too, wanted to rise and just honor Maddie Ripley and her brother, Gavin, for their accomplishments and also to say thank you to their parents, Daphne Ripley and their stepfather, Jason Yates, who is their wrestling coach. This is a wrestling family. Their garage is padded with mats and they have two older siblings who are also very accomplished wrestlers. Maddie, of course, made Maine history and will show the way. I was 50 years ago a wrestling statistician because that was the closest I could get to wrestling and I love the sport and I know how hard they had to work, especially when you try and make weight. So, my congratulations to both of them and thank you so much and I wish you the very best in the future.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Sarah Doore, of Waterville, who has been named the Boys and Girls Clubs of Greater Waterville Youth of the Year. We extend our congratulations and best wishes;

(HLS 333)

Presented by Representative WHITE of Waterville. Cosponsored by Senator LaFOUNTAIN of Kennebec, Representative MADIGAN of Waterville.

On **OBJECTION** of Representative MADIGAN of Waterville, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Nesreen Laam, of South Portland, who has been named the Boys and Girls Clubs of Southern Maine South Portland Clubhouse Youth of the Year. We extend our congratulations and best wishes;

(HLS 334)

Presented by Representative KESSLER of South Portland. Cosponsored by Senator CARNEY of Cumberland, Representative DHALAC of South Portland, Representative RECKITT of South Portland.

On **OBJECTION** of Representative KESSLER of South Portland, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

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 Tuesday, May 9, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing Deanna Tabor, of Lewiston

(HLS 290)

TABLED - May 4, 2023 (Till Later Today) by Representative CRAVEN of Lewiston.

PENDING - **PASSAGE**.

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

Expression of Legislative Sentiment Recognizing Dillon Elliott, of West Gardiner

(HLS 291)

TABLED - May 4, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **PASSAGE**.

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

Representative **MADIGAN**: Thank you, Madam Speaker. This is in regards to 5-37. I just want to take a moment to recognize Sarah Doore, who is here today with her mom. She's been named the Boys and Girls Club of Greater Waterville Youth of the Year. Perhaps you've seen Sarah in the halls here before because she's come here doing advocacy. She's helped folks in our community and I think she's just an outstanding young woman and I can't wait to see what she does in the future and she's pretty awesome. Thank you.

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

Representative **CRAVEN**: Thank you, Madam Speaker. I just wanted to rise and say how very, very proud I am of Deanna Tabor. Deanna, also known as Deedee in her clubhouse, has been a member at the Boys and Girls Club for 12 years. When Deedee became a member, she never realized how important the Boy and Girls Club would be to her. She also didn't know how important she would become to her club and community and the members that look up to her. Through the Boys and Girls Club, Deedee honed and shared her passion for cooking and would attend SMCC to pursue a culinary degree. Deanna used her passion for culinary arts to assist younger members with lunches and snacks. Her larger goal is to use her skillset to fight against food insecurity in her community and beyond. Deanna's dream is to one day open a food pantry for the homeless. She wants to provide health and nutrition without having to worry about cost. Through her school's culinary program, Deedee has competed and won awards for both her cooking and baking. Deanna has been a Torch Club member for the past five years and enjoys organizing dances, fundraisers and bake sales. To her, the club is a second home and Deedee is proud to be part of the club and community that helped her become who she is today. Thank you, Madam Speaker.

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

Representative **SHAGOURY**: Thank you, Madam Speaker. I just wanted to say how very pleased and proud I am to welcome Dillon Elliott here to the State House today and congratulate him on being named Youth of the Year for the

Gardiner Boys and Girls Club. Dillon has almost a thousand hours of community service under his belt and likes working with kids and wants to do that in the future. I also just found out this morning that when he was at Helen Thompson School, he was a kindergarten student of my wife, who teachers there, and that she is also very, very proud.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Montell.

Representative **MONTELL**: Thank you, Madam Speaker. I, too, would like to rise to extend my congratulations to Dillon Elliott, a student at Gardiner Area High School and the Boys and Girls Club of Greater Gardiner Youth of the Year. Best wishes to Dillon as he represents his club in the State Youth of the Year today and will be announced this evening. So, thank you, Madam Speaker.

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

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

the Honorable Rosaire "Ross" Paradis, Jr., of Madawaska. A teacher for 36 years, Mr. Paradis was the first male teacher hired at l'Academie Notre Dame de la Sagesse in Ste-Agathe, a boarding school for women and public school, where he coached sports and worked as a teacher of English, French and Latin. He later taught at Madawaska Middle-High School, chairing the language department. He was elected to serve in the Maine House of Representatives in 2000, serving in the 120th Legislature, and was reelected to serve in the 121st and 122nd Legislatures. In the Legislature, he served on the leaves of absence, transportation and criminal justice and public safety committees. He was a strong advocate for and champion of Maine's large Franco-American population and emphasized the preservation of the French language and culture. He co-founded Le Club Francais and was president of the Association of French-speaking Parliamentarians, an international group dedicated to democracy and justice in over 30 nations where French is either the primary language or a prominent 2nd language. For his efforts, he was inducted into Maine's Franco-American Hall of Fame. He also was a 4th Degree Knight of Columbus. Mr. Paradis will be long remembered and sadly missed by his wife of nearly 53 years, Judy, his family and friends and all those whose lives he touched;

(HLS 336)

Presented by Representative ALBERT of Madawaska.

Cosponsored by President JACKSON of Aroostook.

On **OBJECTION** of Representative ALBERT of Madawaska, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **ALBERT**: Madam Speaker, Ladies and Gentlemen of this House, the Honorable Rosaire; or as many knew him as; Ross Paradis went home to be with the Lord on his birthday, May 5th, in Madawaska. Like many in the St. John Valley community, to know Ross was to see his unwavering devotion to the people around him. Ross was a champion for the people of my community and, more specifically, a champion for the people of Maine's largest Franco-American population, was inducted into the Franco-American Hall of Fame and fighting to preserve the culture and language of the Franco-

American population and all of the beauty and diversity it brings to our small corner of the world.

Ross was an educator, a coach and mentor for nearly 36 years, teaching the importance of the French language and changing lives of young students in the St. John Valley for generations. He devoted much of his life in public service to Aroostook County and, for that, we owe him a large debt of gratitude. As I continue to settle into my first term representing much of the St. John Valley and House District 2, I know I have tremendous expectations to represent the great people of my community due to the legacy of the Honorable Ross Paradis that he left behind. Ross will surely be remembered for his legislative service but, more importantly, he will be remembered by all those whose lives he deeply touched. He will be remembered for his courage, patience, fortitude, respect, tolerance, kindness and a smile for everyone who crossed his path. Thank you, Madam Speaker.

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

**REPORTS OF COMMITTEE
Divided Reports**

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Authorize State Political Parties to Opt Out of Ranked-choice Voting for Primary Elections"

(S.P. 327) (L.D. 768)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

SUPICA of Bangor
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-68)** on same Bill.

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland
RUDNICKI of Fairfield

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

READ.

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

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

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

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

Representative **BOYER**: Thank you, Madam Speaker. I rise today against the pending motion. I rise today as someone who voted to keep ranked-choice voting last week. I deeply respect the Citizens Initiative process, having been part of one

and knowing what it takes to get it done. On the other hand, I think it's perfectly reasonable for political parties to decide how they're going to elect their nominees. By and large, political parties, Madam Speaker, are private organizations and I think it's fair, I think this is a reasonable bill to allow parties to decide if they would rather use ranked-choice voting or plurality. So, that's my two cents. Thank you, Madam Speaker.

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

ROLL CALL NO. 67

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, 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, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Salisbury, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Abdi, Arata, Bradstreet, Campbell, Collings, Costain, Cray, Haggan, Hall, Hymes, Jackson, Lajoie, Lanigan, Mason, Mathieson, O'Neil, Osher, Riseman, Sachs, Sargent, Shaw, Zeigler.

Yes, 72; No, 56; Absent, 22; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 56 voted in the negative, 1 vacancy with 22 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Prohibit Ballot Harvesting by Preventing a 3rd Person from Returning More than 2 Absentee Ballots per Day"

(S.P. 329) (L.D. 770)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

SUPICA of Bangor
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
RUDNICKI of Fairfield

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

READ.

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

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

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

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Listen to the words; ballot harvesting. Let's not get confused with the use of these words. This is not agriculture. So, show the real farmers you know the difference. Let's not try to skew the outcomes of our votes. I'm a cowboy by heart and I can tell you ranchers don't like rustler roundups. So, let's prohibit by going with the Minority Report and vote no on this motion. Thank you, Madam Speaker.

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

Representative **RIELLY**: Thank you, Madam Speaker. To be clear, this Bill would restrict administrators of nursing homes, residential care facilities and assisted living homes from returning absentee ballots to municipal clerks. It would change the law to only allow for two ballots per day to be returned. I mean, this is time-consuming and, to be quite frank, a pretty wild proposal. Let's shoot this down. Thank you, Madam Speaker.

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

ROLL CALL NO. 68

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, 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, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Salisbury, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Abdi, Arata, Bradstreet, Campbell, Collings, Costain, Cray, Haggan, Hall, Hymes, Jackson, Lajoie, Lanigan, Mason, Mathieson, O'Neil, Osher, Riseman, Sachs, Sargent, Shaw, Zeigler.

Yes, 72; No, 56; Absent, 22; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 56 voted in the negative, 1 vacancy with 22 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Five Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-72)** on Bill "An Act to Eliminate the Limits on Candidates' Speech at the Polls" (S.P. 308) (L.D. 750)

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
RUDNICKI of Fairfield

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-73)** on same Bill.

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

COLLINGS of Portland
RISEMAN of Harrison

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

Signed:

Representatives:

SUPICA of Bangor
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook

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

READ.

Representative SUPICA of Bangor moved that the House **ACCEPT** Report "C" **Ought Not to Pass**.

Representative BOYER of Poland **REQUESTED** a roll call on the motion to **ACCEPT** Report "C" **Ought Not to Pass**.

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

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I rise against the pending motion and in support of the other, I believe it was Amendment "A." This would solve the problem that all of us have when we go and stand at the polls, that a voter comes and asks you why you're thanking them for voting after shaking their hand and they ask you what are you running for, and then you say well, legally, I'm not allowed to tell you but if you go inside and maybe look at the sample ballot or when you go there and vote, then you'll find out and have the answer to your question. And it's just weird, it's just awkward, and so, we're not in support of, you know, opening Pandora's box, Madam Speaker, and allowing electioneering; we simply think that a better solution would be to be able to tell the voter what's available on the ballot. Your name, what you're running for, and your party. So, voter asks you, you say I am,

I'm running for State Representative and I'm the Republican on the ballot. Thanks for voting. That's all I'm allowed to say, you know, so, I think that would solve a lot of this weird awkwardness and but still respecting the fact that we can't electioneer. Thank you, Madam Speaker.

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

Representative **RIELLY**: Thank you, Madam Speaker. Again, I just want to flag the Majority Report may violate the First Amendment because it only allows candidates to speak to voters and not other people. Thanks.

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

Representative **LIBBY**: Thank you, Madam Speaker. I just would like some clarification because I heard the words Majority Report. Could the Clerk please read the Committee Report?

Representative LIBBY of Auburn **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

ROLL CALL NO. 69

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

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

ABSENT - Abdi, Arata, Bradstreet, Campbell, Collings, Costain, Cray, Haggan, Hall, Hymes, Jackson, Lajoie, Lanigan, Mathieson, O'Neil, Osher, Riseman, Sachs, Sargent, Shaw, Zeigler.

Yes, 70; No, 59; Absent, 21; Vacant, 1; Excused, 0.

70 having voted in the affirmative and 59 voted in the negative, 1 vacancy with 21 being absent, and accordingly Report "C" **Ought Not to Pass** was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass** on Resolve, Regarding Legislative Review of Chapter 117: Rule Regarding the Duties of School Counselors and School Social Workers, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 245) (L.D. 394)

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-115)** on same Resolve.

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** Report.

Representative SAMPSON of Alfred **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: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker. So, the language for this Resolve, LD 394, is very obfuscated to the average person and even to some legislators. So, I just want to let everyone know what this is about. It's about changing the rules to language that is currently a law through the Department of Education. The law associated with this language passed in the 129th Legislature in 2019. It took four years to go through the major substantive rule process to reach the Education and Cultural Affairs Committee this session.

So, what does this rule do? It expands the authority of school counselors and social workers to have privileged communication with children in school. By the way, I have to note that school counselors are no longer guidance counselors. So, don't assume guidance counselors of your days while you were in school are the same. They are definitely and certainly not the same anymore. To be clear, privileged communication means private conversations between an adult and a child. In other words, children are being told to keep secrets. Yes, these secrets are being kept from their own parents. Why is this phenomenon happening? We've been told repeatedly by the Department of Education it's about keeping children safe. Well, I beg to differ. When I requested the Department of Education's definition for safe, they would not provide an answer. So, keep in mind, we already have laws in place to keep children safe.

Every school staff member is a mandatory reporter of child abuse. There are specific protocols already in place and everyone is well-acquainted with them and how to properly respond. That is the only reason to keep a secret from a parent while Child Protective Services is being contacted. That's it. But that version of safe is not what we are talking about now. Here's a newsflash; the word safe has been hijacked and twisted. It now means school employees, specifically counselors and social workers, can determine if a child perceives their parent may be uncomfortable with thoughts and ideations they are entertaining, it entitles the counselor and social worker to keep a child safe by keeping secrets from their parents. In my opinion, this has absolutely nothing to do with being safe. So, let's not forget who we are talking about. By and large, this targets children in middle school. Allow me to remind all of us what happens to every child in middle school who's roughly the age of 10 to, say, 14; puberty. These consultations are being done without parents' consent. Parents have not given consent to allow random in some cases total strangers to counsel their children. Parents have no idea this is happening behind closed doors of schools and this is a blatant; a blatant violation of parental rights. We are witnessing a total assault on parental rights to simply raise their own children and this is appalling. This is exactly what is happening and we as policymakers need to face reality here. And let me just interject this. Psychologists I have spoken to have repeatedly told me that if they were to question children on private personal information without parental consent, they would lose their license.

So, since this law passed four years ago, it's not surprising that over the last two years, I have personally heard from dozens and dozens and dozens of parents from all over the State, each reach out to me horrified and stunned at what has happened to their child, and in several cases more than one child. The stories have been identical and counselors and social workers have been at the center of every story. It is self-evident that every child will go through puberty and we all know it's an uncomfortable time. But this law has paved the way to manipulate children at an incredibly vulnerable time. Having spent 25 years working with pre-teens and teens going through this phase of life, they need to be supported and encouraged but they also need to be reminded this is a phase and this, too, will pass. It's better to focus on developing ideas and letting them focus on life's goals and dreams and aspirations and look towards their future instead of hyper-focusing on their physical changes they are dealing with. They need to understand this change in life is totally natural and they are not alone. But, unfortunately, we're literally derailing these kids during this time. The parents have shared the same scenario of a son or a daughter who began to get very depressed and even suicidal. This was the first signal parents received that there was ever a problem going on, just prior to their entire world falling apart. Subsequently, and this is what I've been told repeatedly, this same exact scenario, they learn that their school staff actually colluded against them. This was shocking to them. They discovered their child's records were altered to reflect the child's new name and new pronouns. The children were all coached to have special clothes for them to change into when they got to school. These children were coached to deceive and lie to their parents. In short, these children became very confused and conflicted in part because of the wedge being jammed between them and their parents. Events rapidly devolved which led to suicidal ideations and many of these children ended up being in Spring Harbor and locations like that. Parents naturally became quickly engaged at this point. What parent wouldn't? However, none of these parents saw this coming. They were blindsided

and the schools deliberately colluded against them and how now do they rebuild the trust with the school after this happened? Every one of these parents simply wanted to love their child and work through the challenging times. However, counselors, social workers and school staff have turned parents into villains without any cause. Devastated parents and deeply troubled children are then left to their own devices to navigate the consequences of these disturbing actions all on their own. We absolutely should not allow school counselors and social workers to have privileged communications with our children without parental consent to further increase these destructive practices. I strongly object to this motion and plead with my colleagues to vote against this motion and move things forward. We do not want the language to move forward; we want our children to be able to move forward in their future in a healthy, wholesome manner, and I ask that you please follow my light.

The SPEAKER: The Chair recognizes the Representative from Livemore Falls, Representative Lyman.

Representative **LYMAN**: Thank you, Madam Speaker, and Members of the Chamber. I want you to understand that what I have to say today is from my perspective as mama bear. Please understand that as a veteran teacher of 36 years, mama bear, actually the parental perspective, was always my go-to when considering determining what was best for a student under my care. Collaborative work and open, sincere communication created positive relationships between home and school that always benefited the child. Parents send their children to school and expect them to be educated based on a district's established curriculum and trust that their children are taken care of throughout the day. They are not asking the school to parent. Please do not factor in those situations where a student is within a reportable threat of neglect and abuse.

So, here goes the problems with LD 394. Madam Speaker, today I am literally speaking to the parents, the grandparents, the aunts, the uncles, the brothers, the sisters and all concerned citizens of this State to inform them that the language changes within this Resolve for Chapter 117 can put our children at great risk and have lifelong consequences depending on the direction and guidance offered by school counselors and social workers. During the testimonies on this Resolve, one alarming story after another was shared by affected families. If you are so blessed to be in a district where unchecked decision-making in regards to the counseling of your area's students has not experienced this, please be warned. During the public hearings, these direct questions were asked. Will the language changes in Chapter 117 allow school personnel to keep secrets from parents? Answer; yes. Will parents be able to opt out of school counseling of any kind? Answer; none. Now, I am thinking we should've asked if parents are always informed whenever a child meets with a school counselor. I found it extremely alarming that the two representatives from the DOE admitted to being unable to answer the question.

Madam Speaker, I hope that every family member and citizen of this State is completely informed about this matter. I can tell you that I have talked with many concerned folks regarding the situations cropping up in our schools, causing confusion and discomfort as a result of purposeful decisions made by some staff to keep parents out of the loop in regards to significant matters involving their children. Who gives the DOE the right to create language in a Statute for public education to keep secrets from parents? Every one of us in this Chamber working as elected officials are here because of the people's vote. We work for them. This includes the Executive Office and staff, the legislative offices and staff and all elected officials.

When it comes to parent's children, the State is not the decision-making authority. As long as a child is a minor in the care of their legal guardian, they have final say, and they should. Sadly, the language of this Resolve creates some really vague interpretations of safety. It wants to enable school counselors to define an individual's safety according to their determinations. When asked during work session to give specific examples of when it would be okay for a secret to be kept from a parent, the answer was that of a 16-year-old confiding in using drugs and being afraid to tell his parents. Can you imagine? Please be the parent of that 16-year-old. He is in immediate danger and is a minor using an illegal substance. Without question, without hesitation, the parents need to be informed. It is their decision to decide how to move forward in addressing the needs of their children in regards to such a matter. Imagine in this scenario if that minor used drugs later that day, accidentally got fentanyl and died. On top of that, the school put the safety of that child in harm's way by not making an immediate contact with home. That would be on them. When I shared this example given at work session with a licensed school counselor today working in the schools, she was shocked to say the very least. She even explained that if it were her child, the school would be in legal trouble.

So, I ask, how many people in our State are unaware of the consequences that Chapter 117 is already responsible for creating? How much worse can it get for the loss of parental rights? How do parents protect their children from the changes to the language in regards to school counselors? How many schools discussed with their boards and community members about the language of this Resolve and what it establishes for communicating or not with parents in regards to matters concerning their children? This Resolve is not acceptable. The vote we make in this Chamber is a vote about parental rights and protection of our minors. Please be the parent of a child struggling with a significant social and emotional, maybe even a behavioral challenge. Be completely honest with yourself; not a political position, but a parental decision. Who best to decide who is most qualified to step in for your child? Parents have the right to decide the direction and support that is most fitting. If it is collaborative work with a school team or a school team along with outside resources, so be it. But it is the right of parents.

LD 394 has not been worked through with due diligence. The Education and Cultural Affairs Committee had a motion to table because of the need for information and answers to questions that were not addressed. The table was not respected. A partisan vote once again shut down necessary work and much-needed clarification for our State's citizens. Am I the only Representative or Senator completely concerned with the process a bill goes through to become a potential law? Testimony that only represents a fraction of our State's citizens, work sessions that do not represent integrity, caucuses meet, make a decision, leads check in with one another then we go into Committee and pretty quickly move to a motion for a vote. Most often, the only people in the room during the work session are the lobbyists for specific groups, nonprofits pushing their own agenda, the sponsor and any highly-vested professionals directly impacted by the Resolve. I can tell you the names of seven to 10 individuals that are regular guests offering testimony for representative groups on a regular basis. Sadly, that is typically the sum total of a work session; only a fraction of our State's citizens being represented in the bill process. So, here we are with LD 394 in front of us even though so many stakeholders; the parents are uninformed and unaware.

Bear with me, I'm almost done. In just two and a half years of this very partisan journey in our State's Capitol, sadly, I admit

that I may have let this work change my opinion about public education. I'm not proud of that. For 36 years, it was my passion. I chose teaching certainly not for the financial benefits or the solid retirement plan but for the immeasurable rewards educators get by sharing in the development and implementation of the educational journey for the children we teach. I have deep respect for the amazing teachers that serve our children every school day. I apologize. Like so many, I gave a hundred-plus percent. I had overnight tanning experiences, I arranged for all grades one through three students to build their own rockets. We had a school launch day where a four-foot Big Bertha launched with a payload of a camera. When it landed in the pasture across the road, the local cows did not welcome its visit. For the centennial flight celebration, we did a school field trip to a local grass airstrip where a number of aviators set up stations to teach about flying and its history. We even wrote to the National Guard and wondered if their helicopter could drop by. It did. Picture this; a K-6 school of children standing in a circle around me, listening to the conversation as the pilot and I talked on the radio when he checked in five miles out. He landed right on our school soccer field. Every student took turns sitting in the pilot seat. Now, imagine standing on top of Burnt Mountain near Sugarloaf with students and parents, the result of a program encouraging reading, less plugged-in time, an invitation to a Saturday picnic, hike and even some panning for gold. The list goes on. Pool parties, sit-down spaghetti suppers with students in my home, classroom family cookouts, student-led conferences. You might be wondering, what does this have to do with LD 394? Everything. As I have shared parents' trust that when they send their kids to school, they will receive a quality education. They expect collaboration with home and every opportunity to strengthen the home-school relationship that will benefit their child's development in the most positive way. They are trusting the public school with their children. LD 394 has already created division between home and school. The proposed language changes defined in school counseling could create more.

In closing, I truly have prayed that today's vote will reflect the voice of parents and the rights guaranteed to them. I so want to believe that as a legislative Body, we are capable of hearing testimony and making decisions here and now. We do not have to come into this Chamber with a predetermined decision. The people of Maine are counting on us to protect their rights, especially in regards to their children. With all the respect and positive energy I can muster, I ask for your vote to stop LD 394. If it is meant to be, it can come back in another Session once the unanswered questions and parental community concerns have been addressed. We should not push something along that has too many risks for our children. I pray that you consider my words and pray for forgiveness if they are not adequate in keeping our family rights honored. Thank you.

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

Representative SMITH: Thank you, Madam Speaker. Madam Speaker, Members of the House, there are many bills that will pass in the 131st Legislature that will have repercussions for decades. Unfortunately, passing Chapter 117 as written will be on the top of the bills that we see taking apart and destroying lives. I won't tell you a story because what I've seen so far from hundreds of people presenting about the horrors of bills impacting them, they are not making a difference. What I will say is that voting to pass this Resolve makes a person complicit in destroying children's lives and destroying families. Secrecy is never the answer and anything hidden is hidden

because it does the work of evil and evil is a thief of all that is good. I beseech you to vote against this motion.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Being a DARE officer for 25 years, going to 16 different schools, I've met a lot of counselors. They've come to me many times for assistance in situations. I've gone to principals. And when I first came here as a Senator, I had to deal with a principal that kept secrets with girls in New Hampshire and here in Maine and I made it so that all kids are safe up to any age, in high school and down through.

A secret is control. Keeping a secret is control. I can't imagine you saying well, we're going to just keep this a secret between you and me and not letting your parents know. Can you imagine what the parents are going to think when they find out? Your school is going to be trash. This school; whatever you're in; is going to be trash. That whole community will know. This is destroying our State. The other part of this is that communities trust your schools. You know, we're trying to get them an education, we want them to understand how they communicate and communication is number one. We really want to be able to communicate with all people. And so, when we go to communicate, we really want to be able to trust but we also have situations that arise. And those situations, this is what the counselor is for, is to help them through the situation that they're in. And so, they sit down with them and they say how can I help. And then you listen to them and you try to get all the information that you can to come up with a solution. You don't say well, we're just not going to tell anybody. You say okay, we've got this, how can we make it from here to there, you know, and make it much better so that everybody can deal with it in society, with you to be able to feel free, do what you feel is good for you. And I'll tell you that I have seen kids under stress and when I had a situation where a young girl had a situation where her mother was a nurse and she overdosed and she actually was in the Seton program for 28 days and she told her parents, who was taking care of their child, the child watched her go into seizures and everything and taken by ambulance but the grandparents could not tell her where she was or what happened to her, anything. We had the DARE box. She would put a note in and she says can you help me. How do I find out what happened to my mom? And so, I took her aside and I said what happened, you know, and so she kind of told me and then I said let's go see the counselor and we can sit down and let's try to figure this out and also maybe we can even, you know, do whatever we can. So, we found out that the grandparents just could not tell her any information and was keeping it a secret. Well, we went to the principal and I told the principal, I said we have to talk to the grandparents because this girl is suffering. She's crying every time I see her, she can't study, she can't function, kids don't know what's wrong with her. And so, we did, we had the grandparents come in and I said you have to tell her. You have to tell her what's going on. Communicate. And so, they did and that girl got to go see her mom at Seton. And she thanked me every time; she's in her 30s and gives me a hug and thanks me every time she sees me.

You cannot keep secrets. It is harmful to our people. So, this is a really big mistake. We are going to destroy our State and thank you for listening, I appreciate it, we just don't want this to happen to our schools. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Copeland.

Representative **COPELAND**: Thank you, Madam Speaker. I rise again to voice concerns about foster children.

So, as a foster parent, I've had many meetings with middle school counselors about kids. And I'm concerned, deeply concerned, that children; all at-risk children don't really have a place to talk to somebody and --

The SPEAKER: The Member will defer. Please direct your comments directly to the Chair. The Chair recognizes the Representative from Saco, Representative Copeland.

The Chair reminded Representative COPELAND of Saco to address her comments toward the Speaker.

Representative **COPELAND**: Thank you, Madam Speaker, and I apologize for that. But my point is that there are at-risk children who; and I realize that people are mandated reporters, as am I, and the school has them as well, but my argument is that children need to be able to use their voice in a safe place, so they're not going to go up to their teacher or whomever. Oftentimes, it ends up in; well, they call them guidance counselors but they are social workers; and that's where they need to be able to speak freely. They don't necessarily have other adults advocating for them or listening to them. So, I would suggest that if you don't like how your school board is going, vote them out. We need to care about these kids, we need to consider them in everything we do. Thank you, Madam Speaker.

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

Representative **BAGSHAW**: Thank you, Madam Speaker. I'll keep my remarks brief. I've talked to a number of my constituents that are terrified about this going through and I would just like to say that there may be some unintended consequences if this goes through. They've said that they're going to pull their kids from the school so we might have a mass exodus from the public schools. So, if anything you've heard today is concerning or you don't understand, I urge you to vote Ought Not to Pass. Thank you.

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

Representative **THORNE**: Thank you, Madam Speaker. Madam Speaker, I'm hoping today is the day. Today is the day that I'm going to convince one, two, three people that hear my voice and our conversation to go with me and follow my light in opposition of this Resolve.

There's a saying it takes a village to raise a child. We have countless stories of when I was in school and I refused to do my work and my teachers brought my parents in and we all sat down and talked about why it was important. When I was caught smoking in fifth grade on school grounds, why, my parents were brought in. We had a word, a term, for keeping secrets from parents when I was parenting, it was called stranger danger. Because our parents were first and foremost, regardless of how bad the information was or how disturbing it was going to be to the parent or how bad it was going to get the child in trouble.

Madam Speaker, we're talking about a Bill in Statute that would allow secrets to be held from parents. I don't know how more to simplify that. I'm introducing a Bill today in education, allow me the relevancy, the Bill is LD 1518, "An Act Regarding the Rights of Parents to Withdraw Their Children from Public School Classes or Activities That Include Certain Controversial Viewpoints." That has to do with a basic philosophy of parenting. Let educators educate. Let parents do the parenting. In Herman High School, in my district, there's a feeling, a perception of being at odds between the parents and the school and the educators. That's not the case. What it is, is it's a few select people within that school that have been outed by a parent and other parents finding out that they are keeping secrets from children; from parents, between children and

parents. That is not education. Education is devolving, not evolving. I'll leave it at that, Madam Speaker, and just say it's not a matter of education problem, it's a matter of implementing laws that cut the parents out. Keep parental rights first and foremost. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker. This Resolve will lead to litigation. The concept already has in a school district in Maine. But, most importantly, this Resolve takes away local control. We dealt with this very issue, taking away a parent's right to know in my kid's school district this past fall. Parents showed up and voted this down through advocacy and, ultimately, they recalled the two school board members behind it, behind taking away the parent's right to know is breaking the sacred bond between parent and child, Madam Speaker. We had over 700 people sign a petition each; 1400 signatures for two recalls because they pushed this when people didn't want it. This Resolve takes away local control of allowing communities to police themselves with what they want for their schools. I would urge everyone to follow my light and please protect the sacred bond between parent and child and do not shove the State in between that. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you for allowing me to rise a second time. I just want to be clear; this Resolve is not dealing with foster children. They're already protected by the State, so it excludes them. This is not talking about foster children. Thank you.

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

Representative **ROBERTS**: Thank you, Madam Speaker. I rise in great emotional hesitation right now, not as a parent, not as a teacher, but as a child whose secrets needed to be kept. There are children whose secrets need to be kept to keep them safe, to give them a chance to get the help they need. I suffered eight years of physical and sexual abuse from kindergarten through eighth grade. The only outlet I ever found was in my school guidance counselor. And the laws at that time, because my mother was not in the know, sent me home that day even though I begged not to go. So, as we're talking about teachers and parents, I think, Madam Speaker, we need to think about the children whose secrets need to be kept. Thank you.

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

Representative **LIBBY**: Thank you, Madam Speaker. I'll keep my comments short. Thanks to bills passed in this Chamber and decisions made by the current Chief Executive, we've seen a burgeoning of homeschooling in our State. And so, I'd like to thank those who vote for this Resolve for helping to continue to grow the home schooling movement in Maine.

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

Representative **BRENNAN**: Thank you, Madam Speaker, Men and Women of the House. This is a major substantive rule. As a result of that, it's gone through public hearings, public comment and exhaustive reviews by professionals as well as the Department of Education. In addition to that, it had a public hearing where the Committee spent over five hours of listening to testimony from the public on this rule. After that public comment and after the public hearing, the Committee spent at least two hours in work session on this particular rule.

I would encourage, ask anybody in this Chamber to review the rule. And I think what they'll find is that the overwhelming majority of it is not too controversial, not very interesting and some might even describe it as mundane. But there is one section, one section in the rule that talks about confidentiality and privileged communication. And that's what the substance of the debate that we've heard here is what should parents know, when should they know it and what type of information can a student convey in a confidential way to a social worker or a school counselor. And what's in the rule is what we've had for practice currently. We are not giving any added privileges and we're not adding to what school social workers or counselors can do or not do. It also needs to be pointed out very clearly that school social workers and counselors are trained in confidential matters and they have a license and an obligation, an ethical obligation to follow that confidentiality. If they don't, they can lose their license and be reprimanded.

I don't know of any social worker or school counselor that makes the mistake between having a secret between a student and a counselor and confidentiality. You would never, when following best practice, engage in having secrets. And, in fact, when questions were raised by Members of Committee, the Department of Education repeatedly pointed out that best practice includes how can we communicate this as effectively and positively with parents when there is information that somebody shares, a student shares with a social worker or guidance counselor that may be of a sensitive nature. School guidance counselors and social workers are not going out of their way to stem or to prevent communication between parents and students. And, as I said, again, best practice would dictate that you would try to involve the parent as quickly as possible. But in 2021, there were over 4,000 substantiated cases in the State of Maine of child abuse and neglect. Who did those young people have to talk to? Who did they need to talk to and who was their voice? In many of those instances, it was school counselors and school social workers.

So, again, I'd ask anybody please read the rule, look at what the roles and responsibilities of social workers and school counselors are and will be as a result of this rule and please understand that the confidentiality is certainly something that was discussed and certainly something that follows best practices both in the State of Maine and across the country. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker. I request permission to ask a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **HENDERSON**: My question would be of the five hours of testimony, on an average, how much or was there an overwhelming amount that was in opposition to this Resolve, if anyone can answer.

The SPEAKER: The Member has posed a question to anyone who cares to answer. The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker. Yes, I can speak to that. We had a huge majority of the folks were in opposition. We had a handful of people that supported the Resolve. Thank you.

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

Representative **DRINKWATER**: Thank you, Madam Speaker. Probably the first time this Session, we've all heard this, I wasn't planning on rising to speak. But let's start a trend

here. Madam Speaker, we just heard a little while ago about 4,000 children in the State of Maine and reports of abuse. My memory is that your social workers are mandated reporters. So, those 4,000 secrets that they wanted to hold had to be shared with the authorities. And also, I also have read the paper, Great Salt Bay School, where a social worker advises the child to keep a secret and now there is a lawsuit because apparently, they shouldn't have kept a secret. So, my question, if I may, Madam Speaker, is to ask are social workers and guidance counselors, because they seem to be joining together now, are they mandated to report incidents of any type of abuse to the authorities? Thank you.

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

Representative **BRENNAN**: Thank you, Madam Speaker, Men and Women of the House. Social workers are mandated reporters along with teachers, medical staff, school counselors and there are a couple people on the list that I'm probably forgetting at this point. According to State Law, when they suspect child abuse and neglect as written in Statute, they are mandated to report that abuse to the Department of Health and Human Services. There also is extensive training of people who are mandated reporters to recognize signs of abuse and when it meets the statutory definition of abuse that they're required to report.

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

Representative **LEMELIN**: Thank you, Madam Speaker. This Resolve is not about secrets when there's child abuse within the family. That's already protected. We don't need this Resolve for that. Social workers, guidance counselors, anybody can keep secrets from the parents and go to the authorities any time there's child abuse. This Resolve has nothing to do with that. But, Madam Speaker, this Resolve allows school officials to do things without parents' consent. These officials can speak privately with children without a parent. Keep in mind, Madam Speaker, that the very first red flag of child abuse or pedophile activity is keeping secrets, number one. Without a court order, parents should always be present, especially with school counselors and social workers. So, Madam Speaker, anyone who votes or is in favor of this Resolve, whether it's a legislator, teacher or school official, their names must be given to authorities to be considered people of concern. Thank you.

The SPEAKER: The Chair will remind Members to not question the motives of other Members or impugn their character.

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

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I rise in opposition to the pending motion. Enough has probably been said on this and I hoped not to add to it but my conscience wouldn't allow me to sit this one out. Madam Speaker, we should not be keeping secrets from parents, period. And these aren't secrets like whether your child misbehaves on the playground and you're not going to rat them out to their parents. These are bigger secrets. What we're talking about here are life-changing secrets. And I guess my question would be what if these secrets that are being kept from the parents could also endanger other children? Parents should be consulted. What if these secrets are about allowing a child to use an opposite sex bathroom in the school and the parent doesn't know? What if the parent knows their child better than the school? What if the parent has information about the child's

behavior that the school doesn't know about? What if the parent knows for a fact that that child should not be using an opposite sex bathroom and what if that secret endangers the safety of other children as well as their child? What if that secret puts their child and another child in a life-altering situation?

Secrets. Dillon Bates was an educator. Dillon Bates kept secrets. Dillon Bates, as a matter of fact, was a State Representative from Westbrook. Dillon Bates kept secrets and manipulated students into having sexual relationships. It is not acceptable to keep secrets from parents. We should not allow that to happen, especially when those secrets endanger children. I urge the Members to vote no on the pending motion.

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. 70

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, 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, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Salisbury, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Arata, Bradstreet, Campbell, Collings, Costain, Cray, Haggan, Hall, Hymes, Jackson, Lajoie, Lanigan, Mathieson, O'Neil, Osher, Riseman, Sachs, Sargent, Shaw, White B, Zeigler.

Yes, 72; No, 57; Absent, 21; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 21 being absent, and accordingly the Majority **Ought to Pass Report was ACCEPTED.**

The Resolve was **READ ONCE.**

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Strengthen Protections of Persons After a Maine Human Rights Commission Investigation Finds No Reasonable Grounds Exist to Believe Unlawful Discrimination Occurred"

(H.P. 614) (L.D. 967)

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-116)** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

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-116)** Report.

READ.

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

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

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

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

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, let me reread the title; "An Act to Strengthen Protections of Persons After a Maine Human Rights Commission Investigation Finds No Reasonable Grounds Exist to Believe Unlawful Discrimination Occurred." Madam Speaker, I'm sad to have to put this bill in but after hearing a story from a friend of mine, I felt it necessary. The bill would prohibit the Maine Human Rights Commission and staff from filing a civil action arising out of the facts and circumstances alleged in a complaint if the Commission dismissed that complaint; I repeat, previously dismissed that complaint; based on the findings that no reasonable grounds exist. Madam Speaker, the Maine Human Rights Commission does great things. There are times and there are instances where they may have crossed the line and that's why this legislation was necessary. I would encourage our Members to vote no on the pending motion. Thank you, Madam Speaker.

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

Representative **MOONEN**: Thank you, Madam Speaker. This bill came from one story of one person who was dissatisfied that the Human Rights Commission was involved in a case, as the Representative said, where they found that there was no reasonable grounds to find that he had discriminated. The problem is that this case had multiple parties involved and the Commission did find reasonable grounds that discrimination had happened with other parties. And so, the Commission was involved because there were multiple parties, multiple allegations and there was grounds for discrimination in other parts of the case. It is perfectly normal for the courts, when there are multiple parties and multiple claims involved but all of the facts are the same, to consolidate all of those into one case. That is what happened here. We really would not want to go in the opposite direction because our courts have enough of a backlog as it is and splitting these consolidated cases into multiple cases would just add to the problem of the backlog. It's unnecessary and that's why the majority of the Committee voted Ought Not to Pass. Thank you, Madam Speaker.

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

ROLL CALL NO. 71

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, 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, Moonen, Moriarty, Murphy, O'Connell, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Salisbury, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Arata, Bradstreet, Campbell, Collings, Costain, Cray, Hall, Hymes, Jackson, Lajoie, Lanigan, Libby, Mathieson, Montell, O'Neil, Osher, Perkins, Riseman, Sachs, Sargent, Shaw, Zeigler.

Yes, 72; No, 56; Absent, 22; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 56 voted in the negative, 1 vacancy with 22 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Clarify Deadlines in the Freedom of Access Act and Disclosure Provisions in the Intelligence and Investigative Record Information Act" (H.P. 763) (L.D. 1203)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

ANDREWS of Paris

HAGGAN of Hampden

KUHN of Falmouth

LEE of Auburn

POIRIER of Skowhegan

RECKITT of South Portland

SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-117)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HENDERSON of Rumford

MORIARTY of Cumberland

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (H-117)** Report.

READ.

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

Representative BOYER of Poland **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 Poland, Representative Boyer.

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I'm asking folks to vote against the current motion in support of the amendment. It would simply, as amended, request that the FOAAs must be given an estimate of 30 days. It's not asking that the FOAA, Freedom of Access request be completed in 30 days, just an ETA, Madam Speaker. Our system is clearly broken, it has lots of issues and it's perfectly reasonable to require an ETA, an estimated time of arrival for the fulfillment of this FOAA within 30 days. Maine citizens are in the dark and waiting sometimes years for these requests and this is a common-sense fix that will help. So, Thank you, Madam Speaker.

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

Representative **MOONEN**: Thank you, Madam Speaker. In response to the 30-day deadline for a FOAA request, we had testimony from the press, from the Public Access Ombudsman, data about all of those requests that indicates the majority of them are fulfilled within 30 days and there was significant concern that allowing anyone who is responsible for responding to a FOAA request to have a full 30 days just to provide an

estimate would, in fact, delay the response that people are getting. As I said, most people are getting the full information they requested within 30 days. In addition, this bill allows a FOAA officer for whatever government entity to prioritize requests from a journalist above all others and the majority of the Committee felt that was very inappropriate, that FOAA is available to all citizens and that all citizens have a right to know what is going on in their government and that journalists should not be prioritized over any other citizen. That's why we support **Ought Not to Pass**. Thank you, Madam Speaker.

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

Representative **BOYER**: Thank you, Madam Speaker. My apologies for rising again but I just wanted to remind the Ladies and Gentlemen of the House that the amendment would not have that part of the bill that was referenced by Representative from Portland. The amendment is simply the 30-day ETA. So, 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. 72

YEA - Abdi, Albert, Andrews, Ankeles, Arford, Babin, Bagshaw, Bell, Blier, Boyle, Brennan, Bridgeo, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Copeland, Crafts, Craven, Crockett, Cyrway, Davis, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eaton, Faulkingham, Fay, Foster, Galletta, Gattine, Geiger, Gere, Gifford, Golek, Graham, Gramlich, Greenwood, Griffin, Guerrette, Haggan, Hasenfus, Hepler, Hobbs, Jauch, Javner, Kessler, Kuhn, Landry, LaRochelle, Lee, Lemelin, Lookner, Lyman, Madigan, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Millett R, Milliken, Moonen, Morris, Murphy, Ness, Nutting, Parry, Paulhus, Perry A, Perry J, Pluecker, Poirier, Pomerleau, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Salisbury, Sampson, Sayre, Schmersal-Burgess, Shagoury, Sheehan, Skold, Stover, Strout, Supica, Swallow, Terry, Theriault, Thorne, Walker, White B, Williams, Wood, Woodsome, Worth, Zager, Madam Speaker.

NAY - Adams, Ardell, Boyer, Dunphy, Fredericks, Henderson, Lavigne, Moriarty, Newman, O'Connell, Paul, Polewarczyk, Quint, Rudnicki, Smith, Soboleski, Underwood, Warren, White J.

ABSENT - Arata, Bradstreet, Campbell, Collings, Costain, Cray, Hall, Hymes, Jackson, Lajoie, Lanigan, Libby, Mathieson, Montell, O'Neil, Osher, Perkins, Riseman, Sachs, Sargent, Shaw, Zeigler.

Yes, 109; No, 19; Absent, 22; Vacant, 1; Excused, 0.

109 having voted in the affirmative and 19 voted in the negative, 1 vacancy with 22 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions" (H.P. 767) (L.D. 1207)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
HAGGAN of Hampden
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Representative:

ANDREWS of Paris

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass** Report.

READ.

On motion of Representative MOONEN of Portland, 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.

CONSENT CALENDAR

First Day

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

(S.P. 249) (L.D. 581) Bill "An Act to Assist Municipal Shellfish Conservation Programs" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-63)**

(H.P. 457) (L.D. 688) Bill "An Act to Protect Access to Veterinary Care by Prohibiting Noncompete Agreements" Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(H.P. 778) (L.D. 1230) Resolve, Directing the Maine Public Employees Retirement System to Study the Creation of an Interstate Compact Concerning the Windfall Elimination Provision and Government Pension Offset Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(H.P. 111) (L.D. 170) Bill "An Act to Clarify the Authority of the Director of the Real Estate Commission to Dismiss Certain Claims That Do Not Allege Violations of Law or Rules" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-113)**

(H.P. 146) (L.D. 225) Bill "An Act to Expand the Reimbursement to Hospitals for Days Awaiting Placement in Facilities" Committee on **HEALTH AND HUMAN SERVICES**

reporting **Ought to Pass as Amended by Committee Amendment "A" (H-118)**

(H.P. 804) (L.D. 1256) Bill "An Act to Increase Access to Oral Health Care by Expanding the Maine Dental Education Loan Program" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-114)**

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

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

ENACTORS

**Pursuant to the Constitution
Public Land**

Resolve, Authorizing the Director of the Bureau of Parks and Lands Within the Department of Agriculture, Conservation and Forestry to Lease Certain Land Within Somerset County

(H.P. 860) (L.D. 1346)

(C. "A" H-96)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Improve Coastal Sand Dune Restoration Projects

(H.P. 295) (L.D. 478)

(C. "A" H-92)

An Act to Change the Notification Law for School Truancy

(H.P. 408) (L.D. 631)

(C. "A" H-94)

An Act to Allow the Local Foods Fund for Public Schools to Be Used for Processed and Value-added Maine Food Products

(S.P. 392) (L.D. 921)

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

Resolves

Resolve, Directing the Maine Community College System to Study Providing On-campus Housing on All Campuses

(H.P. 519) (L.D. 830)

Resolve, Directing the Department of Agriculture, Conservation and Forestry to Conduct an Accessibility Study of All Maine State Parks and Historic Sites and to Develop a Plan to Remove Access Barriers

(S.P. 407) (L.D. 988)

(C. "A" S-62)

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

TABLED AND TODAY ASSIGNED

The Chair laid before the House the following item which was tabled and today assigned:

Joint Order, Regarding the Legislature's Ability to Act on Certain Direct Initiatives

(S.P. 768)

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

TABLED - May 9, 2023 by Speaker TALBOT ROSS of Portland. (Pursuant to House Rule 513)

PENDING - **PASSAGE**.

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

Representative **GREENWOOD**: Thank you, Madam Speaker. I rise to object to the Joint Order that we have before us today. We're seeking clarification on our actions. Madam Speaker, I recall an evening of March 30th, about 11:00, when we heard from Senator Daughtry that the Senate had completed their work and we sent the Good Representative from Gorham to the Senate to announce that we had completed our work. Madam Speaker, there was a division called to see if this Chamber would return to work if the vote was to adjourn sine die. I think it was very clear, not a single Member on this side of the aisle voted to voluntarily return. Madam Speaker, once again, at about 11:00, this Body had the motion to adjourn sine die. The Constitution is clear as to the process that we do our work, giving us a statutory end date, giving us constitutional guidance as to how we deal with citizens' initiatives. Madam Speaker, we didn't do our work. Madam Speaker, we had items before us that weren't completed. On that night when we adjourned sine die, we in essence pretended our work was done, we ostracized nearly 600,000 Mainers, we ostracized approximately 450 Maine cities and towns because their vote didn't matter at that time. With not a single Member from this side voting to adjourn sine die, a majority budget was passed and, in fact, we adjourned. Just a few hours later, the Chief Executive notified us that an extraordinary occasion has occurred and ordered us back to this Chamber. A few days later, I hand-delivered a letter to the Chief Executive, asking specifically what occurred between 11:00 on Thursday, March 30th, and early Friday morning when we were ordered back. Still haven't received a response, Madam Speaker.

Madam Speaker, again, this is not how business should be done. We shouldn't have to ask for judicial interpretation on how to finish our work when, had we stayed here and finished our work like we should have, we wouldn't be here. Madam Speaker, again, I object to the order. Thank you.

Subsequently, the Joint Order was **PASSED** in concurrence.

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

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

SENATE PAPERS

Bill "An Act to Authorize a Supplemental Benefit Relief Payment"

(S.P. 782) (L.D. 1920)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** in concurrence.

Bill "An Act to Amend the Laws Regarding State-chartered Credit Unions"

(S.P. 783) (L.D. 1921)

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

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

Bill "An Act to Designate a State Wildlife Sanctuary at Blue Hill Falls"

(S.P. 781) (L.D. 1919)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

REFERRED to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

Bill "An Act to Modernize Maine's Business Incentive Programs by Creating the Dirigo Business Incentives Program and Eliminating Certain Other Tax Incentive Programs"

(S.P. 780) (L.D. 1918)

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

Bill "An Act to Allow Bargaining Agents for Public Sector Unions to Merge"

(S.P. 784) (L.D. 1922)

Came from the Senate, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** in concurrence.

Bill "An Act to Provide for Licensing of and Tax Collection from Remote Retail Sellers of Pipe Tobacco and Premium Cigars"

(S.P. 785) (L.D. 1923)

Committee on **TAXATION** suggested and ordered printed.

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.

Bill "An Act to Protect Maine Taxpayers from Unconstitutional Federal Expenditures"

(S.P. 786) (L.D. 1928)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

REFERRED to the Committee on **TAXATION** in concurrence.

The following Joint Order: (S.P. 787)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 16, 2023, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

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

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

Representative **RECKITT**: Madam Speaker, I request the opportunity to speak on the record briefly.

The SPEAKER: The Representative may proceed on the record.

Representative **RECKITT**: Some of you may know that I've been around this Earth for a long time but my mom was around a long time, too, and yesterday was the hundredth anniversary of her birth. And I celebrated that day by going to a baseball game because my mother was a baseball fanatic and I took her to the Sea Dogs games and we sat in those same seats last night. And I just wanted to mention because she would have been so proud to have seen me here in the Chamber no matter what I did because the only things my parents ever agreed on was baseball and that I was wicked smart. And so, in honor of her today, I appreciate your allowing me the opportunity to say goodbye to her again and have her be with me here even though she didn't live long enough to see me elected, although she saw me once lose an election but she never was here long enough to see me win. And in her honor, as well, the Red Sox, of course, won last night over Atlanta Braves and the very first baseball game my mother ever saw was the Boston Braves, when her father took her to the game. And, in addition, of course, the Sea Dogs won, which was the games that she and I went to and I remember on her 80th birthday we were there and I had them put on the banner in the; what do you call that thing that puts notices up; the sign and celebrating her birthday and she didn't see it and I said Mom; and I realized they were playing it a second time and I said you have to watch this time, Mom. And she did see it and she was thrilled and I'm just happy to share my love and memories of her today with you and I appreciate your allowing me to do so. Thank you so much.

On motion of Representative ALBERT of Madawaska, the House adjourned at 1:14 p.m., until 10:00 a.m., Tuesday, May 16, 2023, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 787) and in honor and lasting tribute to John P. Lemay of Sanford, Carter Loren Smith of Dexter, Nicholas R. Leibowitz of Pittsfield, George V. Hall of Windham and the Honorable Rosaire "Ross" Paradis, Jr. of Madawaska.