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Senate Legislative Record

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

Second Regular Session

Beginning January 3, 2024

Beginning with Page S-1593

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, April 3, 2024, Reports **READ**.)

Senator **TIPPING** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **STEWART** of Aroostook, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Guerin.

Senator **GUERIN**: Thank you, Mr. President, Members of the Senate. It's hard to believe that four years ago this week, Maine's unemployment system was crippled. It ground to a halt and the Department of Labor went into dark as thousands who had been laid off - due to what we now know was an ill-advised and unnecessary decision to close the state - were left in limbo. But that's not why I rise today. I rise today to object to this bill. It was during this time four years ago that I was lead on the Labor Committee, along with Chair Bellows. I remember sitting in the Appropriations Room as we tried in a bipartisan effort to get answers to DOL's paralysis. But it wasn't until later that we learned the State was defrauded of millions of taxpayer dollars. In fact, Maine had $26.5 million in fraudulent unemployment claims between April 1, 2020, and March 31, 2021, according to the U.S. Department of Labor. How much worse could it have been if we had not had the one-week waiting period in effect? The waiting period allows the time for the Department of Labor to verify the claim before the department. If something is found out that later disqualifies the claim, it is much harder to claw it back once it has already been paid. My message today is simply caution. The pandemic taught us well and gave us invaluable knowledge. Unfortunately, with this bill, it now seems that we are forgetting what we have learned.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#685)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, CARNEY, CHIPMAN, DAUGHTRY, DUSON, GROHOSKI, INGWERSEN, LAFOUNTAIN, LAWRENCE, NANGLE, RAFFERTY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, BRAKEY, BRENNER, CURRY, FARRIN, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, PIERCE, POULIOT, RENY, STEWART, TIMBERLAKE

17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **FAILED**.

The Minority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/10/24) matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act to Implement the Recommendations of the Right to Know Advisory Committee Regarding Public Records Exceptions" H.P. 1421 L.D. 2215

Majority - Ought to Pass (8 members)

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-920) (5 members)

Tabled - April 10, 2024 by Senator **HICKMAN** of Kennebec

Pending - motion by Senator **VITELLI** of Sagadahoc to **ACCEPT** the Majority **OUGHT TO PASS** Report in concurrence (Roll Call Ordered)

(In House, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

(In Senate, April 10, 2024, Reports **READ**.)

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY**: Thank you, Mr. President. I spoke to this legislation the last time it was before us, so I'll mostly be repeating myself, but this legislation would eliminate certain privacy protections that have been longstanding in the medical cannabis program. Those protections are in place for good reason, as cannabis continues to be prohibited under federal law, and we do not want to -- certainly I do not want to see it made any easier for the federal government to go over Maine people for items that should not be a crime in the first place. And further, this is under the Right to Know laws, and I believe the spirit of our Right to Know laws are based on our right to know what the government is doing, not our right to know what private citizens are doing. So, I will be opposing the motion. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Carney.

Senator **CARNEY**: Thank you, Mr. President. Briefly, Colleagues, I just want to clarify some lack of clarity about this legislation. The legislation was proposed by the Right to Know advisory committee and what it does is it updates sections of Title 22 to clarify important aspects of the confidentiality of caregiver and patient information under our medical cannabis laws. It's not -- it's actually because it's dealing with confidentiality, if you narrow your view very carefully in on one or two aspects of it, it might look like it's eliminating certain privacy protections, but in fact, it's creating privacy protections and confidentiality provisions

subject to a few narrow exceptions that are necessary to protect public health. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#686)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, LAFOUNTAIN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, BRAKEY, FARRIN, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator VITELLI of Sagadahoc to ACCEPT the Majority OUGHT TO PASS Report, in concurrence, PREVAILED.

Bill **READ ONCE**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/10/24) matter:

Resolve, Directing the Department of Education to Establish the Commission to Study School Construction Policy and Funding
H.P. 1476 L.D. 2285

Tabled - April 10, 2024 by Senator **DAUGHTRY** of Cumberland

Pending - **FINAL PASSAGE** in **NON-CONCURRENCE**

(In House, **FAILED FINAL PASSAGE**.)

On motion by Senator **DAUGHTRY** of Cumberland, placed on the **SPECIAL STUDY TABLE** pending **PASSAGE**, in **NON-CONCURRENCE**.

The President requested the Sergeant-At-Arms escort the Senator from Sagadahoc, Senator **VITELLI**, to the rostrum where she assumed the duties as President Pro Tempore.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tempore **ELOISE A**. **VITELLI** of Sagadahoc County.

The Chair laid before the Senate the following Tabled and Later Assigned (4/3/24) matter:

SENATE REPORTS - from the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Provide Relief to Federal Employees Affected by a Federal Shutdown" (EMERGENCY)
S.P. 906 L.D. 2113

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-647) (8 members)

Minority - Ought Not to Pass (5 members)

Tabled - April 3, 2024 by Senator **VITELLI** of Sagadahoc

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, April 3, 2024, Reports **READ**.)

Senator **BAILEY** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **STEWART** of Aroostook, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON**: Thank you, Madam President, Ladies and Gentlemen of the Senate. You know, when partisan games and political dysfunction lead to government shutdowns, it's always the workers who pay the price. And I don't think any of us in here think that's right. Like the rest of us, state and federal workers have homes to heat, they have families to feed and bills to pay, and when the government shuts down, all of a sudden, that paycheck they were depending on, well, that -- that disappears through no fault of their own. And what's worse is that there's no telling how long a shutdown is going to go on, and many of these folks that are working there are expected to continue to work without pay. Now, I know from personal experience, I'm sure many of you in here know what it's like to live paycheck to paycheck and the anxiety of a single missed check can start a chain of events where it feels like there's no coming back from. I don't think anyone should have to experience that stress, especially when their stream of income is outside of their control. The bill before us would provide a state guarantee on private, interest-free loans from banks and credit unions to state and