

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
SECOND REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Thursday
March 24, 2022

Senate called to order by President Pro Tem Susan A. Deschambault of York County.

Prayer by Senator Donna Bailey of York on behalf of Reverend Maureen Ausbrook of Waterville Congregational Church.

SENATOR BAILEY: Thank you, Madame President and members of the Senate. As Madame President indicated, I'm reading this prayer this morning on behalf of Reverend Maureen Ausbrook of the Waterville Congregational Church, a very good friend of mine for a long time. Unfortunately, Reverend Moe, as she's known, or Rev Moe, just learned at 8 o'clock this morning that she'd been exposed to COVID and she believed that it would be irresponsible to deliver this prayer in person as she didn't have a home COVID test in order to ensure that she was negative. So, she sent me her prayer and asked me to read it on her behalf. So, it starts out:

Good morning, I offer this prayer and my blessing upon you cognoscente of the fact that, while there may be people of great personal faith present, there are no doubt others of no faith but actually I've never met anyone who believes in nothing. Also, I think it would be a rare person who chooses public service who didn't have faith in humankind's rational ability to change the world for the better and, surely, there is great grace in that precious hope and, I would argue, the presence of love. It said that there is love - where there is love there is light, a light that some call God. Whatever we call that, we know it is not the darkness that we see so let us invite that love, that light, the grace of the Divine, if you will, into our hearts. Allow me, please, to speak in the traditional language of belief and if you do not pray then please still pause and allow this to be a reflective meditation.

Dear Creator God, in Your infinite wisdom You have called this Body to be civil servants and caused them to work in this assembly together, burdening them with great responsibilities but guaranteeing them the grace to respond accordingly should they only set aside their pride and ask for divine help. Accept this prayer as their humble request to be blessed with the grace necessary to always denounce demagoguery and partisan absurdities in order to see what is true and precious and to never forget it is their duty to protect more than their personal interest and partisan agendas. Grant that they and every other civil servant in this great state and nation tread the rich and the poor, the young and the old, the educated and the uneducated with dignity and fairness. Direct their hearts to always serve without prejudice and partiality in times of prosperity or poverty, peace or war. Help them maintain their integrity, reliability, and commitment to their oaths of office and always grow in sincere compassion for those they are called to serve and, in doing so, never forget that they are an example to those who will follow in their footsteps. We also ask that You bless all of the State employees who work in this building and everywhere else in our

state. The work they do is as important as the work done by the members of this State Senate and we are grateful for their dedication and reliability. Amen.

Pledge of Allegiance led by Senator Anne M. Carney of Cumberland County.

Reading of the Journal of Tuesday, March 22, 2022.

Off Record Remarks

COMMUNICATION

The Following Communication: S.C. 1195

**STATE OF MAINE
130TH LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

March 23, 2022

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant,

Pursuant to my authority under Senate Rule 201.3, please be advised that I appoint the Senator from York County, Senator Susan Deschambault, to serve as President Pro Tem to convene the Senate on Thursday, March 24, 2022.

Please let me know if you have any questions.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 738

Ordered, the House concurring, that when the Senate and House adjourn, they do so 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.

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

COMMUNICATIONS

The Following Communication: H.P. 1505

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

March 15, 2022

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature

Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On March 15, 2022, 1 bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on March 15, 2022, as follows:

Criminal Justice and Public Safety

Bill "An Act To Allow County and Regional Communications Centers To Request Polygraph Examinations for Employees and Applicants for Employment" (EMERGENCY) (H.P. 1504) (L.D. 2024) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator DIAMOND of Cumberland and Representatives: COREY of Windham, FAY of Raymond) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Sincerely,

S/Robert B. Hunt
Clerk of the House

S/Darek M. Grant
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: H.P. 1508

March 17, 2022

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature

Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On March 17, 2022, 1 bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on March 17, 2022, as follows:

Environment and Natural Resources

Resolve, Regarding Legislative Review of Chapter 180: Appliance Efficiency Standards, a Late-filed Major Substantive Rule of the Department of Environmental Protection's Bureau of Air Quality (EMERGENCY) (H.P. 1507) (L.D. 2026) (Submitted by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council)

Sincerely,

S/Robert B. Hunt
Clerk of the House

S/Darek M. Grant
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: H.P. 1510

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

March 18, 2022

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature

Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On March 18, 2022, 1 bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on March 18, 2022, as follows:

Health and Human Services

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) (H.P. 1509) (L.D. 2027) (Submitted by the Department of Health and Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council.)

Sincerely,

S/Robert B. Hunt
Clerk of the House

S/Darek M. Grant
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

The Following Communication: S.C. 1194

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

March 21, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th 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 Agriculture, Conservation and Forestry has had under consideration the nomination of Ret. Brigadier General Diane L. Dunn of Newburgh, for appointment to the State Harness Racing Commission.

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	Dill, J. of Penobscot, Maxmin, C. of Lincoln
	Representatives	7	Bernard, S. of Caribou, Gifford, J. of Lincoln, Hall, R. of Wilton, Landry, S. of Farmington, Osher, L. of Orono, Pluecker, B. of Warren, Underwood, J. of Presque Isle
NAYS		0	
ABSENT		4	Sen. Black, R. of Franklin, Rep. O'Neil, M. of Saco, Rep. McCrea, D. of Fort Fairfield, Rep. Skolfield, T. of Weld

Nine 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 Ret. Brigadier General Diane L. Dunn of Newburgh, for appointment to the State Harness Racing Commission be confirmed.

Signed,

S/Jim Dill
Senate Chair

S/Maggie O'Neil
House Chair

READ and **ORDERED PLACED ON FILE**.

The President Pro Tem laid before the Senate the following: "Shall the recommendation of the Committee on **TRANSPORTATION** be overridden?"

The Chair noted the absence of the Senator from Cumberland, Senator **DAUGHTRY**, the Senator from Cumberland, Senator **SANBORN**, and the Senator from York, Senator **LAWRENCE**, and further excused the same Senators 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 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#626)

YEAS: Senators: None

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAVIS, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, JACKSON, KEIM, LIBBY, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT PRO TEM DESCHAMBAULT

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON JUDICIARY**

March 22, 2022

Honorable Troy Dale Jackson, President of the Senate
Honorable Ryan Michael Fecteau, Speaker of the House
130th Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1728 An Act To Provide Assistance to Law Enforcement Officers To Allow Them To Protect the Residents of the State

This is notification of the Committee's action.

Sincerely,

S/Sen. Anne Carney
Senate Chair

S/Rep. Thom Harnett
House Chair

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

EXCUSED: Senators: DAUGHTRY, LAWRENCE, SANBORN

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being excused, and none 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 Ret. Brigadier General **Diane L. Dunn** of Newburgh for appointment to the State Harness Racing Commission was **CONFIRMED**.

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

The Following Communication: S.C. 1196

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

March 21, 2022

Honorable Troy Dale Jackson, President of the Senate
Honorable Ryan Michael Fecteau, Speaker of the House
130th Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Energy, Utilities and Technology has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1955 An Act To Facilitate Net Energy Billing

This is notification of the Committee's action.

Sincerely,

S/Sen. Mark W. Lawrence
Senate Chair

S/Rep. Seth A. Berry
House Chair

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

The Following Communication: S.C. 1197

The Following Communication: S.C. 1189

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 21, 2022

Honorable Troy Dale Jackson, President of the Senate
Honorable Ryan Michael Fecteau, Speaker of the House
130th Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor and Housing has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 464 An Act To Change Certain Labor Laws

L.D. 468 An Act To Amend the Laws Governing Labor and Housing

L.D. 831 An Act To Aid Workforce Development

L.D. 907 An Act Concerning State Pension Funds and Climate Change

This is notification of the Committee's action.

Sincerely,

S/Sen. Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Rep. Mike A. Sylvester
House Chair

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

ORDERS

Joint Orders

Expression of Legislative Sentiment recognizing:

The Dirigo High School Boys Basketball Team, of Dixfield, which won the Class C State Championship. We extend our congratulations and best wishes;

SLS 831

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: PICKETT of Dixfield.

The Joint Order was **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Madame President. Ladies and gentlemen of the Senate, it is my honor to recognize today the Class C Boys Basketball State Champions, the Dirigo High School Cougars, from my own hometown of Dixfield. The Dirigo team entered the tournament ranked third and quickly proved to everyone that they were a formidable opponent. In the Southern Maine Championship game, which kept fans on the very edge of their seats, Dirigo found themselves behind going into the fourth quarter but they rallied and went on to an outstanding win. Their State Championship game will be one that is long remembered and celebrated. At one time down by 13, the team again battled back and then, with the game tied and only seconds left on the clock, the Cougars inbounded the ball and brought about the historic finale when Charlie Houghton's 3-point buzzer beater from the left wing lifted Dirigo to a dramatic 59-56 victory. This incredible win brought the first State Championship for Dirigo since 2012, when their Coach, Cody St. Germain, was a senior on that same team. Madame President, I am proud of these young, talented men and their coaches, Cody St. Germain and Nathan Schultz. They never gave up. They represented their school and their community with pride. The team has only one senior, Wyatt Smith, and Smith will certainly be missed. He was a tremendous leader on the team and a role model of his peers, exemplifying our State's motto and his school's name. I expect to see this team back at the tournament next year with everybody

being a bit nervous and them being the team to beat. I thank you all for joining me in recognizing this team today. It is definitely an honor always to have anyone from our districts come join us and especially when we can celebrate the good things in life along with aspiring young men like this. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT PRO TEM: It is my distinct pleasure to recognize in the rear, or I should say in the balcony, the Dirigo Boys Basketball Team. And I will read your names and would like you to stand up. I'm a big sports fan and I love it when you guys come here. Trent Holman; Trenton Hutchinson; Dakota Tompkins; Charlie Houghton; Ryan Wing; Mason Ducharme; Travis Wright; Logan Timberlake; Wyatt Smith; Nathaniel Wainwright; Bode Gray; Austin Adams; Karl Blodgett; and less we forget, Coaches Cody St. Germain and Nathan Schultz. They wouldn't have arrived here today if it wasn't for bus driver, Aaron Arsenault. Thank you. They are from Dixfield and they are our guests today from Oxford County and thanks to Senator Keim. Would the guests stay standing and accept the greetings of the Maine Senate. Thank you.

Joint Resolution

On motion by Senator **POULIOT** of Kennebec, the following Joint Resolution:

S.P. 741

**JOINT RESOLUTION
RECOGNIZING MAINE'S REALTORS**

WHEREAS, the Maine Association of REALTORS® has more than 6,000 members actively involved in the business of real estate and it has approximately 360 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 \$113,800 to the economy and the real estate industry accounts for 19% of the gross state product; and **WHEREAS**, the real estate market in Maine is strong, as evidenced by the number of home sales increasing by 4.2% to 24,173 homes sold in 2021 with a value of \$8,900,000,000; 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 Thirtieth Legislature now assembled in the Second Regular 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.

READ and ADOPTED.

Sent down for concurrence.

Joint Resolution in Memoriam:

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

Carmine Pecorelli, of Belfast. Mr. Pecorelli was a veteran of World War II, the Korean War and the Vietnam War and an icon among Maine veterans and the community beyond. First enlisting in the United States Navy in 1943, he earned the rank of Radarman Second Class before joining the United States Army Reserves and earning the rank of Sergeant Major. Later in life, he volunteered with the Belfast Veterans of Foreign Wars, Troop Greeters and Wreaths Across America. Mr. Pecorelli will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 812

Sponsored by Senator CURRY of Waldo.

Cosponsored by Representatives: DODGE of Belfast, KINNEY of Knox.

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

Senator **CURRY**: Thank you. I request the item 4-27 be read and then I wish to speak afterwards.

The Joint Resolution was **READ**.

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

Senator **CURRY**: Thank you. I wish to speak briefly. I've known, had the great pleasure of knowing Carmine Pecorelli for a number of years and if you've met Mr. Pecorelli then you know you've met a great person. Incredible joy and just attracted people to him,

and great intellect, great integrity, but a joyous spirit. I cannot remember what we had spoken about but I know I have felt just joy at being with him so many times over the years and I just wanted to not let this moment pass without recognizing that this great man has passed. Thank you.

Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Somerset, Senator Farrin.

Senator **FARRIN**: Thank you, Madame President. Just real briefly to echo the comments from my colleague from Waldo. If you had the opportunity to meet Carmine, he put a smile to your face and he wasn't just involved in his local veteran's affairs, he was out across the state. You'd go to any event and Carmine would be there. For the longest time, he drove himself and you wouldn't think that he was in his 90's and where he was at. He had that energy level and he'd always tell the story about the bombing of Pearl Harbor and the next day, what that was like and the call for patriotism and joining the services and everything else. I mentioned my buddy, Nunzio, just on Tuesday. Nunzio and Carmine were good friends and I felt like the young kid between those two bantering back and forth. As I said, we're going to miss Carmine. What a treasure for the state of Maine and for this nation and thank you for recognizing our dear friend.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Laws Governing the Maine Length of Service Award Program"

H.P. 1338 L.D. 1797

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-816)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-816)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-816) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **MARINE RESOURCES** on Bill "An Act To Provide for Special Fees for Certain Aquaculture Lease Applications and To Amend Other Provisions in the Laws Governing Aquaculture Leases"

H.P. 1365 L.D. 1844

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-815)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-815)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-815) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Codify the Senate and House Legislative Districts, the Congressional Districts and the County Commissioner Districts as Enacted by the Legislature" (EMERGENCY)

H.P. 1448 L.D. 1936

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-820)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-820)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-820) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Concerning Winter Maintenance on Private Roads in the Town of Windham" (EMERGENCY)

H.P. 1468 L.D. 1975

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-814)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-814)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-814) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Eliminate Inactive Boards and Commissions"

H.P. 1488 L.D. 2002

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-819)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-819)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-819) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Prevent and Reduce Tobacco Use by Ensuring Adequate Funding for Tobacco Use Prevention and Cessation Programs and by Raising the Tax on Tobacco Products and To Provide Funding To Reduce Disparities in Health Outcomes Based on Certain Factors"

H.P. 1039 L.D. 1423

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (H-812)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-812)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "B" (H-812) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TRANSPORTATION** on Bill "An Act To Coordinate Marine Port Development"
H.P. 1337 L.D. 1796

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-818)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-818)**.

Report **READ** and **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-818) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The President Pro Tem requested the Sergeant-At-Arms escort the Senator from Aroostook, Senator **JACKSON**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from York, Senator **DESCHAMBAULT**, to her seat on the Floor.

The Senate was called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Protect the Reproductive Rights and Freedoms of Maine People"
S.P. 156 L.D. 811

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Signed:

Senators:
CARNEY of Cumberland
SANBORN of Cumberland

Representatives:
HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:
KEIM of Oxford

Representatives:
HAGGAN of Hampden
LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** Report.)

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority Report and the Bill be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, in general, when we look to rerefer a bill I am in favor and go along because it's generally something that has to do with, you know, either committees having equal jurisdiction over an issue or something that is a substantive reason for doing so. This bill we had for over a year in our possession and at this point now, this late in the session, we're rereferring it to another committee and we can't even discuss the bill because it's a concept draft. So, this, you know, we've just been given notice that we have to work on a State holiday because we have so much in front of us and so that is why I voted against rereferring the bill. We really should be conscience of the amount of work we have and respecting the process and the workloads in both HHS and Judiciary, which have been severely overloaded this session. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Moore.

Senator **MOORE:** Thank you, Mr. President, and I stand in support of what Senator Keim is speaking about this bill being referred at such a late date. Right now it's just a concept draft. There's actually no information in it for us to even be able to talk about it in the HHS Committee. I've heard some understanding that it has something to do with Family Planning Services. However, we have no information because it is a concept draft. When you look at going through the thought process behind the

bill, if it is indeed dealing with Family Planning Services, there is lines in the Supplemental Budget that are already providing some one-time funding for the Family Planning Services. It was also amended coming out of the HHS Committee and additional funding was provided from the General Fund of \$320,058 and then federal was \$844,304. So, I'm feeling like there's really no sense in this bill even being brought forward to the HHS Committee for any further handling. Thank you.

Senator **BENNETT** of Oxford moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Bennett.

Senator **BENNETT:** Thank you, Mr. President. The other day we had a bill that came out of the ENR Committee that was a concept draft I similarly moved to Indefinitely Postpone. Last night I looked at this bill. It's a concept draft. At least the one in ENR actually had a public hearing and a work session. We knew, probably, what was going to be reintroduced when it went to committee. This one we don't even know. I went to the report last evening in prepping for today's session and I see a title. I see no discussion in committee. No proposed amendment. No OPLA analysis. Absolutely nothing. We're four weeks from statutory adjournment. If somebody's got a good idea I don't oppose it being introduced but it would be nice to have the actual language of the bill go through Legislative Council. The Legislative Council can decide whether or not it constitutes the urgency that the Second Regular Session demands and then allow for introduction so the public can actually know what is being considered and we can send it in due process to committee, have it debated, have it worked, and then sent up to the House and Senate Floors for consideration. So, that's why I encourage you to Indefinitely Postpone this bill and let's let regular order prevail. Thank you.

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 (#627)

YEAS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, MIRAMANT, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, KEIM, LAWRENCE, LIBBY, MAXMIN, RAFFERTY, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: DAUGHTRY, SANBORN

13 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BENNETT** of Oxford to **INDEFINITELY POSTPONE** the Bill and accompanying papers **FAILED**.

The pending question before the Senate was the motion by Senator Carney of Cumberland to **ACCEPT** the Majority Report and the Bill be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Senator **BREEN:** Thank you, Mr. President. Mr. President, men and women of the Senate, I want to offer my sincere apology. This is my bill and I simply lost track of it. My aide has been out sick. I've been focused on the budget. I apologize for the late change in jurisdiction. There is an amendment that is going to be heard in front of the Health and Human Services Committee. If I neglected to post it because I didn't check a box I will take responsibility for that. That amendment is available and I will have the Revisor's Office post it as quickly as possible today. So, thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Report and the Bill be Referred to the Health and Human Services Committee. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#628)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, KEIM, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: DAUGHTRY, SANBORN

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority Report and the Bill be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES PREVAILED**.

Senator **VITELLI** of Sagadahoc moved the Senate **RECONSIDER** whereby it **ACCEPTED** the Majority Report and the Bill be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#629)

YEAS: Senators: BENNETT, DILL, FARRIN, TIMBERLAKE

NAYS: Senators: BAILEY, BALDACCI, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, GUERIN, HICKMAN, KEIM, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: DAUGHTRY, SANBORN

4 Senators having voted in the affirmative and 28 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **VITELLI** of Sagadahoc to **RECONSIDER** whereby the Majority Report was **ACCEPTED** and the Bill be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES FAILED**.

Sent down for concurrence.

The Chair moved that all matters thus acted upon be ordered sent down forthwith for concurrence.

Senator **STEWART** of Aroostook **OBJECTED** to sending forthwith for concurrence.

Same Senator requested a Roll Call.

THE PRESIDENT: The Chair would ask the Senator from Aroostook what the objection is to.

Senator **STEWART:** Thank you, Mr. President. It's Suspension of the Rules to Send it Forthwith.

THE PRESIDENT: The Senator from Aroostook, Senator Stewart, has asked for a roll call on the motion to send forthwith, which is acceptable and so, with that, I actually need one-fifth of the members present to get a roll call. If you are in favor of a roll call please indicate by raising your hand.

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 motion I was about to make that the good Senator from Aroostook was asking for a roll call was the motion to forthwith everything. The Secretary has just advised me that because we did a roll call on reconsideration the bill had already been released because there was no reason to hold it for the next day. The bill was automatically released because we asked for Reconsideration. So, my motion to forthwith was actually out of order on that. Anything else we had in front of us certainly we

could roll call, forthwith them, but the motion to Commit that bill is actually gone. It's off to the House already.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

Senator **STEWART** of Aroostook requested and received leave of the Senate to withdraw his motion for a Roll Call.

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees" (EMERGENCY)

H.P. 832 L.D. 1154

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-809)**.

Signed:

Senator:
LAWRENCE of York

Representatives:
WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

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

Signed:

Senators:
DESCHAMBAULT of York
CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-809)**.

Reports **READ**.

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. Colleagues, the title of this bill is 'An Act to Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees.' This bill sets in statute the work hours of jail staff. I submit that not one size fits all. There are sixteen counties in Maine and 15 jails. One jail is shared by two Sheriffs. The larger, full service, jails like Cumberland, Penobscot, and Androscoggin, and York, there is one regional jail managed by the two counties, as I said, and also one with a work release program and some are specialized programs, such as the veteran's pod that you'll find at Kennebec County, where any veteran in any jail in the state can be transferred. This is a specialized pod. There's also a jail that is only 72 hours in operation. It's a holding jail, and I believe that's Piscataquis County. This bill attempts to regulate hours for all of them. Originally this bill was stated no more than 16 hours within a 24 hour period to work. My reason came to the forefront of Ought Not to Pass when the amendment was 18 hours within a 24 hour period. Jails are funded and operated by the counties. All correctional staff are served by a union. All are subject to collective bargaining agreements, including work conditions and hours. I will tell you that the Maine Sheriff's Association testified neither for nor against but also cautioned about the bill. County Commissioner's Association submitted testimony and testified against. Labor unions opposed this bill, except for one. Given the varying operations within Maine's jails, we have heard testimony that work hours with all these varying jails can be either an 8 hour day, a 10 hour day, or a 12 hour day shift and are determined as necessary due to the operational needs of that facility. Work hours standardized by a statute does not allow for future negotiations based on institutional needs. The amended bill is directed only to county jails. Why and why not? Please vote green on Ought Not to Pass.

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

Senator **LAWRENCE:** Thank you, Mr. President, and I respectfully rise to ask you to oppose the motion and, hopefully, we can get on to debating what I think is a wonderful Majority Report, well written and well thought out in approaching this situation, and would seek to set, essentially, a ceiling on hours

that people in corrections, county corrections, could work, and it is supported by one of the labor unions. I'm not sure, I haven't heard any other labor union that opposed it and I'd be interested if anybody knows, could give me the name of the labor union that opposed it. I don't see any in the written testimony. I have not heard from any that opposes it. The State has a perfect right to do this and has a responsibility to do this because correction officers serve an important function on behalf of the State detaining people who are being detained against their will. They are detained against their will and we have a vested interest to see that they are well rested, they are not overworked, that their work hours are within a reasonable range of circumstances, and that's what the Majority Report would attempt to do. Thank you, Mr. President.

On motion by Senator **LAWRENCE** of York, 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 (#630)

YEAS: Senators: **BALDACCI, BENNETT, BLACK, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME**

NAYS: Senators: **BAILEY, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON**

EXCUSED: Senators: **DAUGHTRY, SANBORN**

17 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Repeal the Law Regarding the County Jail Reimbursement Fee"

H.P. 1396 L.D. 1886

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

Signed:

Senator:
DESCHAMBAULT of York

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

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

On motion by Senator **CYRWAY** of Kennebec, 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 Kennebec, Senator Cyrway.

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill it's more of a tool for a judge, that were taken away, and I kind of compare it to, you know, if you notice on there they have three retired police officers that's against this bill because it's kind of like if you were a doctor and going to have a tool taken away and you have the nurses see that the reason why because that it shouldn't be taken away because of what they've seen, how it helps people. Actually, this is more of a deterrent than actually a law that puts people in jail because, for example, you know, in my field, I used to be in corrections and I've seen a few prisoners that actually did not want to leave the jail and so the judge tried to discourage them from staying in the jail by saying this fee could be put on you if you decide to stay because we're not - we're going to have to charge a hotel fee, you know, kind of like or it might be a contempt of court. Many times you've probably watched on TV where they say contempt of court, we're going to charge you this much per day because they don't want to obey what the courts ask and so these are the reasons why you have this reimbursement fee and many times it's a deterrent to stay out of jail and you don't want people in jail. I don't know why you would vote for this bill because you'd actually be keeping them in jail when they can actually be released and give them that option. So, this is really a comparison of a judge with law enforcement thinking that this is a great tool and also the judge has that option where you've taken a

tool that really they do not abuse. I think we've only used it maybe once or twice in the last few years, as far as actually putting it in where they put somebody actually in jail for charging. Most of the time it's used as a deterrent through the years. In my experience, I've judges say that and it worked. So, I think that this is actually a good tool to keep in the judge's box. So, I would vote against this motion. Thank you, Mr. President, and thank you, ladies and gentlemen of the Senate.

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

Senator **BALDACCI:** Thank you, Mr. President. I just want to say, first of all, I have an enormous amount of respect for Senator Cyrway and sometimes I vote with him and sometimes I don't, but on this issue I think that Senator Deschambault and her committee have really defined the issue well. The courts have plenty of tools. They have imprisonment. They have probation. In terms of monetary penalties, they always have fines. Those are paid to the State. This is one that's paid directly to the county. But I have seen this. Before the pandemic, I have seen this in the Superior Courts in Bangor and in that region used. I understand that my good friend feels it's not been abused but the potentiality is there. It's really not needed at this point in time and I think there are other alternatives. So, I think this is, and I don't want to create a debtor's prison which is where this could go if it were abused. So, for all those reasons, I will be voting with the Majority Ought to Pass report. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#631)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: DAUGHTRY, SANBORN

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence, **PREVAILED**.

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

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

THE PRESIDENT: The Chair would like to clarify on item 5-23, L.D. 811, that was taken up previously, 5-23. For a moment the board said the motion was Ought to Pass as Amended, which was accurate. The Ought to Pass report did pass but that report was to Commit the bill to Health and Human Services. We did not pass that piece of legislation. We passed a report to commit it to committee. So, just to be clear, that piece of legislation possibly could be coming back to us in another way but we did not pass that legislation yet.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Allow Unorganized Territory School Staff To Receive Annualized Pay" H.P. 1331 L.D. 1780

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-817).**

Signed:

Senators:

- RAFFERTY of York
- DAUGHTRY of Cumberland
- WOODSOME of York

Representatives:

- BRENNAN of Portland
- DODGE of Belfast
- LYMAN of Livermore Falls
- McCREA of Fort Fairfield
- MILLETT of Cape Elizabeth
- ROCHE of Wells
- SALISBURY of Westbrook
- STEARNS of Guilford

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

Signed:

Representative:

- SAMPSON of Alfred

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-817).**

Reports **READ.**

On motion by Senator **RAFFERTY** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE.**

Committee Amendment "A" (H-817) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Strengthen the Governance of the Maine Community College System and University of Maine System" (EMERGENCY)

H.P. 1353 L.D. 1820

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-811).**

Signed:

Senator:

- RAFFERTY of York

Representatives:

- BRENNAN of Portland
- CROCKETT of Portland
- DODGE of Belfast
- McCREA of Fort Fairfield
- MILLETT of Cape Elizabeth
- SALISBURY of Westbrook

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

Signed:

Senator:

- WOODSOME of York

Representatives:

- LYMAN of Livermore Falls
- ROCHE of Wells
- STEARNS of Guilford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-811) AS AMENDED BY HOUSE AMENDMENT "A" (H-821)** thereto.

Reports **READ**.

On motion by Senator **RAFFERTY** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-811) **READ**.

House Amendment "A" (H-821) to Committee Amendment "A" (H-811) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-811) as Amended by House Amendment "A" (H-821) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-811) AS AMENDED BY HOUSE AMENDMENT "A" (H-821)** thereto, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Update the Consumer Credit Laws Related to Legal Funding Practices"

H.P. 1455 L.D. 1956

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

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BLIER of Buxton
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn
QUINT of Hodgdon

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

CONNOR of Lewiston
MORRIS of Turner

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

Reports **READ**.

On motion by Senator **BRENNER** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Resolve, Directing the Maine Human Rights Commission To Extend Its Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues

H.P. 1381 L.D. 1871

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-806)**.

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden
LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-806)**.

Reports **READ**.

On motion by Senator **CARNEY** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Resolve **READ ONCE**.

Committee Amendment "A" (H-806) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Governing Name Changes"
H.P. 1407 L.D. 1900

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-807)**.

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden
LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-807)**.

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 (#632)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: DAUGHTRY, SANBORN

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-807) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Provide Funding for Guardians Ad Litem"
H.P. 1424 L.D. 1918

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-808)**.

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
HAGGAN of Hampden
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-808)**.

Reports **READ**.

On motion by Senator **CARNEY** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-808) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Whistleblowers' Protection Act To Ensure Coverage in Unionized Workplaces"

H.P. 1399 L.D. 1889

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

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

On further motion by same Senator, 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 (#633)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: DAUGHTRY, SANBORN

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence, **PREVAILED**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow Municipalities To Use Ranked-choice Voting in Municipal Elections"
H.P. 627 L.D. 859

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-813)**.

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
PAULHUS of Bath
RISEMAN of Harrison

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

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
TUELL of East Machias

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-813)**.

Reports **READ**.

On motion by Senator **BALDACCI** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Update Statutory References to Building Code Standards for Public Improvements"
H.P. 1336 L.D. 1795

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

Signed:

Senator:

BALDACCI of Penobscot

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
PAULHUS of Bath
RISEMAN of Harrison

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

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
TUELL of East Machias

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. I would just like to pose a question for clarity on my own. There was a conversation this morning on whether this was going to affect schools and whether it was going to create a mandate in schools and I would just like to know if somebody could clarify that for me please.

THE PRESIDENT: The Senator from Androscoggin, Senator Timberlake, has posed a question through the Chair to anyone who may answer. The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACCI:** Thank you, Senator Timberlake. My understanding is that these will only be buildings in which state employees are in, but that is my understanding. So, it may apply to schools but it's really a housekeeping bill, just to have them updated to the latest codes that are available and generally will be used only when there's a substantial renovation going to occur.

On motion by Senator **BALDACCI** of Penobscot, the Majority **OUGHT TO PASS** Report **ACCEPTED**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Allow for a Variance Rate in the Amount and Potency of Cannabinoids in Adult Use Edible Marijuana Products"

H.P. 1367 L.D. 1846

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

Signed:

Senators:

- HICKMAN of Kennebec
- FARRIN of Somerset
- MIRAMANT of Knox

Representatives:

- CAIAZZO of Scarborough
- COREY of Windham
- HARRINGTON of Sanford
- KINNEY of Knox
- McCREIGHT of Harpswell
- RIELLY of Westbrook
- SUPICA of Bangor
- WOOD of Portland

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

Signed:

Representative:

- DOLLOFF of Milton Township

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

On motion by Senator **HICKMAN** of Kennebec, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

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

Senate

Ought to Pass As Amended

Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Make Changes to the Laws Governing the Child Welfare Services Ombudsman Program"
S.P. 698 L.D. 1960

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-453)**.

Report **READ** and **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-453) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Senator DILL for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Amend the Definition of 'Oversized ATV' To Increase the Minimum Weight Requirement" (EMERGENCY)

S.P. 640 L.D. 1813

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-452)**.

Report **READ** and **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-452) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Increase Funding for the Animal Welfare Fund by Increasing Certain Fees"
S.P. 599 L.D. 1744

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-454)**.

Signed:

Senators:

- DILL of Penobscot
- BLACK of Franklin

Representatives:

- BERNARD of Caribou
- GIFFORD of Lincoln
- HALL of Wilton
- LANDRY of Farmington
- SKOLFIELD of Weld
- UNDERWOOD of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-455)**.

Signed:

Senator:
MAXMIN of Lincoln

Representatives:
O'NEIL of Saco
McCREA of Fort Fairfield
OSHER of Orono
PLUECKER of Warren

Reports **READ**.

Senator **DILL** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-454)** Report.

On further motion by same Senator, 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 Lincoln, Senator Maxmin.

Senator **MAXMIN:** Thank you, Mr. President. I rise in opposition to this motion. I support increasing funding for the Animal Welfare Fund. I think that there are ways to do it that do not put the burden on taxpayers. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Mr. President. I would agree with that. Both of these reports will fund Animal Welfare properly but it's a question of where the money comes from and if we pass the pending motion we're going to have a bill that goes to the table that may not get funded. So, I'd much rather have a small adjustment in the fee that's currently covered by industry to pay for this and make sure that it's actually going to happen. As we know, these funds have not been increased, I believe, in about 20 years. So, I will be opposing this motion as well.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" (S-454) Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#634)

YEAS: Senators: BLACK, CYRWAY, DAVIS, DILL, FARRIN, GUERIN, KEIM, LAWRENCE, ROSEN, STEWART, TIMBERLAKE

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, HICKMAN, LIBBY, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: DAUGHTRY, SANBORN

11 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **DILL** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-454)** Report **FAILED**.

The motion before the Senate was **ACCEPTANCE** of the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-455)**.

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 Androscoggin, Senator Timberlake.

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I won't be supporting this motion. This is a tax increase on the pet owners of the state of Maine. This is raising - this proposal raises the price of pet food and taxes on that food and so I will not be supporting it because it is a tax increase.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Breen.

Senator **BREEN:** Thank you, Mr. President. Mr. President, I would pose a question through the Chair.

THE PRESIDENT: The Senator may proceed.

Senator **BREEN:** I'm not aware of anywhere in the amendment that proposes an increase, in the bill or in the amendment, that proposes an increase in anything related to consumers or consumer goods or taxes. So, if Senator Timberlake could point that out to me I'd appreciate it.

THE PRESIDENT: The Senator from Cumberland, Senator Breen, has posed a question through the Chair to anyone that may answer. The Chair recognizes the Senator from Franklin, Senator Black.

Senator **BLACK:** Thank you, Mr. President. I believe that the amendment puts a \$20 increase on pet food fees that come into the state of Maine.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Maxmin.

Senator **MAXMIN:** Thank you, Mr. President. There is an increase but it's on the folks who manufacture the pet food, which are large corporations like Purina, not the consumer.

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

Senator **TIMBERLAKE:** Again, Mr. President, I say, ladies and gentlemen of the Chamber, it is a tax increase because if you put a fee onto the manufacturers they will pass it on. That's the way the American system works, the free market system works. So, for that reason, I will not be supporting it.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority Ought to Pass as Amended by Committee Amendment "B" (S-455) Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#635)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, MOORE, RAFFERTY, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: DAUGHTRY, SANBORN

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-455) ACCEPTED.**

Bill **READ ONCE.**

Committee Amendment "B" (S-455) **READ** and **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-455).**

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Transfer the St. Francis Water District to the Town of St. Francis and To Repeal the St. Francis Water District Charter
S.P. 641 L.D. 1814
(C "A" S-433)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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 approval.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Raise the Debt Limit of the Eagle Lake Water and Sewer District" (EMERGENCY)
H.P. 1514 L.D. 2033

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

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

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

ENACTORS

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

Emergency Measure

An Act To Revise Certain Financial Regulatory Provisions of the Maine Insurance Code To Be Consistent with Model Laws from the National Association of Insurance Commissioners
S.P. 642 L.D. 1815
(C "A" S-425)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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 approval.

Emergency Measure

An Act To Update the Designation of Vietnam War Remembrance Day

S.P. 718 L.D. 2000

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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 approval.

**Pursuant to Constitution
Public Land**

Resolve, Authorizing the Bureau of Parks and Lands To Authorize Additional Construction and Installations Related to a Telecommunications Tower on Bald Mountain in the Town of Rangeley

S.P. 712 L.D. 1981
(C "A" S-434)

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 32 Senators having voted in the affirmative and no Senators having voted in the negative, and 32 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 Enhance the Ecological Reserve System

H.P. 541 L.D. 736
(C "A" H-771)

An Act To Achieve Carbon Neutrality in Maine by the Year 2045

H.P. 1045 L.D. 1429
(C "A" H-775)

An Act To Align Postpartum MaineCare Coverage with Federal Law

S.P. 617 L.D. 1781
(C "A" S-429)

An Act To Ensure Health Insurance Coverage for Certain Adults with Disabilities

H.P. 1339 L.D. 1798
(C "A" H-776)

An Act To Require Reporting by the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species Regarding Recommendations To Reduce the Threat of Further Infestations

H.P. 1359 L.D. 1826
(C "A" H-774)

An Act Requiring a Contract for the Administration of the Department of Agriculture, Conservation and Forestry's Low-cost Spaying and Neutering Program

S.P. 644 L.D. 1828
(C "A" S-428)

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

An Act To Increase Capacity for Slaughtering and Meat Processing in Maine

S.P. 201 L.D. 493
(C "A" S-435)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, in concurrence.

An Act To Require Screening for Cytomegalovirus in Certain Newborn Infants

S.P. 603 L.D. 1747
(C "A" S-432)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, in concurrence.

An Act To Improve Health Care Affordability and Increase Options for Comprehensive Coverage for Individuals and Small Businesses in Maine

H.P. 1329 L.D. 1778
(C "A" H-773)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#636)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: CURRY, DAUGHTRY, SANBORN

18 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolves

Resolve, To Study the Impacts of Consumer Fireworks Use
S.P. 430 L.D. 1348
(C "A" S-423)

Resolve, Authorizing the Maine National Guard To Sell Certain Property in Hallowell
S.P. 602 L.D. 1852
(C "A" S-431)

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

Resolve, To Establish a Pilot Program To Encourage Climate Education in Maine Public Schools
H.P. 1409 L.D. 1902
(H "A" H-778 to C "A" H-769)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**, in concurrence.

Resolve, To Establish the Advisory Panel To Better Understand and Make Recommendations Regarding the Implications of Genome-editing Technology for the Citizens of the State
H.P. 1322 L.D. 1771
(C "A" H-770)

On motion by Senator **VITELLI** of Sagadahoc, placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

Resolve, Establishing the Working Group To Review and Recommend Improvements to the Seed Capital Investment Tax Credit

S.P. 682 L.D. 1941
(C "A" S-430)

On motion by Senator **VITELLI** of Sagadahoc, placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

Unfinished Business

The following matters 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 (2/10/22) matter:

Resolve, Directing the Department of Transportation To Convene a Study Group To Examine Bridge Safety
S.P. 707 L.D. 1976

Tabled - February 10, 2022 by Senator **DIAMOND** of Cumberland

Pending - **REFERENCE**

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

(In Senate, February 10, 2022, **READ**.)

Senator **VITELLI** of Sagadahoc moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**.

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

Senator **CLAXTON**: Thank you, Mr. President. I just want to let the assembly know, and thank you for your time, that the reason this is being Indefinitely Postponed is because the system worked. A number of the stakeholders came together to try to begin to address this issue and actually expanded the consideration of a study group that would look at how to make Maine's bridges safer and how to exceed the code standards that are promulgated by the feds. So, Maine can make their standards better and they can address the issue of how to make our bridges safer. So, this particular piece of legislation is unnecessary and I'm grateful to the various stakeholders, the Department of Transportation, the Transportation Committee, NAMI of Maine, and several other folks who are part of this conversation. I just wanted to flag that the system works. Thank you, sir.

On motion by Senator **VITELLI** of Sagadahoc, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/16/22) matter:

JOINT ORDER - Authorizing the Joint Standing Committee on Veterans and Legal Affairs To Report Out a Bill to the Second Regular Session of the 130th Legislature Updating the Designation of Vietnam War Remembrance Day under the Maine Revised Statutes, Title 1, section 150-G
H.P. 1462

Tabled - February 16, 2022 by Senator **HICKMAN** of Kennebec

Pending - **PASSAGE**, in concurrence

(In House, February 10, 2022, **PASSED**.)

(In Senate, February 16, 2022, **READ**.)

On motion by Senator **VITELLI** of Sagadahoc, the Joint Order **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Assigned (3/9/22) matter:

Bill "An Act Regarding the Authority of Municipalities To Regulate Timber Harvesting"

S.P. 728 L.D. 2012

Tabled - March 9, 2022 by Senator **DILL** of Penobscot

Pending - **REFERENCE**

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

(In Senate, March 9, 2022, **READ**.)

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/9/22) matter:

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Contributing to Candidates and Political Action Committees"
S.P. 619 L.D. 1782

Majority - **Ought to Pass** (6 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - March 9, 2022 by Senator **DAUGHTRY** of Cumberland

Pending - motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS** Report

(In Senate, March 9, 2022, Reports **READ**.)

On motion by Senator **HICKMAN** of Kennebec, 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 Oxford, Senator Bennett.

Senator **BENNETT**: Thank you, Mr. President. I am - I would appreciate if someone could explain to me what this bill actually does. I've looked at the language a little bit, but very hurriedly given the time, and it would be wonderful to have an explanation of the - what this bill seeks to accomplish and how it gets there. Thank you.

THE PRESIDENT: The Senator from Oxford, Senator Bennett, has posed a question through the Chair. The Chair recognizes the Senator from Kennebec, Senator Hickman.

Senator **HICKMAN**: Thank you, Mr. President. Women and men of the Senate, I would just read briefly from the summary but first say that this bill was presented from former-Senator Luchini on behalf of Ethics. It is, basically, a housekeeping bill to clarify a few things. One, it clarifies that a ballot question committee may make contributions to a candidate up to the applicable limit as long as the funds for the contributions are not derived from a business entity, putting ballot question committees at the same status and fashion as Political Action Committees. It clarifies that a ballot question committee may only make contributions to a leadership PAC that does not aggregate more than the limit

applicable to Legislative candidates, again, the same as a Political Action Committee. It provides for an adjustment on that limit according to the rate of inflation, we forgot to do that last time, making that also the same as every other adjustment in statute. And it does - excuse me, I want to make sure I'm not confusing this with a different bill. No. There are two bills that are similar. This is the sister bill to that. It clarifies that a corporation, a membership organization, a cooperative, labor, or other organization that contribute paid staff time to their employees or independent contractors must have a separate segregated fund in order to express their Freedom of Speech Rights to contribute to candidates for office. I hope that clarifies the bill. Thank you, Mr. President.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS** Report. (Roll Call Ordered)

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

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

REPORTS OF COMMITTEES

Senate

Ought to Pass Pursuant to Joint Order

Senator **DIAMOND** for the Committee on **TRANSPORTATION** on Bill "An Act To Implement the Recommendations of the Motor Vehicle Inspection Working Group"

S.P. 742 L.D. 2032

Reported that the same **Ought to Pass**, pursuant to Joint Order 2021, S.P. 734.

Report **READ** and **ACCEPTED**.

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

Sent down for concurrence.

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

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Breen.

Senator **BREEN:** Thank you, Mr. President. Men and women of the Senate, as many of you know, yesterday the United States lost a giant who happened to stand at about 5' 2" in height. Young Madeleine Korbel and her parents fled her homeland of Czechoslovakia not once but twice, first fleeing an autocrat from the Right and Adolf Hitler in the 1940's and later fleeing an autocrat from the Left, Joseph Stalin, in the 1960's. Not only was Madeleine Korbel Albright the first woman to serve as U.S. Ambassador to the United Nations and later the first woman Secretary of State, she was a teacher and a prolific writer after she left those posts. As many memorials have mentioned, she also was a tremendous mentor to many in her later years, including me. I had the extraordinary honor of meeting with her late on a Friday afternoon in the fall of 2015. Knowing that her office would be filled with precious gifts from all over the world, I decided to bring to her a humble container of wild Maine blueberry jam. She thanked me profusely. In her office hangs a set of four framed documents. First, the ship's manifest from her voyage with her parents from Prague to New York. Second and third are the two documents appointing her to the U.N. and Office of the Secretary of State and, lastly, the document awarding her the Presidential Medal of Freedom. After that meeting, we corresponded regularly. She never failed to return one of my letters. Obviously, that says much more about her than it does about me. She told me that afternoon that she was just like so many other Americans whose families came here to pursue the promise that freedom and democracy offer. Perhaps it was her personal history that gave her insight into the unique role that the United States plays as a beacon of democracy in the larger world. In 2018 she wrote the book 'Fascism: a Warning' because, in her words, 'While democracy in the long run is the most stable form of government, in the short run it is among the most fragile.' I hope that the Body will join me in honoring her spirit and determination to fight autocracy, dictatorship, and anti-democratic trends wherever we see them, at home or abroad. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Mr. President. As you know, Mr. President, this has been a particularly challenging week, emotionally, in the county. We have had some substantial losses in both of our districts. Yours in the valley and mine in Houlton. While the details of those events are sort of unclear still, I just wanted to take time to acknowledge the significant loss of those families and ask that the members of this Chamber keep the families of the children who have passed away this last in their minds, in their thoughts, and certainly in their prayers, and would ask that we just take one moment of silence to honor the two children who have tragically passed away and pray for those who are still in critical condition. Thank you, Mr. President.

The Senate observed a moment of silence, remembrance, and prayer for the two children from Aroostook County who have tragically passed away and those who are still in critical condition and their families.

Off Record Remarks

On motion by Senator **CURRY** of Waldo and Senator **STEWART** of Aroostook, **ADJOURNED**, pursuant to the Joint Order, until call of the President of the Senate and the Speaker of the House in memory of and lasting tribute to Carmine Pecorelli of Belfast and the two children from Aroostook County.