

**STATE OF MAINE
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Thursday
April 6, 2023

Senate called to order by President Troy D. Jackson of Aroostook County.

Prayer by Rev. Vanessa Betancourt of the Church of the Nazarene in Gardiner.

REVEREND BETANCOURT: Let us pray. Father, what a privilege it is to come to You this morning on this holy week of Easter. Father, I pray that You would be in this place today, that Your presence would be made known. I pray, Father, that there would be a great spirit of collaboration between these leaders. Protect them in their time of coming and going as they serve this great state of Maine. Be with their families, Lord, as they commit to allowing their family members and loved ones to serve this state of Maine. Father, let all that happens today be good and pleasing in Your sight and in the best interest of those here in this great state of Maine and, Father, we ask all of this in the strong name of Jesus Christ, our Lord. Amen.

Pledge of Allegiance led by Senator Peter A. Lyford of Penobscot County.

Reading of the Journal of Wednesday, April 5, 2023.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:
S.P. 616

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 11, 2023, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

READ and **PASSED**.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers
H.P. 265 L.D. 432

In Senate, March 30, 2023, **PASSED TO BE ENGROSSED**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-22)**, in **NON-CONCURRENCE**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act to Strengthen Medicare by Preventing Providers from Adding Excess Charges" (EMERGENCY)
H.P. 952 L.D. 1497

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

Comes from the House, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act to Ensure the Accuracy of Vital Records with Respect to Gender"
H.P. 962 L.D. 1507

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

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

On motion by Senator **INGWERSEN** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Resolve, Directing the Department of Education and Department of Health and Human Services to Study Placing Child Care Facilities in Secondary Schools
H.P. 975 L.D. 1520

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

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

On motion by Senator **INGWERSEN** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act to Support the Essential Support Workforce by Promoting Enhanced Reimbursement and Benefits and Encouraging Information Sharing"

H.P. 976 L.D. 1521

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act to Advance Justice in Sentencing by Amending the Laws Governing the Maine Criminal Justice Sentencing Institute and Increasing Funding for Meetings of the Institute"

H.P. 990 L.D. 1535

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

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

On motion by Senator **CARNEY** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act to Reduce Rental Housing Costs by Eliminating Additional Fees at or Prior to the Commencement of Tenancy"

H.P. 945 L.D. 1490

Committee on **LABOR AND HOUSING** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Joint Resolutions

The following Joint Resolution:

H.P. 898

JOINT RESOLUTION RECOGNIZING APRIL 2023 AS CHILD ABUSE PREVENTION MONTH

WHEREAS, child abuse is a community problem, and finding solutions depends on recognizing that the effects of child abuse and neglect are felt by whole communities and need to be addressed by the entire community; and

WHEREAS, effective child abuse and neglect prevention programs succeed because partnerships are created among government agencies, policymakers, nonprofit organizations, health care providers, schools, faith communities, businesses and law enforcement agencies; and

WHEREAS, when families lack access to adequate financial resources, a stable living situation, nutritious food, affordable health care, quality child care and education, a child's healthy development is at risk; and

WHEREAS, all Maine citizens should become more aware of child abuse and neglect and its prevention and become involved in the raising of children in a safe, secure, nurturing environment; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize April 2023 as Child Abuse Prevention Month, to recognize that we all have a role to play in strengthening families so as to ensure healthy child development and a duty to help others recognize that role and to celebrate the positive community connections available to our families and caregivers to promote the health and well-being of Maine children and help prevent child abuse and neglect.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

The following Joint Resolution:

H.P. 942

JOINT RESOLUTION RECOGNIZING THE WEEK OF APRIL 1, 2023 TO APRIL 7, 2023 AS THE WEEK OF THE YOUNG CHILD

WHEREAS, the Maine Association for the Education of Young Children and the National Association for the Education of Young Children are celebrating the Week of the Young Child, April 1, 2023 to April 7, 2023; and

WHEREAS, these groups are committed to the healthy development of all young children in Maine through strengthening and building systems of equitable access to high-quality early childhood education; and

WHEREAS, children's cognitive, physical, social and emotional development and language and literacy development are built on a foundation of their positive interactions with adults, peers and their environment; and

WHEREAS, Maine's early childhood education workforce is vital to providing a nurturing and educational foundation of early care and learning experiences for young children; and

WHEREAS, seventy percent of children under 6 years of age in Maine have all available parents in the workforce; and

WHEREAS, access to high-quality child care is a necessity for many families in our community to participate in the workforce; and

WHEREAS, high-quality early childhood programs provide important benefits to children, families and state and national economies; and

WHEREAS, celebrating the Week of the Young Child enables the recognition and advancement of the early childhood education 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 April 1, 2023 to April 7, 2023 as the Week of the Young Child and encourage all residents to work to support and invest in early childhood in the State.

Comes from the House, **READ** and **ADOPTED**.

The Joint Resolution was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, I rise to speak very briefly to this occasion. Some of you know this but I started out my career in the State as a Head Start teacher in the classroom and, as I said yesterday, there's nothing as awe inspiring, humbling, and delightful as being in charge of a roomful of four and five year olds. The work of our early childhood professionals is critical to the overall success of our economy and our children's wellbeing for sure. The workforce behind the workforce is something that we need to pay special attention to as our economy gears back up and continues to grow and expand and provide all of us a life that we wish to have for ourselves and our families. It's really critical that Maine families have access to high quality pre-K and early childhood experiences for their children. Maine families are asking for access to these services. In order to make Maine's early childhood programs sustainable, we need to do our part to invest in our children by investing in those who take care of the children while many of us are working in order to take care of our families at large. So, I just want to remind you all of something that I learned in my years as a Head Start teacher, three things that have carried me through all the work that I've done since, which is that it's important to share your toys, take turns, and play well together. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Rafferty.

Senator **RAFFERTY:** Thank you, Mr. President, and thank you, Senator Vitelli. I'll try to add to that but I know I can't improve on those comments, but thank you for them. I witnessed the results

of early childhood education recently. My granddaughter had a party, had a facility that included ten 2-year olds, and to watch that group of kids interact and play throughout an afternoon. There was no fighting. You know, everything was pretty much in order and I was just amazed, just though the practice of all their daycare that they go to, that they were able to sit, celebrate a birthday, have cake, ice cream, and all those things in such, what I would say, controlled behaviors. I mean, as educators are - people that work with young kids look at people that work at high schools and say 'How can they do it?' People in high school always look at middle school teachers and say 'How can you do it?' But I just want to take a moment to recognize the folks that work with these early childhood educators, thank you for your dedication. The work that you do with our youngest learners, you set the tone for education for these children moving forward. I know that you don't hear it enough but what you do and who you are makes a difference and we greatly appreciate it. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Curry.

Senator **CURRY:** Thank you, Mr. President. I want to add my voice of appreciation and thanks. I had not planned on speaking and so I will do this off the cuff. I had the great pleasure when I worked on a contract grant for - with MaineWorks. The quality of driving around the state and supporting their quality improvement assessments and part of that gig was going into early childcare facilities and observing based on an instrument - an assessment. Separate from the assessment, I was amazed at the professionalism and quality and compassion of the educators. Not only were the educators amazing with the kids, they were also amazing teaching the new educators of how to do this work. It was just an incredibly powerful experience to go into tens of early child education facilities and programs and watch these professionals at work. I will say last session, during the - in the IDEA Committee, we heard the bill on increasing funding and supports that we passed for early child educators and it was heartbreaking to hear one particular testimony. We had a director of a center who, with 19 years experience, that informed us after this incredibly compelling testimony that she had to leave the field because she no longer felt the salary she could bring in was responsible for her and caring for her own family, and I want to continue to lift up the priority that we have as a duty to stabilize and strengthen this profession of incredible educators. So, I want to thank them and I also want to charge us to continue to do the really important work of supporting them. Thank you very much.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Bailey.

Senator **BAILEY:** Thank you, Mr. President. Men and women of the Senate, I just wanted to rise to express my thanks and gratitude to these early childhood educators and I want them to know, in case they ever wonder if what they do makes a difference, unlike the good Senator from Sagadahoc, who was a Head Start teacher, I am actually a Head Start graduate and so I am proof of the difference that it makes and I went from graduating from Head Start to being the first in my family to go to college, then going on to law school, becoming a probate court judge, serving in the House of Representatives, and now serving here in the Senate. Now I know some of my colleagues may, you

know, think that's not necessarily a good thing but I think it is proof of the good work that these early childhood educators do. Thank you.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I, too, would add my voice to those praising the early childhood education going on in our state, especially the beautiful work being done in homes across the state of Maine in their arena of early childhood education. I have two families from my district here today and I know the education of their children started long before the kindergarten classroom. They were enriching the lives of their children and their friends' children through the home-schooling movement.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Lyford.

Senator **LYFORD:** Thank you, Mr. President. Men and women of the Senate, I also would like to rise. For over 32 years, my mother ran a nursery school, and I know those words aren't used much anymore, but the things that she went through were tremendous to help those children get started good. I can remember her struggling during the winter to put snowsuits on and boots and gloves. I even watched one day when she worked hard to get a young man's boots and shoes and gloves all on and he looks up to her and he said 'Those aren't mine.'

The Joint Resolution was **ADOPTED**, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 290

**STATE OF MAINE
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON INNOVATION, DEVELOPMENT,
ECONOMIC ADVANCEMENT AND BUSINESS**

April 4, 2023

The Honorable Troy Dale Jackson
President of the Senate of Maine
131st Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Innovation, Development, Economic Advancement and Business has had under consideration the nomination of Kevin Bunker of

Brunswick, for appointment to the Maine Redevelopment Land Bank Authority.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Curry, C. of Waldo, Guerin, S. of Penobscot
	Representatives	6	Roberts, T. of South Berwick, Collamore, A. of Pittsfield, Crockett, E. of Portland, LaRochelle, R. of Augusta, Sayre, D. of Kennebunk, Walker, M. of Naples
NAYS		0	
ABSENT		5	Sen. Rafferty, J. of York, Rep. Lanigan, L. of Sanford, Rep. Ness, C. of Fryeburg, Rep. Smith, K. of Palermo, Rep. White, B. of Waterville

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Kevin Bunker of Brunswick, for appointment to the Maine Redevelopment Land Bank Authority be confirmed.

Signed,

S/Chip Curry
Senate Chair

S/Tiffany Danielle Roberts
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** be overridden?"

The Chair noted the absence of the Senator from Penobscot, Senator **BALDACC**, and further excused the same Senator from today's Roll Call votes.

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 131st Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#74)

YEAS: Senator: BRAKEY

NAYS: Senators: BAILEY, BEEBE-CENTER, BENNETT, BLACK, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, FARRIN, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, INGWERSEN, KEIM, LAFOUNTAIN, LAWRENCE, LIBBY, LYFORD, MOORE, NANGLE, PIERCE, POULIOT, RAFFERTY, RENY, ROTUNDO, STEWART, TIMBERLAKE, TIPPING, VITELLI, PRESIDENT JACKSON

EXCUSED: Senator: BALDACCI

1 Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator being excused, and one being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kevin Bunker** of Brunswick for appointment to the Maine Redevelopment Land Bank Authority was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

SENATE PAPERS

Bill "An Act to Authorize the Expungement of Records of Nonviolent Crimes"

S.P. 613 L.D. 1550

Presented by Senator BRAKEY of Androscoggin. Cosponsored by Speaker TALBOT ROSS of Portland and Senator: HICKMAN of Kennebec, Representatives: BOYER of Poland, CLUCHEY of Bowdoinham, COLLINGS of Portland, LEE of Auburn.

On motion by Senator **CARNEY** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Create the Lobster Innovation Fund"

S.P. 615 L.D. 1552

Presented by Senator VITELLI of Sagadahoc. Cosponsored by Representative HEPLER of Woolwich and Senators: LAWRENCE of York, RENY of Lincoln.

On motion by Senator **RENY** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act to Increase Bicycle Safety by Allowing Cyclists to Treat Stop Signs as Yield Signs and Red Lights as Stop Signs" S.P. 614 L.D. 1551

Presented by Senator TIPPING of Penobscot. Cosponsored by Senators: CHIPMAN of Cumberland, MOORE of Washington, Representatives: GEIGER of Rockland, SOBOLESKI of Phillips.

On motion by Senator **CHIPMAN** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

Logan Ouellette, of Turner, a member of the Leavitt Area High School Cross Country Ski Team, who won the 5K Classic and Nordic Freestyle Events at the Class B Boys State Championship. We extend our congratulations and best wishes; SLS 345

Sponsored by Senator TIMBERLAKE of Androscoggin. Cosponsored by Representative: MORRIS of Turner.

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Timberlake.

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I kind of wearing the wheels on the back of my chair out standing up so many times giving awards to athletes from my district and it is such a true honor to have another student athlete from Leavitt Area High School with us here today who has won the State Championship. Winning never gets that old in Turner. We're used to it. Logan Ouellette, who was honor roll throughout the season, won the Class B State Championship in both the Classic and the Freestyle competition in Nordic Skiing. He also won the State Championship in Classic Skiing. For his successful 2022-2023 cross country skiing season, Logan has been named the 2022-2023 Sun Journal All Region Boys Nordic Ski Team. Logan is a senior this year and it has been great following his career in Leavitt and all the success that he has during that time. Again, Logan, it's been my pleasure to watch you run. I haven't seen you ski much but congratulations on your successful ski season and best of luck with the upcoming track season and what's to come next in your life. Congratulations, young man.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Logan Ouellette and members of his family that's with him here today. Would he please rise and accept the greetings of the Maine Senate.

Joint Resolution

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pouliot.

Senator **POULIOT:** Mr. President, men and women of the Senate, gimme, gimme shelter or I'm going to fade away. That's a line from Mick Jagger and the Rolling Stones.

THE PRESIDENT: The Chair hates to interrupt the Senator but did you want to present?

Senator **POULIOT:** Is this 4-9? I'm blowing my own thunder here, Mr. President.

THE PRESIDENT: Ya, it's all good.

On motion by Senator **POULIOT** of Kennebec (Cosponsored by Representative DOUDERA of Camden and Representative: MORRIS of Turner), the following Joint Resolution:
S.P. 612

**JOINT RESOLUTION
RECOGNIZING MAINE'S REALTORS**

WHEREAS, the Maine Association of REALTORS® has more than 6,200 members actively involved in the business of real estate and it has approximately 400 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit trade association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

WHEREAS, a healthy supply of affordable, safe, secure and high-quality residential and commercial real estate inventory statewide supports the continuing growth of Maine's economy; and

WHEREAS, real estate transactions stimulate Maine's economy and include not only the money spent and reinvested in the sale price of a property but all those services and expenditures that occur in relation to a property transaction, for both a buyer and a seller; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales, each home sale contributes about \$146,000 to the economy and the real estate industry accounts for 18.6% of the gross state product; and

WHEREAS, the real estate market in Maine is strong, as evidenced by the number of home sales and the overall impact on Maine's economy in 2022 of 15.7 billion dollars; and

WHEREAS, real estate ownership is an investment in the future and one of the best ways to build financial security through equity accumulation, and for many in Maine their real property ownership represents their life savings; and

WHEREAS, expanding real property ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions to and the significant role they play in the lives of Maine citizens and their communities and that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and Maine's 12 local association boards and councils.

The Joint Resolution was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Pouliot.

Senator **POULIOT:** Thanks, Mr. President. Men and women of the Senate, I appreciate the patience. You caught me off a little guard there. I was actually texting one of my clients to see if they wanted their commercial condo to get on the market in Portland. So, maybe some of the folks in the gallery can help me sell it. You know, gimme gimme shelter, I'm going to fade away, that's a line from Mick Jagger and the Rolling Stones. I'm not going to sing it or you'd all leave but, you know, we all want a safe place to call home. How can we expect those who do not have a stable shelter to not just fade away, Mr. President? This is a challenging endeavor because it brings about a close interface with the difficult work that we must do to address the chronic lack of supply of housing in our state and, frankly, in this country. But there is good news, Mr. President, today is Realtor Rally Day. This is my favorite day of the session. These are the men and women on the frontlines every day fighting the good fight to ensure all Maine people have a warm, safe place to call home. In 2022, the state of Maine had a population of 1.382 million, having grown an annualized .7% over the five years to 2022, which ranks it 19th out of all 50 U.S. state by growth rate. Maine's gross state product in 2022 reached 62.7 with a growth of 2% over the five years to 2022. Businesses in Maine employed a total of 672,969 people with an average annual employment growth over the past years of .4%. The top three sectors, Mr. President, by total employment are real estate, rental leasing, health care, social assistance, manufacturing. You know, real estate and rental and leaving accounts for nearly 18,000 jobs in the state with about 6,000 or so of those being real estate agents. While this may seem like a low number relative to our total population, the number of jobs created related to our industry is well over 100,000 when you consider construction jobs created by real estate transactions, the amount of professional services engaged in the industry. I'm encouraged to see so many of my peers in the real estate industry here today and I hope you'll seek out your local realtor and build a relationship with them to have a better understanding of what the challenges they're facing, those trying to access quality housing here in Maine, Mr. President. Thank you and, again, don't miss the lunch down in the Hall of Flags from now until 1 o'clock. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize throughout the entire Senate, up in the gallery, in the rear of the Chamber, realtors from all around the state of Maine. They are the guests today of the Senator from Kennebec, Senator Pouliot, and the entire Maine Senate. Would they all please rise and accept the greetings of the Maine Senate.

Legislative Memorial Scholarship Awards Ceremony

THE PRESIDENT: At this time, the Chair we're going to move into - we're going to pause and move into the Legislative Scholarship portion because the House, obviously, has recognized them and they're down here in this Chamber. So, at this time the Chair is going to pause it's work before us in our Senate calendar and recognize the recipients of the 2023 Legislative Memorial Scholarship awards.

Every year, the Maine Legislature recognizes one student from each county who is currently pursuing or planning to pursue education at a two or four year Maine college or technical school. Awards are given to a Maine resident high school senior or full or part time postsecondary student accepted to or enrolled in an accredited Maine college for graduate or undergraduate degrees.

The Chair calls members attention to the handout on your desk. I'm going to go through all of them and then recognize the ones that are actually here today.

The ones that aren't here today:

The recipient from Aroostook County is Jordan Thompson of Caswell. Jordan majors in Secondary Education at the University of Maine at Orono.

The recipient from Cumberland County is Logan Brown of Brunswick. Logan majors in Criminal Justice at St. Joseph's College.

The recipient from Hancock County is Amber-Rae Pesek of Sedgwick. Amber is a Medical Biology major at the University of New England.

The recipient from Kennebec County is Andrew Guiou of Farmingdale. Andrew is undecided at this time in his major at St. Joseph's College.

The recipient from Oxford County is Christina Genest of Denmark. Christina is an Adult Education major at the University of Southern Maine.

The recipient from Penobscot County is Elizabeth Kinney of Corinna. Elizabeth majors in physical therapy at Husson College.

Another recipient from Piscataquis County is - sorry, the recipient from Piscataquis County is Ruth Griffith of Parkman. Ruth majors in economics at the University of Maine at Orono.

The recipient from Sagadahoc County is Mollie Crosby of Georgetown. Mollie is a Psychology major at the University of Maine at Farmington.

The recipient from Waldo County is Rowan Hurlburt of Lincolnville. Rowan majors in Medical Engineering at the University of Maine at Orono.

The recipient from Washington County is Kobe Saunders of Calais. Kobe is a Business Administration major at the University of Maine at Presque Isle.

The recipient from York County is John Cesario of North Berwick. John is a Power Engineer Technologies major at Maine Maritime Academy.

I want to congratulate all those recipients and wish them all the best in their academic endeavors. Would the Maine Senate please join me in congratulating these award winners.

So now we have a number of the recipients that are actually here with us today. I'm going to call on them and the Senator that recognizes them to come down the present them with the actual check.

Like I said, as each recipient is called, the Sergeant-At-Arms is going to escort that student or guests and their senator to the well of the Chamber. The first one:

The recipient from Androscoggin County is Amelia Mooney of Lisbon Falls. Amelia is an Ecology and Environmental Science major at the University of Maine at Orono. She is here today with her parents, Roxanne and Michael. Will the Sergeant-At-Arms please escort Amelia and her family, along with the Senator from Androscoggin, Senator Timberlake, to the front of the Chamber.

I'm not sure if the Chair was out of line or an error, but the next recipient actually is here. I introduced them that they weren't. I'm sorry.

The recipient from Franklin County is Austin Marden of Strong. Austin majors in Creative Writing and Community Health Education at the University of Maine at Farmington. They are here today with their parents, Jennifer and Aaron, and his grandmother, Ruth Cashman. Will the Sergeant-At-Arms please escort Austin and their family, along with the Senator from Franklin, Senator Black, to the front of the Chamber.

The recipient from Knox County is Anna Carpenter of Camden. Anna majors in Justice Studies with a concentration in Criminal Justice and a minor in Psychology at the University of Maine at Augusta. She is here today with her parents, Judith and Jack. Will the Sergeant-At-Arms please escort Anna and her family, along with the Senator from Knox, Senator Beebe-Center, to the front of the Chamber.

The recipient from Lincoln County is Alice Skiff of Newcastle. Alice is a Special Education major at the University of Maine at Farmington. She is here today with her mother, Linda; and brother, William. Will the Sergeant-At-Arms please escort Alice and her family, along with the Senator from Lincoln, Senator Reny, to the front of the Chamber.

The recipient from Somerset County is Michael Brown of Fairfield. Michael majors in Political Science at the University of Southern Maine. He is here today with his parents, Lisa and Cleveland. Will the Sergeant-At-Arms please escort Michael and his family, along with the Senator from Kennebec, Senator LaFountain, to the front of the Chamber.

So, the Chair just wants to make sure, obviously, 16 counties. We had one that was going to be here that wasn't. Was any other award recipients that we've missed that might have been here, actually showed up today? Alright. Well, congratulations to each student receiving the award and best of luck in all your endeavors. The Chair would also like to thank the members of the Legislature and the Legislative staff and everyone else who volunteered, donated items, participated, and contributed to the Scholarship Fund. It was another successful year for the Legislative Memorial Scholarship and, as always, it is most rewarding to see the positive results from the program.

Off Record Remarks

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding the Purpose and Responsibilities of the State Regulatory System for Public Utilities"

H.P. 214 L.D. 340

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

ZEIGLER of Montville
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

HARRINGTON of York

Representatives:

DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **GROHOSKI** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Harrington.

Senator **HARRINGTON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the motion. This bill simply removes the reduction of greenhouse gas emissions

from the basic purpose of the Public Utilities Commission. The bill adds educating consumers to make independent and informed utility choices. There are plenty of groups to include the Maine Climate Council, among many others folks on climate goals. With skyrocketing energy costs, the PUC should return to the core function of ensuring citizens have access and safe and reliable utility services at rates that are just and reasonable. That's all this bill does. Thank you and I request a roll call.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#75)

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

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

EXCUSED: Senator: BALDACCI

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **GROHOSKI** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Strengthen Maine's Health Care Workforce by Preventing Discrimination by Requiring Maintenance of Certification for Insurance Reimbursement"

H.P. 145 L.D. 224

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-21)**.

Signed:

Senator:

BAILEY of York

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford
MATHIESON of Kittery
NUTTING of Oakland

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion
MORRIS of Turner
SWALLOW of Houlton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

Reports **READ**.

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

Senator **BRAKEY** of Androscoggin requested a Division.

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

Senator **BRAKEY:** Thank you, Mr. President. The legislation before us, first of all let me say I think it is very well-motivated and well-intended, but for many - for several members of the committee there's simply a bridge too far in terms of the government's reach into the private decision of private businesses in terms of the products that they sell to their customers. The Representative who brought this legislation forward identified a problem, which I do not contest perhaps as a problem. That problem is insurance companies requiring physicians and all sorts of health care providers to continue to meet these standards by certification organizations called Maintenance of Certification. Basically, for those unfamiliar with it, a health care practitioner gets their basic license and then many of these certification boards like the health care practitioners to continue to do continuing training in the years after to maintain their certification and many insurance companies require for reimbursement at full reimbursement - for payment at full rates that those - that maintenance of certification continues to take place. I'm not going to contest the idea that perhaps in some case these requirements are overzealous. I'm not going to contest that perhaps this does contribute to some degree with not having as many health care practitioners in the state as we otherwise would. I just would say that I think that this is a real problem but the wrong angle of attack. Rather than trying to micromanage the individual policies of insurance companies, we

should really be looking at how do we create pathways for patients to not have to go through insurance companies for routine health care so that you don't have these third party middlemen dictating the terms as far as access to health care. That's something I hope that in the Health Coverage, Insurance and Financial Services Committee we will be exploring more in this session and the session ahead. But, simply, this is a - philosophically this is a bridge too far for me, going into these private insurance companies and trying to micromanage their policies. So, for that reason, I am opposed to the motion and I appreciate the time and consideration of this Body.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#76)

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

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

EXCUSED: Senator: BALDACCI

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BAILEY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-21) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass

Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults"

S.P. 27 L.D. 35

Reported that the same **Ought to Pass**.

Report **READ** and **ADOPTED**.

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Improve Harness Racing in Maine by Repealing the Law Governing Standardbred Horses Eligible for Registration"
S.P. 184 L.D. 403

Reported that the same **Ought Not to Pass**.

Signed:

Senator:
HICKMAN of Kennebec

Representatives:
PLUECKER of Warren
COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford
HEPLER of Woolwich
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senators:
INGWERSEN of York
BLACK of Franklin

Reports **READ**.

On motion by Senator **INGWERSEN** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House As Amended

Bill "An Act to Increase the State's Share of Retired Teacher Health Insurance" (EMERGENCY)

H.P. 80 L.D. 112
(C "A" H-15)

Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 226 L.D. 375
(C "A" H-13)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate

Bill "An Act to Promote Higher Blends of Biofuel by Regulating the Sale or Transfer of Biofuels"

S.P. 313 L.D. 755

READ A SECOND TIME and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Expand Access to Banking Services for Minors"

S.P. 310 L.D. 752
(C "A" S-16)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 25: Standards for Placing Wood into Stream Channels to Enhance Cold Water Fisheries Habitat, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry

H.P. 241 L.D. 390
(C "A" H-8)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Acts

An Act to Increase Support for the Modernization of the Board of Pesticides Control by Increasing the Annual Pesticide Registration Fee

H.P. 12 L.D. 8
(C "A" H-7)

An Act to Update the Maine State Grant Program

S.P. 24 L.D. 32
(H "A" H-11)

An Act to Include a Representative of Newspaper and Other Press Interests on the Archives Advisory Board and to Require the Member Representing a Historical Society to Have Expertise in Archival Records

S.P. 72 L.D. 133
(C "A" S-9)

PASSED TO BE ENACTED and, having been signed by the President, were presented by the Secretary to the Governor for approval.

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (3/30/23) matter:

Bill "An Act Regarding the Distribution of Revenue from the Real Estate Transfer Tax" (EMERGENCY)

S.P. 572 L.D. 1454

Tabled - March 30, 2023 by Senator **GROHOSKI** of Hancock

Pending - **REFERENCE**

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

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Joint Select Committee on Joint Select Committee on **HOUSING**.

Sent down for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Resolve, to Establish the Commission to Recommend Cost-effective, Safe, Administrable and Healthful Programs to Reduce Violence in Prisons and Jails (EMERGENCY)

H.P. 995 L.D. 1543

Bill "An Act to Reduce Drug Overdoses and Death by Expanding the Crime of Aggravated Trafficking of Scheduled Drugs by Including Compounds, Mixtures or Substances"

H.P. 997 L.D. 1545

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

On motion by Senator **BEEBE-CENTER** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act to Direct the Public Utilities Commission to Seek Informational Bids Regarding Small Modular Nuclear Reactors in the State"

H.P. 1001 L.D. 1549

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act to Temporarily Prohibit the State from Mandating COVID-19 Vaccinations" (EMERGENCY)

H.P. 999 L.D. 1547

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BALDACCI** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act to Amend the Laws Relating to the Certificate of Need"

H.P. 993 L.D. 1541

Bill "An Act Regarding Nondiscrimination in Financial Services"

H.P. 998 L.D. 1546

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

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act to Promote a Diverse, More Experienced Construction Workforce and Ensure High-quality Careers by Increasing Registered Apprenticeship Programs"

H.P. 991 L.D. 1539

Comes from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed, in concurrence.

Bill "An Act to Improve Economic Security for Maine Children by Establishing the Maine Dependent Tax Credit"

H.P. 996 L.D. 1544

Comes from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Resolve, to Direct the Department of Transportation to Study the Use of Micromobility Devices

H.P. 994 L.D. 1542

Comes from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **CHIPMAN** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act to Support Maine Craft Brewers by Amending the Law Regarding Breweries with Multiple Locations"

H.P. 1000 L.D. 1548

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

On motion by Senator **HICKMAN** of Kennebec, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

On motion by Senator **ROTUNDO** of Androscoggin, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Authorize the Deorganization of Drew Plantation
S.P. 41 L.D. 49
(C "A" S-8)

Placed on Special Appropriations Table - March 28, 2023, by Senator **ROTUNDO** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, March 16, 2023, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-8)**, in concurrence.)

(In House, March 23, 2023, **PASSED TO BE ENACTED**).

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Rotundo.

Senator **ROTUNDO:** Thank you, Mr. President. Men and women of the Senate, normally the Appropriations Committee would not take a bill off the Special Appropriations Table at this point in the session. In this instance, we made an exception so that the Special Election regarding the deorganization of the Drew Plantation can take place immediately and, if approved, the deorganization of Drew Plantation could take effect on July 1st. Also, very importantly, this bill has no significant impact on the General Fund.

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

WHEREAS, the Legislature has learned with deep regret of the death of:

Albert U. Liberatore, of Bangor, a Doctor of Dental Medicine. Dr. Liberatore moved to Maine and started practicing dentistry in 1973 in a small home office on School Street in Brewer. After moving to Massachusetts and earning a certificate in orthodontics and dentofacial orthopedics, he returned to Maine in 1983 and founded a new practice. His career in dental medical lasted for more than 37 years. Active in his community, he took on many

leadership roles, including running the Rotary Club's "Angel Tree Drive," and cofounding the John Bapst hockey program. He also spearheaded the restoration project of John Bapst High School's Steinway grand piano. Piano was one of his greatest passions for 71 years. His love of music took him across the country to learn from some of the greatest Blues musicians of his time. Over the years, he composed and recorded his music and spent many evenings playing the piano for the patrons of Manna Soup Kitchen in Bangor. He became involved with youth hockey in the early 1980s and remained very active in it for more than 30 years. He ran the Learn To Skate program, as making the sport of hockey accessible to children was extremely important to him. Following his retirement, in 2010, his family, friends and colleagues established a scholarship in his honor providing recipients with funding to not only learn to skate but also purchase equipment each year they continue to play. Dr. Liberatore will be long remembered and sadly missed by his family and friends and all those whose lives he touched.

HLS 219

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Mrs. Jeanne Liberatore, her children and grandchildren and friends. They are all from Bangor/Brewer area. They are the guests today of the Senator from Penobscot, Senator Lyford, and the Senator from Penobscot, Senator Baldacci, and the entire Maine Senate. Would they please rise and accept the condolences of the Maine Senate.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator **LYFORD** of Penobscot, **ADJOURNED**, pursuant to the Joint Order, until the Call of the President of the Senate and the Speaker of the House in memory of and lasting tribute to Dr. Albert U. Liberatore of Bangor.