

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**First Regular Session**  
beginning December 2, 2020

pages 1 -

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

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:

**ENACTORS**  
**Emergency Measure**

An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2021

(H.P. 155) (L.D. 220)  
(S. "A" S-18 and S. "B" S-19 to C. "A" H-9)

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

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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 Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise today disappointed that we were unable to find agreement on the supplemental budget that is before us.

As the Representative from Falmouth said, we found agreement on 99% of this budget and I do appreciate their efforts. From the beginning, I believed that the hard work of the Appropriations Committee would get us to a final budget proposal that the Members of this Body could agree on and result in the necessary two-thirds support for emergency passage. I'm not ready to give up hope.

In looking to the Majority Report, we are in agreement but the proposal eliminates a tax exemption currently in law which will result in increased taxes for those employers. Also, the provision reasserting the Legislature's role in appropriating funds that come to the State to aid in our COVID recovery is of vital importance, but so is ensuring that that is done so in a manner that is fully representative of all and should be done with two-thirds support of this Body.

Finally, Appropriations Committee members were pleased to be able to support an income tax reduction for those Mainers who found themselves unemployed as a result of government-forced shutdowns. As was stated during committee by the minority members of Appropriations, it is important that we offer help but that help shouldn't be limited to just those who lost their jobs, but also those who performed their duties to ensure essential services were provided for the rest of us, such as staffing our grocery stores, teaching our children and working the front lines in our hospitals. These Mainers also deserve the advantages a reduction in their income tax provides and I hope we can have that discussion moving forward.

We have all suffered over the last year and that suffering should not be compounded by the State looking to mitigate

their own losses on the backs of suffering Maine residents. Without the ability to reach an agreement, I will be supporting my caucus and our members of Appropriations and will be voting against the budget before us as it is presented.

Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Perry

Representative **PERRY**: Thank you, Mr. Speaker. Fellow Members of the House, I rise today to speak in favor of the motion before us. Almost a thousand businesses in Bangor received PPP loans that supported 15,241 jobs. I don't know a single restaurant in Bangor; in the whole Bangor area that would have survived this past year without the Paycheck Protection Program. From Governors to the Ground Round, small business owners relied on that support from the government in order to keep their staffs and operations running. In total, over 28,000 businesses in Maine relied on these loans to make ends meet and keep hundreds of thousands of Mainers employed.

These are not multinational corporations we're talking about here, who have taken their jobs overseas. These are businesses rooted in Maine and are the bedrock of our economy. Maine businesses needed the support then and they need it now. With the corporate filing deadline of March 15th, they desperately need our support again. I've heard from dozens of small businesses who need clarity and cannot afford to be left hanging. These people need to file their tax returns by Monday and they don't know how to file, they don't know what we're going to do here. And I promised the accountants who contacted me, they would have clarity by the end of tonight.

As a small business owner myself, I get it. If we do not pass the supplemental budget, we'll be letting these businesses down that have spent the past year working incredibly hard to make ends meet. For the sake of every business in my district and every business that received PPP funds, I urge you, Mr. Speaker and my colleagues in the House, to support the supplemental budget tonight. Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Sheehan.

Representative **SHEEHAN**: Thank you, Mr. Speaker. Mr. Speaker, Fellow Members of the House, I rise today to speak in favor of the pending motion.

In my community, businesses of all sizes benefitted from the Paycheck Protection Program. The largest Biddeford businesses to receive PPP money employ nearly 90 people, while the smallest mom and pop operations, including my own business, employ just a few. All together, the Paycheck Protection Program supported more than 3600 jobs at Biddeford-based businesses. Businesses in our community received more than 32.5 million in badly-needed PPP funds, and they all have these things in common. They were built from the ground up by local people who put their heart and souls into turning their dreams into a reality. The people who make up these businesses live and work in our communities, they're not big corporations based in far-off places, and they will all be hurt badly if we leave here today without passing this supplemental budget.

My husband and I own a small business in Biddeford and consider ourselves very, very lucky to be supported by a community of hardworking entrepreneurs dedicated to their employees and to our community. As they or any other entrepreneur can tell you, it's not always easy even in the best

of times, and this year has been anything but the best. Maine's small businesses are doing all they can with the bad hand that they've been dealt. Their scrappiness, ingenuity, and dedications have allowed them to keep their lights on all this time and it is heartbreaking to me to think that their businesses might not make it through this final stretch. We need to have their backs today.

Mr. Speaker, I know that everyone in this chamber cares deeply about the small businesses that form the bedrock of all of our communities. Over the course of this pandemic, many of us have spoken passionately on behalf of these businesses. Today, I ask my colleagues to act on behalf of these businesses. I ask you, Mr. Speaker, and our fellow Members of the House, to join me in supporting the pending motion. Thank you.

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

Representative **TERRY**: Mr. Speaker and Colleagues of the House. Mr. Speaker, I rise in support of the pending motion. As chair of the Taxation Committee, I would like to speak about the supplemental budget proposal that addresses funds that businesses received through the Paycheck Protection Program.

First, it took a lot of hard work and consensus building to arrive at the position where we are today and I want to thank my fellow Taxation Committee members and the members of Appropriations for their contribution to this process.

The motion before you provides complete income tax relief and double exemptions for one hundred percent of Maine businesses that received PPP loans. Double benefits are not something that anyone in the Legislature likes to give lightly but, as we know, this is an unusual time. This tax relief will provide a boost of dollars that Maine businesses can use to either help keep paying their staff or start the tourist season with enough cash to make sure they have a fully-stocked store for people to buy from or enough bait to set traps with or enough burger meat to sell at dockside lunches. It gives certainty to all Maine businesses who received the loans when it comes to their taxes but, more importantly, it also brings that much-needed bump to the businesses who have struggled most during this pandemic and to those who employ so many of our Maine citizens.

I run a small business myself, so do the majority of my friends in the restaurant business and hospitality business. We are a small business state. And we know that to start a business is to take a chance on a dream. So, when we talk about what we as a Legislature can do to make sure those dreams don't die, this is personal to me. I totally get it. When the pandemic hit Maine and federal relief funds became available, business owners used PPP and whatever resources they had at their disposal to innovate and try to hang on there through all the rest of this pandemic. I'm happy that this supplemental budget proposed before us will make that goal even a little bit easier to achieve.

With tax filing already underway, we know we need to act quickly. Businesses need certainty and taxpayers need certainty. If we don't pass this supplemental budget, Maine will find ways to make our shortfalls work. What we will not do, though, is send that extra lifeline to our small, medium and large Maine businesses that so desperately need our help. We will fall short of the public-private partnership that's so important to all of us. This motion does right by Maine businesses, Maine workers, and all those families that have to

struggle because of this pandemic and I respectfully urge this Body to vote yes.

Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Raymond, Representative Fay.

Representative **FAY**: Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the pending motion.

This supplemental budget proposal includes 47 million dollars to exempt unemployment benefits from state income taxes. This would provide critical relief to over 160,000 Mainers whose jobs were impacted by COVID-19 and received unemployment insurance in order to make ends meet. This tax relief extends to workers who received unemployment benefits including self-employed business owners and people who saw their hours cut.

When the pandemic hit Maine last year, I started to hear from constituents in every corner of my district, asking for help navigating the unemployment system. People in my district are hardworking and resilient and most who reached out to me had never accessed unemployment before. Job loss in my district impacted people across sectors. I heard from people who worked at campgrounds, municipal libraries and in local retail shops. Because of the sheer overload of unemployment cases being processed by the Maine Department of Labor, many of my constituents, like in all of our districts, found themselves in really tough situations. People lost their source of income and were now spending hours on hold each day trying to address issues with their unemployment claims, all while fearing that if they didn't get their benefits in time, they might not be able to meet their basic needs.

I'm proud that my colleagues on the Appropriations Committee and I have included tax relief to Mainers who have experienced so much financial hardship from the pandemic. Without this measure, people who received unemployment benefits will be on the hook for state income taxes. At a time when so many Mainers are struggling to get by, we can lessen the tax burden on those most affected by the economic impacts of the pandemic by passing this supplemental budget.

Thank you, Mr. Speaker.

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

Representative **MEYER**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise in support of the pending motion.

Like so many frontline health care workers, Maine's direct care service providers and nonprofit providers have faced enormous challenges over the past year. Our organizations that provide direct care services to Maine's most vulnerable have struggled to meet their clients' needs, protect their workers and, frankly, just to keep the doors open. Unlike other organizations, however, these critical service providers have not received the federal assistance that has kept so many businesses afloat during these difficult times. Left out of the Paycheck Protection Program as well as other grants and relief monies, these organizations and the people they serve have been, in many ways, left out of the response to the pandemic.

The Majority Report recognizes both the necessity of these services and the needs of our direct care providers. This proposal allocates 30 million dollars to direct care providers that did not receive PPP funds, state grants, or any other relief and without such support have struggled to meet the needs of Maine people. This investment represents a two to one match of federal dollars to help keep these organizations running and to provide needed services to those whom they serve. The

proposal before us will benefit our constituents, providing desperately needed short-term relief to help programs and services for Maine's most vulnerable citizens - valued and important members of my own community, Mr. Speaker, and I believe of each and every community represented in this chamber today. That we may fail them is unconscionable. I urge our honorable colleagues to join me in supporting the pending motion, and I thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker. Oh, I guess I don't have to be that close. I wasn't going to speak to this motion but after hearing the comments, I had to thank and congratulate my democrat colleagues for changing their minds and realizing how important the republicans' call for not taxing those who received PPP loans that was originally proposed is to our struggling businesses.

Unfortunately, our call for no tax increases on all job providers has not been heard. For this reason, I cannot support this budget.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Enacted All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

#### ROLL CALL NO. 18

**YEA** - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Evangelos, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, MartinJ, MartinR, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, MillettR, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Peabworth, PerryA, PerryJ, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, WarrenC, WarrenS, WhiteB, Williams, Wood, Zager, Zeigler.

**NAY** - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Faulkingham, FecteauJ, Foster, Gifford, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Lemelin, Libby, Lyford, Lyman, MasonR, MillettH, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Wadsworth, WhiteD.

**ABSENT** - Bickford, Kryzak, MartinT, Perkins, Underwood.

Yes, 83; No, 63; Absent, 5; Excused, 0.

83 having voted in the affirmative and 63 voted in the negative, with 5 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED**.

On motion of Representative **DUNPHY** of Old Town, the House **RECONSIDERED** its action whereby the Bill **FAILED PASSAGE TO BE ENACTED**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-9) as Amended by Senate Amendments "A" (S-18) and "B" (S-19) thereto**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-9) as Amended by Senate Amendments "A" (S-18) and "B" (S-19) thereto** was **ADOPTED**.

On further motion of the same Representative, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-9) as Amended by Senate Amendments "A" (S-18) and "B" (S-19) thereto** and later today assigned.

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#### SENATE PAPERS

Bill "An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers" (S.P. 330) (L.D. 1040)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

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Bill "An Act To Facilitate a Timely Revision Process in the Site Location of Development Laws"

(S.P. 328) (L.D. 1038)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

**REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

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Bill "An Act To Allow a State Employee To Use a Federal Military Health Insurance Program and Reenroll upon Retirement in the State's Group Health Plan"

(S.P. 326) (L.D. 1036)

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.

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Bill "An Act To Include Certain Mental Health Workers under the 1998 Special Plan for Retirement"

(S.P. 331) (L.D. 1041)

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.

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Bill "An Act To Safeguard the People's Voice in a State of Emergency"

(S.P. 329) (L.D. 1039)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act To Enable Nonprofit Organizations To Offer Raffle Tickets by Mail"

(S.P. 327) (L.D. 1037)

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