MAINE STATE LEGISLATURE

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Legislative Record

House of Representatives

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page H-277

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

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

ROLL CALL NO. 154

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

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

ABSENT - Albert, Boyle, Carmichael, Cloutier, Dhalac, Eaton, Galletta, Hasenfus, Lajoie, Lanigan, Mathieson, Milliken, Poirier, Riseman, Roberts, Rudnicki, Sampson, Supica, Underwood.

Yes, 72; No, 59; Absent, 19; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 59 voted in the negative, 1 vacancy with 19 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Six Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-350)** on Bill "An Act to Establish a Model Residential Ventilation Design and Installation Standard"

(H.P. 867) (L.D. 1353)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

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

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

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

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

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended**.

Representative NUTTING of Oakland **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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

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

Representative **KESSLER**: Thank you, Madam Speaker. I need to just clarify what exactly this amended version of the bill does. What this does is adds a new ventilation standard in which new construction can use to meet our current building code standards. It does not require any municipality to adopt this standard, it simply gives a nod to a better standard for builders to build to. I understand that there has been criticism and heartburn from builders around the added expense of a more expensive ventilation system. But this is not requiring anybody to do so. It is just saying that we have to meet this certain standard, this is another way that you can meet that standard. And just a little factoid for you, we spend approximately 90% of our time indoors and as we are building new housing stock that is more efficient and more airtight, it is crucial that we are at least moving towards a better standard that's going to keep our indoor air healthy because that's where we spend all of our time. So, thank you very much, Madam Speaker.

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

ROLL CALL NO. 155

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

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

ABSENT - Albert, Boyle, Carmichael, Cloutier, Dhalac, Eaton, Galletta, Hasenfus, Lajoie, Lanigan, Lavigne, Mathieson, Milliken, Poirier, Riseman, Roberts, Rudnicki, Sampson, Supica, Underwood.

Yes, 68; No, 62; Absent, 20; Vacant, 1; Excused, 0.

68 having voted in the affirmative and 62 voted in the negative, 1 vacancy with 20 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-350)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-350)** and sent for concurrence.

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Protect the Quality of Care Provided via Telehealth by Prohibiting Physicians from Prescribing Abortion-inducing Drugs or Devices Through Telehealth or Other Electronic Communication"

(H.P. 797) (L.D. 1249)

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

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-386)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HENDERSON of Rumford

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-387)** on same Bill.

Signed:

Representative:

HAGGAN of Hampden

One Member of the same Committee reports in Report "D" **Ought to Pass as Amended by Committee Amendment "C" (H-388)** on same Bill.

Signed:

Representative:

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-386)**.

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION TO PROPOSE AMENDMENTS TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS

(H.P. 1058)

Signed:

Senators:

NANGLE of Cumberland
LYFORD of Penobscot

Representatives:

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

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

Signed:

Senator:

BALDACCI of Penobscot

Representatives:

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

READ.

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

On motion of Representative TERRY of Gorham, **TABLED** pending the motion of Representative STOVER of Boothbay to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

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

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-199)** - Minority (4) **Ought Not to Pass** - Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act to Reestablish Annual Reporting on Solid Waste in Maine"

(H.P. 744) (L.D. 1172)

TABLED - May 23, 2023 (Till Later Today) by Representative DOUDERA of Camden.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

On motion of Representative GRAMLICH of Old Orchard Beach, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.