

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

In Senate Chamber  
Tuesday  
May 9, 2023

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

Prayer by Chaplain Colonel Earl Weigelt of the Maine Army National Guard.

**CHAPLAIN WEIGELT:** Good morning, everyone. It's a blessing to be here. It is always a blessing to come to the State House, to see the flags, to see the plaques, and to remember, and to be blessed by it. I invite you to join me in the spirit of prayer.

O God, our help in ages past, we come before You today seeking your guidance, Your will, Your way, and Your healing. We are a nation of laws founded on the principle drawn from Your word that all people are created equal and as such have a deep yen for freedom. But freedom is not the absence of responsibility or accountability and so we craft laws in many respects patterned after Your word in order that we may enjoy peace and greater prosperity. Sometimes in spite of those laws, peace is broken, threats abound from without and within, and it seems our very foundations are shaken, and so we need Your hand to guide us and reprove us, to help and to heal us, to guard us and defend us. Thank You for those You send to us who live those things out in front of us, wise counselors in our public and private lives, compassionate caregivers who heal us body and mind, and those who go into harm's way between us and the wall of fire, between us and the wolf, to keep us safe. We pray for success in their missions on our behalf. We pray, God, for the good sense to be truly grateful for their efforts, to heed their warnings and advice as they come, and God, for Your will to be done on earth as it is in heaven. Amen.

Pledge of Allegiance led by Senator Eloise A. Vitelli of Sagadahoc County.

Reading of the Journal of Thursday, May 4, 2023.

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, under unanimous consent on behalf of Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.O. 20

**ORDERED**, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 11:00 this morning in the Hall of the House for the purpose of extending to Major General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.

**READ and PASSED.**

The Chair appointed the Senator from Sagadahoc, Senator **VITELLI**, to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Sagadahoc, Senator **VITELLI**, reported that she had delivered the message with which she was charged.

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

An Act to Protect Maine Taxpayers by Requiring a Person to Be a United States Citizen to Receive General Assistance Benefits and to Ensure Municipal Compliance with Federal Immigration Laws  
H.P. 437 L.D. 668

In Senate, May 3, 2023, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Senator **VITELLI** of Sagadahoc moved the Senate **INSIST**. Senator **KEIM** of Oxford moved the Senate **RECEDE** and **CONCUR**.

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 Penobscot, Senator **BALDACCI**, the Senator from Oxford, Senator **BENNETT**, the Senator from Somerset, Senator **FARRIN**, the Senator from York, Senator **LAWRENCE**, and the Senator from Aroostook, Senator **STEWART**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#124)**

YEAS: Senators: BLACK, BRAKEY, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, MOORE, POULIOT, TIMBERLAKE

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

EXCUSED: Senators: BALDACCI, BENNETT, FARRIN, LAWRENCE, STEWART

10 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **KEIM** of Oxford to **RECEDE** and **CONCUR FAILED**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **INSISTED**.

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**Non-Concurrent Matter**

An Act to Amend the Opioid Education Requirements  
H.P. 838 L.D. 1323

In Senate, May 3, 2023, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **INSISTED**.

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**Joint Resolution**

The following Joint Resolution:  
H.P. 1211

**JOINT RESOLUTION  
RECOGNIZING MAY 5, 2023 AS MISSING AND MURDERED  
INDIGENOUS PERSONS AWARENESS DAY**

WHEREAS, there are thousands of unsolved cases of missing and murdered Native Americans, including high case rates involving women and girls, including transgender women and girls; and

WHEREAS, the number of these cases is disproportionately high compared to cases among the population of the United States as a whole; and

WHEREAS, failure to demonstrate the necessary commitment to addressing and preventing this ongoing tragedy fails to honor the dignity and humanity of each person who goes missing or is murdered; and

WHEREAS, it is necessary to work with tribal nations to increase coordination among state and tribal entities to investigate and resolve these cases and ensure accountability; and

WHEREAS, it is also necessary to address the underlying causes of these cases, including sexual violence, human trafficking, domestic violence, violent crime, systemic racism, economic disparities and substance use and addiction, as well as to put in place a support system to bridge the gap for families in crisis and provide opportunities for healing through community-driven approaches; and

WHEREAS, the challenges in tribal communities are best met by solutions that are informed and shaped by tribal leaders and tribal governments; and

WHEREAS, an effective community response plan requires critical partnerships within and timely response from the community, tribal law enforcement and local, state and federal law enforcement; 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 May 5, 2023 as Missing and Murdered Indigenous Persons Awareness Day in order to remember the indigenous people we have lost and commit to working to ensure that any incident of a missing or murdered person is met with swift and effective action.

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

**READ** and **ADOPTED**, in concurrence.

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**COMMUNICATIONS**

The Following Communication: S.C. 434

**STATE OF MAINE  
DEPARTMENT OF DEFENSE, VETERANS AND  
EMERGENCY MANAGEMENT**

April 24, 2023

The Honorable Troy D. Jackson  
President of the Senate  
3 State House Station  
Augusta, Maine 04333-0003

The Honorable Rachel Talbot Ross  
Speaker of the House  
Room 303, State House  
2 State House Station  
Augusta, Maine 04333-0002

Dear Mr. President and Madam Speaker:

As the Commissioner of the Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 131st Maine Legislature on Tuesday, May 9th at 10:45 a.m.

Sincerely,

S/Major General Douglas A. Farnham  
Commissioner and Adjutant General

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 437

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 3, 2023

Honorable Troy Dale Jackson, Senate President  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Collamore of Pittsfield, to report the following bill Leave to Withdraw:

L.D. 309 An Act to Ensure Equitable Access to All Higher Education Institutions

Sincerely,

S/Sen. Joseph E. Rafferty, Jr.  
Senate Chair

S/Rep. Michael F. Brennan  
House Chair

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

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The Following Communication: S.C. 438

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 3, 2023

Honorable Troy Dale Jackson, Senate President  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Bridgeo of Augusta, to report the following bill Leave to Withdraw:

L.D. 18 An Act to Provide Ongoing Funding for up to 2 Years of Community College for in Maine Students

Sincerely,

S/Sen. Joseph E. Rafferty, Jr.  
Senate Chair

S/Rep. Michael F. Brennan  
House Chair

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

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The Following Communication: S.C. 440

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON HEALTH AND HUMAN SERVICES**

May 3, 2023

Honorable Troy Dale Jackson, Senate President  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Arata of New Gloucester, to report the following bill Leave to Withdraw:

L.D. 546 An Act Regarding Child Abuse and Endangerment

Sincerely,

S/Sen. Joseph M. Baldacci  
Senate Chair

S/Rep. Michele Meyer  
House Chair

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

The Following Communication: S.C. 439

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
JOINT SELECT COMMITTEE ON HOUSING**

May 4, 2023

Honorable Troy Dale Jackson, Senate President  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Shagoury of Hallowell, to report the following bill Leave to Withdraw:

L.D. 554 An Act to Continue the Rural Affordable Rental Housing Program

Sincerely,

S/Sen. Teresa S. Pierce  
Senate Chair

S/Rep. Traci Gere  
House Chair

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

The Following Communication: S.C. 435

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

May 3, 2023

Honorable Troy Dale Jackson, Senate President  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Timberlake of Androscoggin, to report the following bill Leave to Withdraw:

L.D. 1292 An Act to Increase the Prize Limits Allowed for Raffles

Sincerely,

S/Sen. Craig V. Hickman  
Senate Chair

S/Rep. Laura Supica  
House Chair

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

The Following Communication: S.C. 436

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

April 28, 2023

Honorable Troy Dale Jackson, Senate President  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Brakey of Androscoggin, to report the following bill Leave to Withdraw:

L.D. 1467 An Act to Establish the Maine Cannabis Research Committee and Facilitate Research into Alternative Therapeutics

Sincerely,

S/Sen. Craig V. Hickman  
Senate Chair

S/Rep. Laura Supica  
House Chair

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

The Following Communication: S.C. 441

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

May 04, 2023

Honorable Troy Dale Jackson, President of the Senate  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 67 An Act to Increase the Number of Educational Professionals by Accepting Out-of-state Certification
- L.D. 617 An Act to Foster Career and Technical Education in Maine Schools by Creating an Additional Pathway to Certify Industrial Arts Teachers
- L.D. 712 An Act to Extend or Waive Requirements for Certain Teaching Certificates
- L.D. 1020 Resolve, Directing the Department of Education to Update Course Requirements for Certification of Industrial Arts Teachers and to Finally Adopt Major Substantive Rules
- L.D. 1300 An Act to Give the Governing Board of a Municipality Input into the Budget Developed by a School Board

This is notification of the Committee's action.

Sincerely,

S/Sen. Joseph E. Rafferty Senate Chair  
S/Rep. Michael F. Brennan House Chair

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

The Following Communication: S.C. 442

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

May 01, 2023

Honorable Troy Dale Jackson, President of the Senate  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 700 Resolve, to Direct the Department of Inland Fisheries and Wildlife to Examine the Northern Pike Population in Sabattus Pond
- L.D. 1127 Resolve, Directing the Commissioner of Inland Fisheries and Wildlife to Create a Process for Real-time Confirmation of Live Bait Retailer's Licenses by Electronic Means

This is notification of the Committee's action.

Sincerely,

S/Sen. David P. LaFountain Senate Chair  
S/Rep. Scott Landry House Chair

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

The Following Communication: S.C. 443

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON JUDICIARY**

May 04, 2023

Honorable Troy Dale Jackson, President of the Senate  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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. 1259 An Act to Recover Legal Fees for Low-income Individuals in Actions or Proceedings
- L.D. 1414 An Act to Ensure Involvement of Adopted Youth in the Determination of Continuing Financial Support Under the Adoption Assistance Program

This is notification of the Committee's action.

Sincerely,

S/Sen. Anne Carney Senate Chair  
S/Rep. Matt Moonen House Chair

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

The Following Communication: S.C. 444

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON STATE AND LOCAL GOVERNMENT**

May 03, 2023

Honorable Troy Dale Jackson, President of the Senate  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 501 Resolve, Authorizing the Department of Administrative and Financial Services to Convey the Interests of the State in Certain Real Property Located in Machiasport

This is notification of the Committee's action.

Sincerely,

S/Sen. Tim Nangle S/Rep. Holly B. Stover  
Senate Chair House Chair

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

The Following Communication: S.C. 445

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON TAXATION**

May 02, 2023

Honorable Troy Dale Jackson, President of the Senate  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 1380 An Act to Fund Municipal Administrative Costs Associated with the Senior Property Tax Stabilization Program
- L.D. 1413 An Act to Amend the Laws Establishing a Property Tax Stabilization Program for Senior Citizens
- L.D. 1650 An Act to Create a Tiered Senior Resident Homestead Exemption

This is notification of the Committee's action.

Sincerely,

S/Sen. Nicole Grohoski S/Rep. Joe Perry  
Senate Chair House Chair

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

The Following Communication: S.C. 446

**STATE OF MAINE  
ONE HUNDRED AND THIRTY FIRST LEGISLATURE  
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

May 04, 2023

Honorable Troy Dale Jackson, President of the Senate  
Honorable Rachel Talbot Ross, Speaker of the House  
131st Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 1327 An Act to Limit the Requirements Regarding Leadership Political Action Committees and to Promote Clean Election Transparency

This is notification of the Committee's action.

Sincerely,

S/Sen. Craig V. Hickman S/Rep. Laura Supica  
Senate Chair House Chair

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

**SENATE PAPERS**

Bill "An Act to Ensure That a Teacher Who Participates in the Prevention of Dangerous Behavior Is Protected Under a Collective Bargaining Agreement"

S.P. 770 L.D. 1898

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative MILLETT of Cape Elizabeth and Senators: PIERCE of Cumberland, RAFFERTY of York, Representatives: BRENNAN of Portland, DODGE of Belfast.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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Bill "An Act to Enact the Maine Psilocybin Health Access Act"

S.P. 774 L.D. 1914

Presented by Senator BAILEY of York.  
Cosponsored by Representative THERIAULT of Fort Kent and Senators: BRAKEY of Androscoggin, BRENNER of Cumberland, Representatives: ANKELES of Brunswick, BOYER of Poland, MALON of Biddeford.

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

On motion by Senator **INGWERSEN** of York, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

Sent down for concurrence.

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Bill "An Act to Support Emerging Adults Involved in the Criminal Justice System"

S.P. 773 L.D. 1913

Presented by Senator BAILEY of York.

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

Sent down for concurrence.

Bill "An Act to Classify Meat and Poultry Products Inspections as Essential Services"

S.P. 778 L.D. 1916

Presented by Senator GUERIN of Penobscot.  
Cosponsored by Representative FOSTER of Dexter and Senators: BRENNER of Cumberland, HICKMAN of Kennebec, INGWERSEN of York, Representatives: COSTAIN of Plymouth, CRAY of Palmyra, DILL of Old Town, OSHER of Orono, PLUECKER of Warren.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

Sent down for concurrence.

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Resolve, to Establish a Grant Program to Issue Shellfish Licenses to Qualified Disabled Veterans

S.P. 775 L.D. 1915

Presented by Senator VITELLI of Sagadahoc.  
Cosponsored by Representative HEPLER of Woolwich and Senators: FARRIN of Somerset, HICKMAN of Kennebec, RENY of Lincoln, Representatives: CLUCHEY of Bowdoinham, PERRY of Calais, RIELLY of Westbrook, THORNE of Carmel, ZAGER of Portland.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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Bill "An Act to Establish a Tax Credit for Employers Who Employ Persons Recovering from Substance Use Disorder"

S.P. 772 L.D. 1900

Presented by Senator BRAKEY of Androscoggin.  
Cosponsored by Senator POULIOT of Kennebec and Senators: BAILEY of York, BENNETT of Oxford, MOORE of Washington, TIPPING of Penobscot, Representative: BOYER of Poland.

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

Sent down for concurrence.

Bill "An Act to Improve Public Roadways on Unbridged Islands Not Served by the Maine State Ferry Service"  
S.P. 769 L.D. 1897

Presented by Senator GROHOSKI of Hancock.  
Cosponsored by Senator: RENY of Lincoln, Representatives: CRAFTS of Newcastle, EATON of Deer Isle.

Bill "An Act to Establish a Maine Commercial Driver's License for Use Within State Borders"  
S.P. 771 L.D. 1899

Presented by Senator BRAKEY of Androscoggin.  
Cosponsored by Representatives: BOYER of Poland, CLUCHEY of Bowdoinham, FAULKINGHAM of Winter Harbor.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

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RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting for Governor, State Senator and State Representative  
S.P. 779 L.D. 1917

Presented by Senator RENY of Lincoln.  
Cosponsored by Senators: GROHOSKI of Hancock, HICKMAN of Kennebec, Representatives: CRAFTS of Newcastle, RIELLY of Westbrook, SKOLD of Portland.

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

Sent down for concurrence.

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

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Off Record Remarks

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**ORDERS**

**Joint Order**

Expression of Legislative Sentiment recognizing:

Gabby Roy, of Lewiston, a freshman at Lewiston High School, who was named the All-Region Girls Swimmer of the Year by the Lewiston Sun Journal and who also won the 100-yard Butterfly Event at the Class A State Championships. We extend our congratulations and best wishes;

SLS 462

Sponsored by Senator ROTUNDO of Androscoggin.  
Cosponsored by Representatives: ABDI of Lewiston, CLOUTIER of Lewiston, CRAVEN of Lewiston, LAJOIE of Lewiston.

The Joint Order was **READ**.

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

Senator **ROTUNDO:** Thank you, Mr. President. Men and women of the Senate, I would like to welcome Gabby Roy, a freshman at Lewiston High School and the Lewiston Sun Journal All-Region Girls Swimmer of the Year. Gabby began swimming competitively when she was seven years old with the Twin City Swim Team. Her swimming career began with her mother throwing a very nervous Gabby into the pool at her first swim meet and she hasn't slowed down since. In her first season with the Lewiston High School Blue Devils, she became the Class A State Champion in the 100-yard Butterfly and placed fifth in the 50-yard Freestyle. According to her coach, her success can be attributed to her work ethic, her focus at practice, her high standards, and her love of swimming. He expects her to continue her stellar career through high school and beyond, breaking school records along the way. Please join me in welcoming Gabby and her family and in congratulating Gabby on this wonderful achievement. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Gabby Roy, Chris Roy, Shannon Chabe, and family. They're all from the city of Lewiston and are the guests today of the Senator from Androscoggin, Senator Rotundo, and the entire Maine Senate. Would they all please rise and accept the greetings and congratulations of the Maine Senate.

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**Joint Resolutions**

On motion by Senator **VITELLI** of Sagadahoc, under unanimous consent on behalf of President **JACKSON** of Aroostook (Cosponsored by Representative THERIAULT of Fort Kent), the following Joint Resolution:

S.P. 776

**JOINT RESOLUTION  
RECOGNIZING MAY 10, 2023  
AS NATIONAL GERMAN SHEPHERD DAY**

**WHEREAS,** the German Shepherd is a loyal and intelligent breed of dog that has become a beloved member of many families across the United States; and

**WHEREAS**, the German Shepherd has played a vital role in law enforcement, military service and search and rescue operations; and  
**WHEREAS**, the breed was first developed in Germany in the late 19th century by Captain Max von Stephanitz, who envisioned a versatile and capable working dog; and  
**WHEREAS**, National German Shepherd Day was founded in 2011 by Ingrid Birch in memory of her own German Shepherd and therapy dog, Peter George de Corban; and  
**WHEREAS**, the breed is well-loved in Maine, as evidenced by the students of Fort Kent Elementary School, who have expressed their thoughts and support for the German Shepherd as representing the character and spirit of the State; 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 May 10, 2023 as National German Shepherd Day, and to express our admiration for the character and accomplishments of this breed.

**READ and ADOPTED.**

Sent down for concurrence.

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On motion by Senator **GUERIN** of Penobscot (Cosponsored by Senators: HARRINGTON of York, KEIM of Oxford, LYFORD of Penobscot, MOORE of Washington, NANGLE of Cumberland, RENY of Lincoln, Representative: JAVNER of Chester), the following Joint Resolution:

S.P. 777

**JOINT RESOLUTION  
DESIGNATING MAY 2023 AS  
OSTEOPOROSIS AWARENESS AND PREVENTION MONTH**

**WHEREAS**, an estimated 53,000,000 Americans have osteoporosis or low bone mass, and studies suggest that approximately 1 in 2 women and up to 1 in 4 men 50 years of age and older will break a bone due to osteoporosis; and  
**WHEREAS**, approximately 1,800,000 Medicare beneficiaries nationwide suffered approximately 2,100,000 osteoporotic fractures in 2016, and osteoporosis-related bone fractures are responsible for more hospitalizations than heart attacks, strokes or breast cancer; and  
**WHEREAS**, the total annual cost for osteoporotic fractures among Medicare beneficiaries was \$57,000,000,000 in 2018 and is expected without reforms to grow to over \$95,000,000,000 in 2040 as the population ages; and  
**WHEREAS**, in Maine, 9,000 Medicare beneficiaries suffered over 10,500 osteoporotic fractures in 2016; and  
**WHEREAS**, an estimated 1,400 Medicare beneficiaries in Maine suffered an initial fracture and then a subsequent fracture in 2016, which resulted in estimated costs of over \$26,900,000; and  
**WHEREAS**, osteoporosis and the broken bones it can cause are not part of normal aging, and building strong bones must begin in childhood, with peak bone mass being reached by early adulthood, and care for our bones must continue throughout our lives; and

**WHEREAS**, osteoporosis is often called a silent disease because it is impossible to feel bones weakening, and breaking a bone is often the first sign of osteoporosis; and  
**WHEREAS**, timely bone health screening and osteoporosis diagnosis and treatment can help prevent fractures that lead to hospitalization and nursing home stays; and  
**WHEREAS**, cost-effective postfracture care that improves care coordination has been demonstrated to reduce the number of subsequent or repeat fractures, yet is not widely available or properly incentivized by Medicare; and  
**WHEREAS**, it is crucial that we raise awareness about bone health and osteoporosis among the public, health professionals and policy makers; 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 designate May 2023 as Osteoporosis Awareness and Prevention Month and encourage appropriate health programs and activities with respect to promoting good bone health throughout life and preventing and treating osteoporosis.

**READ and ADOPTED.**

Sent down for concurrence.

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Joint Resolutions in Memoriam:

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

Mark Onal Munn, of Athens. Mr. Munn was a veteran of the United States Air Force. He spent many years farming and haying the old Poland homestead, where he made a home for his family. He retired from Oakhurst Dairy and was currently serving as the First Selectman for the Town of Athens. A musician who played banjo, guitar and mandolin, he enjoyed picking with his friends at the Friday night jams in Harmony. Mr. Munn will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 468

Sponsored by Senator BLACK of Franklin.  
Cosponsored by Representative: DUNPHY of Embden.

The Joint Resolution was **READ**.

**THE PRESIDENT**: The Chair recognizes the Senator from Franklin, Senator Black.

Senator **BLACK**: Good morning, Mr. President. Ladies and gentlemen of the Senate, it is my honor to stand and recognize Mark Munn of Athens. I never had the great fortune to meet Mr. Munn but when I saw the article that he had passed I knew he was somebody that should be remembered with a memoriam and I reached out to some of his former colleagues to get contact about information of the family. They had nothing but good things to say. They said Mark was a good man, one of the best, would do anything for his town of Athens and pretty much anyone. Mark had a lifetime of service from serving his country in the United States Air Force and currently serving as First Selectman of the

Town of Athens when he passed, a position that he loved, supporting the town and the community. In reading his obituary, it made me think the world could really use more people like Mark Munn. This is a direct quote from his obituary: 'Having a way with words, he would always find the right thing to say to make your day.' He was loved and respected by many of those for his kind and friendly nature. In closing, I would like to share my sympathies with the Munn family and let you know that you are in my thoughts and prayers. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is very pleased to recognize the family of the late Mark Munn: Mary Shorey; Nathan, Tony, Melody, Hunter, and Emi Munn; and Hilary Pelletier. They're all from the town of Athens. They are the guests today of the Senator from Franklin, Senator Black, and the entire Maine Senate. Would they please rise and accept the condolences of the Maine Senate.

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Off Record Remarks

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Protect the Practice of Certain Cardiovascular Professionals"  
H.P. 533 L.D. 844

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-97)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-97)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-97) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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Off Record Remarks

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

**SECOND READERS**

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

**House**

Resolve, Directing the Maine Community College System to Study Providing On-campus Housing on All Campuses  
H.P. 519 L.D. 830

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

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**House As Amended**

Bill "An Act to Improve Coastal Sand Dune Restoration Projects"  
H.P. 295 L.D. 478  
(C "A" H-92)

Bill "An Act to Change the Notification Law for School Truancy"  
H.P. 408 L.D. 631  
(C "A" H-94)

Resolve, Authorizing the Director of the Bureau of Parks and Lands Within the Department of Agriculture, Conservation and Forestry to Lease Certain Land Within Somerset County  
H.P. 860 L.D. 1346  
(C "A" H-96)

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

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**Senate As Amended**

Bill "An Act to Assist Municipal Shellfish Conservation Programs"  
S.P. 249 L.D. 581  
(C "A" S-63)

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

Sent down for concurrence.

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

**ENACTORS**

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

**Emergency Measure**

An Act to Improve Access to Civil Legal Services  
S.P. 235 L.D. 564  
(C "A" S-30)

Comes from the House, **FAILED ENACTMENT**.

On motion by Senator **ROTUNDO** of Androscoggin, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, in **NON-CONCURRENCE**.

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

An Act to Eliminate the Cannabis Advisory Commission  
S.P. 162 L.D. 355  
(C "A" S-47)

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

**Acts**

An Act to Update and Clarify the Public Utilities Commission's Reporting Requirements  
S.P. 100 L.D. 194  
(C "A" S-50)

An Act to Exempt Certain Conservation Lots from Municipal Subdivision Review  
S.P. 264 L.D. 596

An Act to Promote the Use of Free Annual Wellness Visits by Ensuring Proper Disclosure  
H.P. 414 L.D. 637  
(C "A" H-70)

An Act to Maintain Legislative Oversight of the Maine Medical Use of Cannabis Program by Requiring Major Substantive Rulemaking  
H.P. 625 L.D. 978  
(S "A" S-59)

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

At this point a message was received from the House of Representatives, borne by Representative TERRY of Gorham, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 11:00 this morning for the purpose of extending to Major General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.

An Act to Expand Health Insurance Coverage to Certain State Employees  
S.P. 60 L.D. 121  
(C "A" S-49)

**Resolve**

Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Active Shooter Drills and Allowing Parents to Opt Out of Active Shooter Drills for Their Children  
H.P. 294 L.D. 477  
(C "A" H-63)

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

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

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Maine School Board Members from all over Maine who are here today in the State House as part of Maine School Board Association Day. They are accompanied by Vicki Wallack of the Maine School Management Association. Would they all please rise and accept the greetings of the Maine Senate.

**THE PRESIDENT:** The Chair would advise we skipped 5-2 on and we're going to go back to item 5-2 in the printed calendar. Item 5-2. The Chair recognizes the Senator from York, Senator Rafferty.

Senator **RAFFERTY**: Thank you, Mr. President, and I'd like to speak to a different matter. Prior to doing so, as I had pressed my button relative to the introduction of Ms. Wallack and Mr. Bailey's school board members, if I could?

**THE PRESIDENT**: The Chair is in error on the Item 5-2. I'm going to let the Senator from York, Senator Rafferty, speak on the former - on the previous motion.

Senator **RAFFERTY**: Thank you very much, Mr. President. So, again, I just wanted to thank both Steve Bailey and Vicki Wallack as well as the numerous members of local school boards from across the state. I want to thank them and take, you know, take a moment to thank them but to recognize and commend these folks for the work that they do on behalf of the numerous students, parents, teachers, and citizens from the various communities they represent. They truly do a great job and in today's world, I would contend that their job may be more difficult than our own, currently. But I wanted to say thank you to them and appreciate all the work that you do.

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**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Restore Religious and Philosophical Exemptions to Immunization Requirements"

H.P. 26 L.D. 51

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

Signed:

Senators:

- RAFFERTY of York
- PIERCE of Cumberland

Representatives:

- BRENNAN of Portland
- DODGE of Belfast
- MILLETT of Cape Elizabeth
- MURPHY of Scarborough
- SARGENT of York
- WORTH of Ellsworth

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

Signed:

Senator:

- LIBBY of Cumberland

Representatives:

- BAGSHAW of Windham
- LYMAN of Livermore Falls
- POLEWARCZYK of Wiscasset

SAMPSON of Alfred

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

Reports **READ**.

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

On motion by Senator **KEIM** of Oxford, 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 Libby.

Senator **LIBBY**: Thank you, Mr. President. Men and women of the Senate, L.D. 51 reinstates religious and philosophical exemptions. I think many of you are very familiar with this issue. I want to take it from maybe a little bit of a different angle and try to keep my remarks short. My - and I'm going to do it from a personal angle. My children are - I have two children and they compete against several states in different athletic endeavors and so, in particular, my daughter is a 17-year-old and she competes in basketball and soccer. Well, what does that have to do with this bill? A lot. Because there are 44 states in the United States that allow for either a religious or a philosophical exemption or both and so whenever my children travel out of state and they compete, they're banging into the opponent, they're breathing on them, they're - who knows, they're probably spitting on them, unintentionally. But because we all travel, this entire bill becomes a moot point. It is an unnecessary bill and, because it's an unnecessary bill, it just appears to me that we're just thumbing our nose at people who want to have a religious exemption in immunization issues - or a philosophical exemption. So, from that standpoint, I've never understood the debate, and I would ask you all to oppose the pending motion. Thank you.

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

Senator **RAFFERTY**: Thanks again, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise to speak to the legislation coming before us as it relates to changes to our current laws in terms of the vaccines. So, essentially, we're being asked to repeal laws that would reinstate religious and philosophical exemptions where they currently exist, be it in a private school, virtual public school, virtual public/private charter school, or at a postsecondary school requiring immunization that is approved by the federal Food and Drug Administration under emergency authorization. You may recall last week that I stated in a response similar - to similar legislation that I didn't think anyone in this room is going to change their stance based on mine or anyone else's testimony, and I feel that that still hasn't changed. I do want to say that my position rests primarily on the belief expressed recently at one of our hearings by a licensed doctor practicing family medicine currently in Maine, as well as with my own experiences through my childhood, my parenting of my daughters, and now what I see with my own grandchildren. The doctor to which I refer stated, and I quote, 'vaccines are among the most effective innovations in human history. When it

comes to reducing suffering, they are one of the key watershed inventions since the 1700s that have tremendously improved life expectancy, especially in childhood.' He shared that there was a time that the average death rate of children zero to 15 years old was nearly 50%. Today, it stands at 4.6% worldwide and .7% in the United States. Vaccine laws have survived challenges in our court as well as with Maine voters. I urge you to follow my light and vote Ought Not to Pass on L.D. 51 and related laws repealing current law. Thank you very much.

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

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I couldn't pass up this opportunity. I wanted to share with you testimony from Nick Fikus, a 10-year-old who went to the committee and spoke on his own behalf in support of L.D. 51, which would remove a discriminatory law that we passed last - two sessions ago, and his testimony is this: 'Senator Rafferty, Representative Brennan, and Members of the Education and Cultural Affairs Committee, my name is Nicholas Fikus and I am 10 years old and I am testifying in support of L.D. 51. I support this bill because I want to go back to school. I see my big brother and sister go to school every day and they always talk about their friends and the fun they have at school all day. I have only a couple of friends and I mostly learn alone. I don't really like learning alone, it makes me feel different and I feel like a weird kid. Since I have to be homeschooled, my Mom can't work because she has to teach me. My Dad had to get a bigger job that has many hours and he has to go on long business trips for the military. I feel really sad when he is away and I miss him. Please let me go back to school so I can have friends and my dad back.' Hundreds of Maine citizens testified on these vaccine bills because they're discriminatory and the Maine Supreme Court decision in Plyler v. Doe in 1982, the Supreme Court ruled that public schools were prohibited from denying immigrant students access to public education. The Court stated that undocumented children have the same right to a free public education as U.S. citizens and permanent residents. Undocumented immigrant students are obligated, as are all other students, to attend school until they reach the age mandated by state law. We are disenfranchising with our laws in the State of Maine, which are such outliers compared to the rest of the nation, we are disenfranchising hundreds of Maine students. Their education and their lives matter and I ask you to reject the pending motion. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#125)**

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

**NAYS:** Senators: BENNETT, BLACK, BRAKEY, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, TIMBERLAKE

**EXCUSED:** Senators: BALDACCI, FARRIN, LAWRENCE, POULIOT, STEWART

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Restore Religious and Philosophical Exemptions Regarding Immunization Requirements" H.P. 693 L.D. 1098

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

Representatives:  
BRENNAN of Portland  
DODGE of Belfast  
MILLETT of Cape Elizabeth  
MURPHY of Scarborough  
SARGENT of York  
WORTH of Ellsworth

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

Signed:

Senator:  
LIBBY of Cumberland

Representatives:  
BAGSHAW of Windham  
LYMAN of Livermore Falls  
POLEWARCZYK of Wiscasset  
SAMPSON of Alfred

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

Reports **READ**.

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

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#126)**

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, POULIOT

EXCUSED: Senators: BALDACCI, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Reinstate the Religious and Philosophical Vaccine Exemptions for Private Schools and Virtual Public Charter Schools"

H.P. 769 L.D. 1209

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

Representatives:

BRENNAN of Portland  
DODGE of Belfast  
MILLETT of Cape Elizabeth  
MURPHY of Scarborough  
SARGENT of York  
WORTH of Ellsworth

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

Signed:

Senator:  
LIBBY of Cumberland

Representatives:

BAGSHAW of Windham  
LYMAN of Livermore Falls  
POLEWARCZYK of Wiscasset  
SAMPSON of Alfred

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

Reports **READ**.

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

On motion by Senator **KEIM** of Oxford, 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 Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I just wanted to very briefly note that this legislation appears to be specific to private schools and virtual public charter schools related to these vaccine mandates. I just have a question through the Chair, if anyone could explain the rationale for vaccine mandates for virtual schools. Thank you.

**THE PRESIDENT:** The Senator from Androscoggin, Senator Brakey, posed a question through the Chair to anyone who may answer. The Chair recognizes the Senator from Cumberland, Senator Pierce.

Senator **PIERCE:** Thank you, Mr. President, and I appreciate the question. Students that attend virtual schools also have the right, and we are giving them the right, to participate in other activities such as field trips, sporting events, participating on teams, so they're not isolated just to the virtual setting. They are interacting with other members of their schools and those teams or activities that they participate in.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#127)**

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, POULIOT

EXCUSED: Senators: BALDACCI, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Prohibit Certain Higher Education Institutions from Requiring Vaccines Approved Under Emergency Use Authorization for Admission or Attendance" (EMERGENCY) H.P. 776 L.D. 1228

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

Representatives:  
BRENNAN of Portland  
DODGE of Belfast  
MILLETT of Cape Elizabeth  
MURPHY of Scarborough  
SARGENT of York  
WORTH of Ellsworth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-93)**.

Signed:

Senator:  
LIBBY of Cumberland

Representatives:  
BAGSHAW of Windham  
LYMAN of Livermore Falls  
POLEWARCZYK of Wiscasset  
SAMPSON of Alfred

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

Reports **READ**.

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

On motion by Senator **KEIM** of Oxford, 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 (#128)**

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, POULIOT

EXCUSED: Senators: BALDACCI, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, Naming a Pond in the Town of New Gloucester as MacDonald Pond

H.P. 429 L.D. 660

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

Signed:

Senators:  
LaFOUNTAIN of Kennebec  
BLACK of Franklin  
CURRY of Waldo

Representatives:

LANDRY of Farmington  
DILL of Old Town  
DRINKWATER of Milford  
GOLEK of Harpswell  
HEPLER of Woolwich  
MASON of Lisbon  
THORNE of Carmel  
WOOD of Greene  
WOODSOME of Waterboro

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

Signed:

Representative:

CLUCHEY of Bowdoinham

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

Reports **READ**.

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

Resolve **READ ONCE**.  
**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act to Create Parity in the Taxation of Medicine"

H.P. 346 L.D. 541

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-73)**.

Signed:

Senators:

GROHOSKI of Hancock  
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor  
CROCKETT of Portland  
HASENFUS of Readfield  
MATLACK of St. George  
QUINT of Hodgdon  
RANA of Bangor  
RUDNICKI of Fairfield

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

Signed:

Senator:

LIBBY of Cumberland

Representative:

CARMICHAEL of Greenbush

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

Reports **READ**.

On motion by Senator **GROHOSKI** of Hancock, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Bill **READ ONCE**.

Committee Amendment "A" (H-73) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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**Senate**

**Ought to Pass As Amended**

Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Allow the Disclosure of Death Certificate Data to Hospitals and Health Care Practitioners"  
S.P. 401 L.D. 982

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-66)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-66) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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Senator CHIPMAN for the Committee on **TRANSPORTATION** on Bill "An Act to Allow the Reinstatement of Certain Commercial Driver's Licenses"

S.P. 269 L.D. 652

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-70)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-70) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations to Study Paying Bonuses to Agents for Selling Certain Powerball Tickets  
S.P. 459 L.D. 1125

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-69).**

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-69) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Fund Consultation Services to Ensure Affordable Health Care for Maine Residents"  
S.P. 446 L.D. 1077

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-76).**

Signed:

Senator:  
BAILEY of York

Representatives:  
PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
CYRWAY of Albion  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
MORRIS of Turner  
NUTTING of Oakland  
PRINGLE of Windham  
SWALLOW of Houlton

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

Signed:

Senator:  
BRAKEY of Androscoggin

Reports **READ**.

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

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

Senator **BAILEY:** Thank you, Mr. President. Just briefly, what this bill does is two things. The first is it funds our consumer assistance program, otherwise known as the Consumers for Affordable Health Care. As many of you know, and as I've experienced, that the Consumers for Affordable Health Care is an invaluable service to our constituents who are having questions, concerns, issues with their insurance company, with their coverage, what they qualify for, etcetera. The other part of the bill that goes to what we did in committee to amend this bill is, as the Senate Chamber may be - may remember from the other day, we did have a bill from the Maine Farm Bureau and they brought to the committee's attention that there are farmers out there who are struggling with finding insurance coverage that's affordable. In talking with the representative from the Farm Bureau, it became clear that part of the issue was that many farmers just didn't understand how to navigate the process and that they just weren't aware of all the options that were available to them. So, our amendment did two things. First, it changed the title of the bill so that it now reads An Act to Fund Consultation Services to Ensure Affordable Health Care for Maine Residents and to Provide Targeted Outreach to Ensure Affordable Health Care for Maine Farmers, and what we did is we added to the services provided by the Consumer Assistance Program: D-1, assisting consumers who are farmers with obtaining health insurance coverage by providing targeted outreach, information, referrals, and other assistance. So, I would ask you to follow my light and I would request a Roll Call.

On motion by Senator **BAILEY** of York, 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 Brakey.

Senator **BRAKEY:** Thank you, Mr. President. With great respect for my colleague, the chairman of the committee, my opposition to this legislation is purely related to concerns that I have about how much money we throw around to various nonprofit organizations that aren't subject to the same accountability measures that governmental institutions are. For example, they're not subject to FOIA laws and just the degree of transparency and accountability that we like to instill with governmental institutions. I have concern that we sometimes seem to be creating these almost - well, almost like quasi-governmental institutions in that they're funded largely with taxpayer money. They lobby the committees of this Legislature and, you know, they're funded with our tax dollars, but they aren't subject to the same accountability. So, that's my reason for opposing the legislation here, but I respect which way the winds are blowing. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought to Pass Report as Amended. A roll call has been ordered. Is the Senate ready for the question?

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 (#129)**

YEAS: Senators: BAILEY, BEEBE-CENTER, BENNETT, BLACK, BRENNER, CARNEY, CHIPMAN, DAUGHTRY, DUSON, GROHOSKI, HARRINGTON, HICKMAN, INGWERSEN, LAFOUNTAIN, MOORE, NANGLE, PIERCE, RAFFERTY, RENEY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BRAKEY, GUERIN, KEIM, LIBBY, LYFORD, POULIOT

EXCUSED: Senators: BALDACCI, CURRY, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

23 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 6 Senators being excused, the motion by Senator **BAILEY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-76) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act to Protect Maine People from Inflation by Exempting Gold and Silver Coins and Bullion from the State Sales and Use Tax" S.P. 420 L.D. 1051

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-71)**.

Signed:

Senators:  
GROHOSKI of Hancock  
LIBBY of Cumberland

Representatives:  
PERRY of Bangor  
CARMICHAEL of Greenbush  
CROCKETT of Portland

LAVIGNE of Berwick  
LIBBY of Auburn  
QUINT of Hodgdon

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

Signed:

Senator:  
CHIPMAN of Cumberland

Representatives:  
HASENFUS of Readfield  
MATLACK of St. George

Reports **READ**.

On motion by Senator **GROHOSKI** of Hancock, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-71) **READ** and **ADOPTED**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Authorize State Political Parties to Opt Out of Ranked-choice Voting for Primary Elections" S.P. 327 L.D. 768

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

Signed:

Senators:  
HICKMAN of Kennebec  
BRENNER of Cumberland

Representatives:  
SUPICA of Bangor  
COLLINGS of Portland  
MALON of Biddeford  
MONTELL of Gardiner  
RIELLY of Westbrook  
RISEMAN of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-68)**.

Signed:

Senator:  
TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland  
RUDNICKI of Fairfield

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On motion by Senator **KEIM** of Oxford, 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 Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I rise to speak - this is actually a bill that I put forward to the Veterans and Legal Affairs Committee. I appreciate their consideration of it. I like to call this the bill to if you like your ranked-choice voting you can keep your ranked-choice voting. This is specifically about ranked-choice voting in partisan primaries and what this legislation would do is it would simply allow parties the option at their own party conventions, delegates to decide in their own rules whether they'd like to participate in ranked-choice voting for the selection of their nominees or if they would like to revert to traditional plurality-based voting. This wouldn't affect general elections. It would only be for primary contests. Thank you very much, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#130)**

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

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

EXCUSED: Senators: BALDACCI, CURRY, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

20 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 6 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Prohibit Ballot Harvesting by Preventing a 3rd Person from Returning More than 2 Absentee Ballots per Day"

S.P. 329 L.D. 770

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

Signed:

Senators:

HICKMAN of Kennebec  
BRENNER of Cumberland

Representatives:

SUPICA of Bangor  
COLLINGS of Portland  
MALON of Biddeford  
MONTELL of Gardiner  
RIELLY of Westbrook  
RISEMAN of Harrison

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris  
BOYER of Poland  
HYMES of Waldo  
RUDNICKI of Fairfield

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On motion by Senator **KEIM** of Oxford, 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 (#131)**

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

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

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

EXCUSED: Senators: BALDACCI, CURRY, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

20 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 6 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**. Sent down for concurrence.

**Divided Report**

Five members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Eliminate the Limits on Candidates' Speech at the Polls"

S.P. 308 L.D. 750

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-72)**.

Signed:

Senator:  
TIMBERLAKE of Androscoggin

Representatives:  
ANDREWS of Paris  
BOYER of Poland  
HYMES of Waldo  
RUDNICKI of Fairfield

Four members of the same Committee on the same subject reported in Report "**B**" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-73)**.

Signed:

Senators:  
HICKMAN of Kennebec  
BRENNER of Cumberland

Representatives:  
COLLINGS of Portland  
RISEMAN of Harrison

Four members of the same Committee on the same subject reported in Report "**C**" that the same **Ought Not to Pass**.

Signed:

Representatives:  
SUPICA of Bangor  
MALON of Biddeford  
MONTELL of Gardiner  
RIELLY of Westbrook

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** Report "**B**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-73)**.

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

**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Place Restrictions on Candidate Speech and Clothing, Buttons and Other Items at Voting Places" S.P. 376 L.D. 879

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-74)**.

Signed:

Senators:  
HICKMAN of Kennebec  
BRENNER of Cumberland  
TIMBERLAKE of Androscoggin

Representatives:  
SUPICA of Bangor  
COLLINGS of Portland  
MALON of Biddeford  
MONTELL of Gardiner  
RIELLY of Westbrook  
RISEMAN of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-75)**.

Signed:

Representatives:  
ANDREWS of Paris  
BOYER of Poland  
HYMES of Waldo  
RUDNICKI of Fairfield

Reports **READ**.

On motion by Senator **HICKMAN** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-74)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-74) **READ** and **ADOPTED**.

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

Senator **BRAKEY:** Thank you, Mr. President. Just speaking very briefly as a co-sponsor of this bill, you know, I actually, I know that Report "B" is very different than the underlying bill and the other report that was put out of the committee, but I do think that either proposal is preferable to the status quo and, I think that right now, I think we've all felt it when we go stand at the polls, we do this song and dance where you introduce yourself. You say who you are. Everyone knows you're running for something but you can't tell them. They ask you and say 'boy, state law prohibits me from telling you that I'm running for an office or any details but, you know what, over my shoulder, there's that sample ballot on the window. You can remember my name and go check it out and find out for yourself.' It's - I think the status quo is it's kind of a little bit of an absurd song and dance. So, whether we move towards allowing more free speech at the polls or just say we're not going to allow candidates at the polls completely, which is what Report "B" does, I think either way - either is better than this kind of middle ground status quo that we're in, so I'll be supporting this report, even though another report would also be acceptable to me. Thank you.

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

Senator **BENNETT:** Thank you, Mr. President. I rise with a Point of Order. The question is whether the Report "B", the committee report, is germane to the bill, as it seems to send the bill in a completely different direction.

Senator **BENNETT** of Oxford rose to a **POINT OF ORDER** as to whether Report "B", Ought to Pass as Amended by Committee Amendment "B" (S-73), was **GERMANE TO THE BILL**.

**THE PRESIDENT:** The Chair would advise that the title of the bill is An Act to Eliminate the Limits on Candidates' Speech at the Polls, and I would advise that that is probably the ultimate in eliminating, so I would say it is germane.

The Chair **RULED REPORT "B", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-73), WAS GERMANE**.

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

Senator **BENNETT:** Mr. President, thank you for not ruling on the Point of Order, but raising the additional question. It seems to me that eliminating candidates' speech at the polls is accomplished by that suggestion, but the title of the bill is actually Eliminating the Limits on Candidates' Speech at the Polls, so it does seem to be contrarian to the - to Report "B".

**THE PRESIDENT:** Again, I would say that eliminating - completely, that's the ultimate limit of candidates' speech, so I would say it is germane. The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Mr. President. I'll be opposing this motion. This is a drastic change from what's been traditional practice in Maine for decades where candidates, elected officials, have been able to be at a polling place to interact with constituents who may be there to sign petitions or they're just coming in to vote, to be able to let them know who you are and be there to say hello and, you know, I think a lot of constituents come to the polls to look for folks that are there that are running, to be able to meet them on their way in. They've come to accustomed to that. Some people obviously don't care for it, but a lot of constituents do look for that, and I've had constituents ask me when I was unopposed. I looked for you at the polls, where were you, they wanted to see me, they wanted to say hello. And so, I will be opposing this motion. I think it's too drastic of a change from what we've had in Maine for decades that I think has worked fairly well, so I urge you to join me in voting no.

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

Senator **HICKMAN:** Thank you, Mr. President. Report "B" is germane. That's the ruling of the Chair of the Committee, and that is because the clerks asked us to do this because they don't particularly care to monitor the speech of all of us at the polls on election day. Some voters, many voters, don't like the gauntlet, as they like to call it, and one of the reasons why I support this report is because the campaign is over on election day and this limits the speech of candidates to stating their name and their address to the committee clerk and saying hello to the voters on their way in and out and, if candidates still would like to meet and greet the constituents that maybe they have not seen in an election cycle, which is probably a question about that candidate's representation of that community, they can do so outside of the 250-foot corridor that is supposed to be free of electioneering. The other reason why I support Report "B" is because if no one is monitoring candidates' speech at the polls some candidates take the opportunity to speak to voters in a hushed manner right before they walk in a poll to vote about something that may not be all that germane about someone else who's on the ballot in order to dissuade them from voting for them. I've seen that happen, I've experienced that, and so this report is for the clerks. It's for the efficiency of the voting, and the campaign is over on election day. Thank you, Mr. President.

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

Senator **CHIPMAN:** Sorry, Mr. President, just one more point I forgot to make in my comments earlier is that this report, while it does prohibit candidates from being there to greet - to say hello to voters on their way in, it doesn't prohibit those who are friends of candidates from doing that. So it just - it sets up an odd circumstance where you could have people at all the polling places saying I'm a friend of so-and-so, but then the candidate themselves can't be there to say hello, and it just - to me, that's a little bit odd and I hope that we don't pass this.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Report "B", Ought to Pass as Amended by Committee Amendment "B" (S-73). A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#132)**

YEAS: Senators: BAILEY, BENNETT, BRAKEY, BRENNER, GROHOSKI, HICKMAN, INGWERSEN, LAFOUNTAIN, LIBBY, RAFFERTY, RENY

NAYS: Senators: BEEBE-CENTER, BLACK, CARNEY, CHIPMAN, DAUGHTRY, DUSON, GUERIN, HARRINGTON, KEIM, LYFORD, MOORE, NANGLE, PIERCE, POULIOT, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: BALDACCI, CURRY, FARRIN, LAWRENCE, STEWART, TIMBERLAKE

11 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 6 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** to **ACCEPT** Report "**B**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-73), FAILED.**

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** Report "**C**", **OUGHT NOT TO PASS.**

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I hope you'll oppose the pending motion. The purpose of the original bill was to allow candidates that are standing at the polls to answer questions from constituents and so, essentially, a constituent comes up and asks us what are you running for and I have always felt incredibly awkward in saying I can't tell you the answer to that. We've had some awkward questions already today. It's been kind of an interesting debate, frankly, but I hope that you will join me in opposing this because, for me, it's a communication and a free speech issue, and the most important element is when I tell somebody that I'm running for a specific office, I'm providing them with information that they want, and I prefer to be able to do that. So, I hope that you won't support the pending motion so that we can go along later on and support "A".

At the request of Senator **BENNETT** of Oxford a Division was had. 20 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** Report "**C**", **OUGHT NOT TO PASS, PREVAILED.**

Sent down for concurrence.

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Senate at Ease.

The Senate was called to order by the President.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Resolve, to Create an Advisory Council to Oversee the Review and Revision of the Maine Criminal Code and Other Statutes Establishing Criminal Offenses

H.P. 1218 L.D. 1903

Comes 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.

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Bill "An Act to Enact the Safe Cosmetics Act"

H.P. 1224 L.D. 1908

Bill "An Act to Modernize Maine's Beverage Container Redemption Law"

H.P. 1225 L.D. 1909

Bill "An Act to Amend the Returnable Beverage Container Program"

H.P. 1226 L.D. 1910

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

On motion by Senator **BRENNER** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

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Bill "An Act Concerning Automotive Right to Repair"

H.P. 1227 L.D. 1911

Comes from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion by Senator **CURRY** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed, in concurrence.

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Bill "An Act to Protect Personal Health Data"

H.P. 1217 L.D. 1902

Bill "An Act to Enact the Maine Fair Chance Housing Act"  
H.P. 1219 L.D. 1904

Bill "An Act to Enable Confirmatory Adoption"  
H.P. 1221 L.D. 1906

Come from the House, **REFERRED** to the Committee on  
**JUDICIARY** and ordered printed.

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

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

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Off Record Remarks

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On motion by Senator **BLACK** of Franklin, **ADJOURNED** until  
Thursday, May 11, 2023 at 10:00 in the morning in memory of  
and lasting tribute to Mark Onal Munn of Athens.