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In Senate Chamber
Tuesday
April 19, 2022

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

Prayer by Reverend George Sheats of St. Michaels Episcopal Church of Auburn.

REVEREND SHEATS: Good morning. It's an honor to be offering prayer before you today. So, let us pray. God of wisdom and justice, open the hearts and minds of those who the people of Maine have chosen to represent them to a spirit of service and cooperation. Speak to them of the immeasurable value of integrity, truth, and fairness. We pray that they always seek to act in the way of justice, mercy, and compassion. Give them strength and wisdom to guide our state, working in cooperation and for the good of all citizens they represent. We boldly pray that You would bind their hearts together in ways they have yet to imagine so that they will declare, as King David did, how good and pleasant it is when God's people live together in unity and peace. Finally, may all that they accomplish serving in this august Body find favor in Your sight. This we pray, trusting in Your divine presence to both stir and support these leaders through Your spirit of justice, humility, and love. Amen.

Pledge of Allegiance led by Senator Craig V. Hickman of Kennebec County.

Reading of the Journal of Monday, April 18, 2022.

Off Record Remarks

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

The Honorable Karl Turner, of Cumberland, for his extensive public service over many years. We extend our appreciation and best wishes;

SLS 977

Sponsored by Senator BREEN of Cumberland.
Cosponsored by Representative: MORIARTY of Cumberland.

The Joint Order was **READ**.

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

Senator **BREEN:** Thank you, Mr. President. Men and women of the Senate, I rise to present this sentiment with bitter sweetness in my heart because I was really hoping to have the Honorable Karl Turner here in person to pay tribute to him after he stepped down from the Board of Trustees of the U Maine System. Alas, Karl's Parkinson's has progressed quite significantly and he wasn't able to be here today but he is watching on live TV and his family members are here to help us honor him. Karl was born in Eastport, Maine. Got an engineering degree from the University of Maine and then had a very, very successful career in banking in Boston. In 1999, Karl returned to Maine and turned his efforts to giving back to the state that had given him so much. His community service included two terms on the Falmouth Town Council, lots of coaching of Little League baseball and softball, and served on the Boards of the Maine Audubon Society, the Gulf of Maine Research Institute, the American Cancer Society Northeast Division, Hospice of Southern Maine, and HealthInfoNet. In more recent years, since he left the Legislature, he served on the Margaret Chase Smith Policy Center Board, the Board of Maine Public Broadcasting, and as a Trustee of the University of Maine System and, as Vice-Chair in that System, he led the Committee on Investment and Finance Facilities and Technology. As many of you know, Karl Turner served in representing the district I now represent for four terms in the Maine Senate, the 120th through the 123rd Legislature. He also served on Appropriations and his interests include economic development, healthcare, taxation, energy, and education. He fought hard for the U Maine System while he was here. I have been honored to get to know Karl over the last few years and, well since I took the seat, he's been a great adviser and friend to me. We often would meet for breakfast or coffee in Falmouth or Cumberland and, as I said, I was hoping to bring him up here and honor him in person in the Chamber. Unfortunately, his Parkinson's is so advanced that that's not possible but, even during COVID, I was able to go over a couple times a year and sit in the backyard with Karl and his wife and, of course, he lives on Casco Bay so that was a pretty easy thing to do. But it's just been really fun developing a friendship with him. He served on Appropriations and just, you know, sharing the experience that, as we know, only Legislators can really relate to. So, I know there are other folks who are going to speak and I think I'll wait and present the sentiment to the family members so other folks speak. So, I'll sit down and I thank you, Mr. President.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, I am so happy to celebrate the incredible life and tremendous good works of my friend, former Senator, the Honorable Karl Turner. As the Senator from Cumberland said, I had the opportunity to serve with Karl Turner in the Maine Senate. I was with him in this Chamber for four years and, first and foremost, I have to say Karl Turner is a gentleman. A gentleman. He served with distinction, respected his colleagues without fail, and always strove to do the right thing. Karl is just that sort of

talented citizen we hope to attract to the Maine Legislature and, as the Senator from Cumberland said, after a successful career at IBM, Casco Northern Bank, Bank of Boston as an executive, he chose, willfully, to give back to Maine. As she said, he served in lots of organizations. Always gave of himself, gives of himself, and he's touched the lives of countless Mainers in the process with incredible good works. Not only did he serve on boards and fancy commissions and whatnot, he also took the time to coach the Falmouth Little League baseball and softball. That says a lot about him. One other thing I want to say before I sit down is that, you know, Karl is always organized and on point and I think the thing that kind of sums this up for me is that he'd invite me to lunch, we'd go to lunch in Portland or someplace, we'd sit down and Karl always came with a typed agenda and that says so much about Karl Turner. Always mission driven. Always trying to move forward. Always organized. Always on point. He's led a tremendous life of service. I'm blessed to know him. I wish him; his wife, Susanna; and their children the very best, Mr. President. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you very much, Mr. President. I don't know what else I could add to what my good colleagues have said about Karl Turner. He - I was the Leader here in the Senate my last term. He was on Education. He did a great job on Education. I can remember him serving with former-Senator Ed Youngblood and they were a team, if there ever was a team, the two of them. They did a great job. I certainly hope that he sees better days health wise. I really enjoyed him. I enjoyed his friendship. We had a lot of good talks and, to echo my two colleagues, he was really a great guy. Thank you very much, Mr. President.

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

Senator **DIAMOND:** Thank you, Mr. President and ladies and gentlemen of the Senate. I just want to add a couple words. Although you've heard well described words about Karl Turner, the Honorable Karl Turner. Good morning, Karl. I'm glad you're watching. This is - it's an honor to be able to say a few words. He represented my Senate District at one point and the Democrats thought that they could maybe beat him by an opponent named Turner, which they did, but it didn't quite work. He well liked, well respected, and someone that both sides, I think, respected him very well. He was someone that would listen. He was very respectful, as you heard. In fact, I think he sat right where Senator Bennett was sitting in his seat when I was serving over there right next to Senator Libby. So, it's like he's still here with his bow tie and all that went with that, but he really - he would often times call me us and lament the expense of medical school for his daughter because my daughter and his daughter went to the University of Vermont Medical School. So, he would - he and I both would lament with each other all the problems that we thought we had, which we didn't, regarding that tuition. But, anyways, he's a wonderful man. I'm proud to stand and say to the Honorable Karl Turner we're thinking of you and wish you were here and we hope that you're better soon. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Amy Morin, she's the granddaughter of the Honorable Karl Turner; and his son-in-law, Dan Morin. They're all from the town of Gorham. They are the guests today of the Senator from Cumberland - guests of the Senators Breen and Brenner from Cumberland. Would they please rise and accept the greetings and sincere thanks of the Senate.

Off Record Remarks

Joint Resolution

Joint Resolution in Memoriam:

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

The Honorable John L. Tuttle, of Sanford, a member of the Maine House of Representatives, who represented House District #98. As a youth, Mr. Tuttle was a standout athlete and a lifeguard. In 1980, he founded the Maine State Lifesaving Association and, from 1984 to 1986, served as a national advisor for the United States Lifesaving Association. He was a 10-year veteran of the Maine Army National Guard and a former emergency medical technician for the Sanford Fire Department and for Northeast Mobile Health Services. He was first elected to the Maine House of Representatives in 1978 and then to the Maine State Senate in 1984. He served in the Legislature for nearly 30 years, including 3 terms in the Senate, and had been serving his 12th term as a representative at the time of his death. He chaired several joint standing committees, including Local and County Government, State Government, Marine Resources, Labor and Veterans and Legal Affairs. In 2009, he was named Legislator of the Year by the Maine Disabilities Council. He was also very active in local government, serving for 10 years on Sanford's Board of Selectman, where he was vice-chair for 5 years, and for 7 years as a Sanford city councilor. He was a member of St. Therese of Lisieux Parish, where he served as a parish lector since 1976. He was a member of the Lions Club and the Elks Club and a 4th Degree member of the Knights of Columbus. Mr. Tuttle will be long remembered and sadly missed by his wife of 37 years, Ann, his family and friends and all those whose lives he touched;

SLS 978

Sponsored by Senator WOODSOME of York.
 Cosponsored by Senators: BAILEY of York, BALDACCI of Penobscot, BENNETT of Oxford, BLACK of Franklin, BREEN of Cumberland, BRENNER of Cumberland, CARNEY of Cumberland, CHIPMAN of Cumberland, CLAXTON of Androscoggin, CURRY of Waldo, CYRWAY of Kennebec, DAUGHTRY of Cumberland, DAVIS of Piscataquis, DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of Penobscot, FARRIN of Somerset, GUERIN of Penobscot, HICKMAN of Kennebec, President JACKSON of Aroostook, KEIM

of Oxford, LAWRENCE of York, LIBBY of Androscoggin, LUCHINI of Hancock, MAXMIN of Lincoln, MIRAMANT of Knox, MOORE of Washington, POULIOT of Kennebec, RAFFERTY of York, ROSEN of Hancock, SANBORN of Cumberland, STEWART of Aroostook, TIMBERLAKE of Androscoggin, VITELLI of Sagadahoc, Representatives: ALLEY of Beals, ANDREWS of Paris, ARATA of New Gloucester, ARFORD of Brunswick, AUSTIN of Gray, BABBIDGE of Kennebunk, BELL of Yarmouth, BERNARD of Caribou, BERRY of Bowdoinham, BICKFORD of Auburn, BLIER of Buxton, BLUME of York, BOYLE of Gorham, BRADSTREET of Vassalboro, BRENNAN of Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough, CARDONE of Bangor, CARLOW of Buxton, CARMICHAEL of Greenbush, CEBRA of Naples, CLOUTIER of Lewiston, COLLAMORE of Pittsfield, COLLINGS of Portland, CONNOR of Lewiston, COPELAND of Saco, COREY of Windham, COSTAIN of Plymouth, CRAFTS of Newcastle, CRAVEN of Lewiston, CROCKETT of Portland, CUDDY of Winterport, DILLINGHAM of Oxford, DODGE of Belfast, DOLLOFF of Milton Township, DOUDERA of Camden, DOWNES of Bucksport, DRINKWATER of Milford, DUCHARME of Madison, DUNPHY of Old Town, EVANGELOS of Friendship, EVANS of Dover-Foxcroft, FAULKINGHAM of Winter Harbor, FAY of Raymond, Speaker FECTEAU of Biddeford, FOSTER of Dexter, GEIGER of Rockland, GERE of Kennebunkport, GIFFORD of Lincoln, GRAMLICH of Old Orchard Beach, GREENWOOD of Wales, GRIFFIN of Levant, GRIGNON of Athens, GROHOSKI of Ellsworth, HAGGAN of Hampden, HALL of Wilton, HANLEY of Pittston, HARNETT of Gardiner, HARRINGTON of Sanford, HASENFUS of Readfield, HEAD of Bethel, HEPLER of Woolwich, HUTCHINS of Penobscot, HYMANSON of York, JAVNER of Chester, KESSLER of South Portland, KINNEY of Knox, LANDRY of Farmington, LaROCHELLE of Augusta, LEMELIN of Chelsea, LIBBY of Auburn, LOOKNER of Portland, LYFORD of Eddington, LYMAN of Livermore Falls, MADIGAN of Waterville, MARTIN of Eagle Lake, MARTIN of Sinclair, MARTIN of Greene, MASON of Lisbon, MATHIESON of Kittery, MATLACK of St. George, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McDONALD of Stonington, MELARAGNO of Auburn, MEYER of Eliot, MILLETT of Waterford, MILLETT of Cape Elizabeth, MORALES of South Portland, MORIARTY of Cumberland, MORRIS of Turner, NADEAU of Winslow, NEWELL of the Passamaquoddy Tribe, NEWMAN of Belgrade, O'CONNELL of Brewer, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, OSHER of Orono, PARRY of Arundel, PAULHUS of Bath, PEBWORTH of Blue Hill, PERKINS of Oakland, PERRY of Calais, PERRY of Bangor, PICKETT of Dixfield, PIERCE of Falmouth, PLUECKER of Warren, POIRIER of Skowhegan, PRESCOTT of Waterboro, QUINT of Hodgdon, RECKITT of South Portland, RIELLY of Westbrook, RISEMAN of Harrison, ROBERTS of South Berwick, ROCHE of Wells, ROEDER of Bangor, RUDNICKI of Fairfield, SACHS of Freeport, SALISBURY of Westbrook, SAMPSON of Alfred, SHARPE of Durham, SHEEHAN of Biddeford, SKOLFIELD of Weld, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STOVER of Boothbay, SUPICA of Bangor, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, THORNE of Carmel, TUCKER of Brunswick, TUELL of East Machias, UNDERWOOD of Presque Isle, WADSWORTH of Hiram, WARREN of Hallowell, WARREN of Scarborough, WHITE of Waterville, WHITE of Mars Hill,

WILLIAMS of Bar Harbor, WOOD of Portland, ZAGER of Portland, ZEIGLER of Montville.

The Joint Resolution was **READ**.

The Senate observed a moment of silence, remembrance, and prayer for the Honorable John L. Tuttle.

The Joint Resolution was **ADOPTED**.

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:

Acts

An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance

S.P. 661 L.D. 1862
(C "B" S-560)

An Act Regarding the Development of Comprehensive River Resource Management Plans

S.P. 710 L.D. 1979
(S "A" S-563 to C "A" S-520)

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

An Act To Establish a Presumption of Entitlement to Counsel for a Person Who Is the Subject of an Adult Guardianship, Conservatorship or Other Protective Arrangement Proceeding

H.P. 354 L.D. 480
(C "A" H-1010)

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

An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System

H.P. 1193 L.D. 1604
(C "B" H-978)

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

An Act To Implement the Recommendations of the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch

H.P. 1453 L.D. 1950
(C "A" H-1019)

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

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

Senate at Ease.

The Senate was called to order by the President.

RECALLED FROM GOVERNOR'S DESK

An Act To Increase Funding for the Animal Welfare Fund by Increasing Certain Fees

S.P. 599 L.D. 1744
(C "B" S-455)

(In Senate, March 31, 2022, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 746), in concurrence.)

On motion by Senator **DILL** of Penobscot, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On further motion by Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-455)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "B" (S-455).

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-455)** Report.

Same Senator requested and received leave of the Senate to withdraw his motion to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-455)** Report.

On further motion by same Senator, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-454)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-454) **READ**.

On motion by Senator **DILL** of Penobscot, Senate Amendment "A" (S-562) to Committee Amendment "A" (S-454) **READ**.

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

Senator **DILL:** What the amendment does is - the Majority actually is 100% of the pet fees coming in would go to the Animal Welfare Fund. This amendment, a floor amendment here, just changes that from 100% to an 80% - 20% split, 80% going to Animal Welfare and 20% still going to the General Fund.

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

Senator **STEWART:** Thank you, Mr. President. Just to clarify, does this floor amendment still require that there be a fee associated with pet food in the state of Maine?

THE PRESIDENT: The Senator from Aroostook, Senator Stewart, has posed a question through the Chair to anyone who can answer. The Chair recognizes the Senator from Penobscot, Senator Dill.

Senator **DILL:** There's already a fee. This does not increase the fee. Whatever the fee is now, it remains the same.

On motion by Senator **DILL** of Penobscot, Senate Amendment "A" (S-562) to Committee Amendment "A" (S-454) **ADOPTED**.

Committee Amendment "A" (S-454) as Amended by Senate Amendment "A" (S-562) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-454) AS AMENDED BY SENATE AMENDMENT "A" (S-562)** thereto.

Ordered sent down forthwith for concurrence.

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 (4/15/22) matter:

Resolve, To Help Certain Businesses with Electricity Costs
S.P. 723 L.D. 2010
(C "A" S-549)

Tabled - April 15, 2022 by Senator **BREEN** of Cumberland

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, April 14, 2022, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-549)**.)

(In House, **FINALLY PASSED**.)

On motion by Senator **CHIPMAN** of Cumberland, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-549)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-549).

On further motion by same Senator, Senate Amendment "A" (S-569) to Committee Amendment "A" (S-549) **READ** and **ADOPTED**.

Committee Amendment "A" (S-549) as Amended by Senate Amendment "A" (S-569) thereto, **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-549) AS AMENDED BY SENATE AMENDMENT "A" (S-569) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/29/22) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Enact the Maine Psilocybin Services Act"

S.P. 496 L.D. 1582

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-464)** (4 members)

Tabled - March 29, 2022 by Senator **CLAXTON** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, March 29, 2022, Reports **READ**.)

Senator **CLAXTON** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#775)

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

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

EXCUSED: Senator: BREEN

20 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-464) **READ**.

On motion by Senator **BAILEY** of York, Senate Amendment "A" (S-567) to Committee Amendment "A" (S-464) **READ**.

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

Senator **BAILEY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise today to offer a floor amendment to L.D. 1582. To start, this Legislation, as amended, would create an opportunity to unlock a treatment that is backed by substantial research from leading institutions, endorsed by leading physicians, used by veterans that put their lives on the line for our country, and adopted by states across the country. This treatment is known as Psilocybin therapy. The history of Psilocybin is fascinating and groundbreaking. Since 2014, at Johns Hopkins Center for Psychedelic Research and Psilocybin Therapy has discovered that Psilocybin helps long time smokers quit smoking, eases anxiety in patients who have life threatening cancers, and reduces alcohol intake for those who struggle with substance abuse. Of particular interest too is the power of Psilocybin therapy to help treat people who are suffering from post-traumatic stress disorder, which includes survivors who suffered from domestic, physical, or sexual abuse or assault and veterans who served in counter insurgency campaigns overseas. We owe it to survivors to keep an open mind and explore all the possible means of easing their pain and helping them live full, satisfying lives in the wake of their traumatic experiences. From a medicinal point of view, there are many benefits. Psilocybin therapy works rapidly and robustly within hours or days. That's immediate, quick relief. Psilocybin therapy also targets a broad spectrum of symptoms. In fact, Psilocybin is so effective and powerful that it's usually administered in a single, double, or triple dose that provide relief for weeks and months at a time. These benefits are convincing enough that Psilocybin therapy has been designated a breakthrough treatment for drug resistant depression. As many of you may have seen, there was a recent New York Times article about a study out of London that showed that use of Psilocybin actually changes the brain chemistry. For those who are suffering PTSD, substance use disorder, and others who just need that reset button to be reset, Psilocybin therapy is that treatment. Considering these ongoing clinical trials and research, the categorization by the FDA as a breakthrough treatment, and the use of Psilocybin by many communities for their healing properties, passing L.D. 1582 as amended is more timely than ever. This bill, as amended by the amendment I'm introducing here today, will ensure that those most in need of immediate treatment, including veterans, survivors who are suffering from PTSD and substance use disorder, and those who need end-of-life care will have access to the two lifechanging therapies and I would ask you to support this amendment. Thank you, Mr. President.

On motion by Senator **BAILEY** of York, Senate Amendment "A" (S-567) to Committee Amendment "A" (S-464) **ADOPTED**.

Committee Amendment "A" (S-464) as Amended by Senate Amendment "A" (S-567) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-567)** thereto.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/13/22) matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Advance Health Equity, Improve the Well-being of All Maine People and Create a Health Trust"

H.P. 1258 L.D. 1693

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-993)** (8 members)

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

Tabled - April 13, 2022 by Senator **DAUGHTRY** of Cumberland

Pending - motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence (Roll Call Ordered)

(In House, April 13, 2022, 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-993) AS AMENDED BY HOUSE AMENDMENT "A" (H-998)** thereto.)

(In Senate, April 13, 2022, Reports **READ**.)

Senator **POULIOT** of Kennebec requested and received leave of the Senate to withdraw his request for a Roll Call.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-993) **READ**.

House Amendment "A" (H-998) to Committee Amendment "A" (H-993) **READ** and **ADOPTED**, in concurrence.

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

Senator **CLAXTON**: Thank you, Mr. President. I offer an amendment. After working with the Revisor's Office yesterday, of course I can't find it right now, that strips out any reference to the Obesity Advisory Board and committee and retains the public health portions of the bill that were considered when we passed the Majority Report.

On motion by Senator **CLAXTON** of Androscoggin, Senate Amendment "A" (S-573) to Committee Amendment "A" (H-993) **READ** and **ADOPTED**.

Committee Amendment "A" (H-993) as Amended by House Amendment "A" (H-998) and Senate Amendment "A" (S-573) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME**.

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 (#776)

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

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

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-993) AS AMENDED BY HOUSE AMENDMENT "A" (H-998) AND SENATE AMENDMENT "A" (S-573)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/14/2022) matter:

HOUSE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act Concerning Equity in Renewable Energy Projects and Workforce Development"
H.P. 1464 L.D. 1969

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-971)** (8 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - April 14, 2022 by Senator **DAUGHTRY** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, April 13, 2022, 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-971)**.)

(In Senate, April 14, 2022, Reports **READ**.)

Senator **DAUGHTRY** 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 PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Farrin.

Senator **FARRIN**: Thank you, Mr. President. Ladies and gentlemen of the Senate, ratepayers ask us daily what is driving the increases in their electric bills and my response is legislation like L.D. 1969 does. By enacting this legislation, we increase regulations, limit Maine people from work, and reduce the ability for fair competition. This bill is complicated but the result isn't. This simply increases the cost of building renewables. Many even cited this bill would provide more opportunities for out-of-state firms to be more competitive, taking work from companies right here in Maine. While this bill doesn't require the developer to include the labor conditions, it's naive to think that every avenue to get an advantage in the selection process will not be used in a competitive market. It's also not clear how a developer can bid with confidence that they can even meet these conditions. Typically, a contract would be executed between the builder and the developer after the energy procurement process is complete. We, as a Legislature, embrace small businesses in Maine. How can we turn our backs on them and their hardworking employees? The Maine Renewable Energy Association made it clear when they said we must be extremely cautious with introducing any additional requirements that will drive up the cost of electricity for future renewable energy projects. Any effort to direct energy construction work away from some companies or towards others will only have the ultimate effect of a decrease in competition and increase in prices. They also asked another vital question: why does this only apply to renewable projects? Some of the largest contractors, employers, in the state, like Cianbro, Shaw Brothers, H.E. Sargent, and others, have agreed with Jack Parker from Reed & Reed who said, 'L.D. 1969 would bring irreparable harm to our employee, owners, our company, and the state of Maine.' Let the market work and allow for fair competition by rejecting this bill. We owe it to the Maine people to lower electricity costs, not increase them, and this bill will surely add cost to our ratepayers. Thank you, Mr. President.

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

Senator **DAUGHTRY**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in strong support of the pending motion but also in that Parliamentary Procedure gray area to say that there is a amendment coming, if we are able to accept the current motion in front of us, that addresses a lot of concerns that have been expressed not only by the good Senator who spoke before me but from others during the process. I have to say this is one of those bills that is a perfect example of compromise and it's been worked by all sides and I hope that you will accept this report so that I can tell you about how the next motion will be amazing. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#777)

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

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

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **DAUGHTRY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-971) **READ**.

On motion by Senator **DAUGHTRY** of Cumberland, Senate Amendment "A" (S-570) to Committee Amendment "A" (H-971) **READ**.

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

Senator **DAUGHTRY**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I urge strong support of the amendment before us. This amendment does two main things. It removes certain requirements regarding apprenticeship and it changes where the language goes in the statute. It removes the requirement that apprenticeship on these projects have 3,000 on-the-job hours and 216 classroom hours. It also removes the requirement that a contractor have a registered apprenticeship program that is connected to a registered pre-apprenticeship program. I have to say, most importantly, I'm very impressed with the different stakeholders who worked on the amendment that's before you and brought everyone to the table and, currently in

conversations, the Chief Executive is amenable to the amendment in front of us and I urge you to vote for this.

THE PRESIDENT: The Chair wonders why the good Senator from Androscoggin rises?

Senator **TIMBERLAKE**: My button didn't work and I keep pressing the red one. I couldn't press the white one. I would like to request a roll call, Mr. President.

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 pending question before the Senate is Adoption of Senate Amendment "A" (S-570) to Committee Amendment "A" (H-971). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#778)

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

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

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **DAUGHTRY** of Cumberland to **ADOPT** Senate Amendment "A" (S-570) to Committee Amendment "A" (H-971) **PREVAILED**.

Committee Amendment "A" (H-971) as Amended by Senate Amendment "A" (S-570) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-971) AS AMENDED BY SENATE AMENDMENT "A" (S-570)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/22) matter:

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Ensure Transmission and Distribution Utility Accountability"
S.P. 697 L.D. 1959

Report "A" - Ought to Pass as Amended by Committee
Amendment "A" (S-550) (5 members)

Report "B" - Ought to Pass as Amended by Committee
Amendment "B" (S-551) (5 members)

Report "C" - Ought to Pass as Amended by Committee
Amendment "C" (S-552) (4 members)

Tabled - April 18, 2022 by Senator VITELLI of Sagadahoc

Pending - motion by same Senator to ACCEPT Report "A",
OUGHT TO PASS AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-550)

(In Senate, April 18, 2022, Reports READ.)

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

Senator **BRENNER:** Thank you, Mr. President. Mr. President, men and women of the Senate, I rise energized with support for the pending motion. Let me start by borrowing a page out of my good colleague from Oxford County's playbook with some history, particularly with some history of Maine's experience with its' investor-owned transmission and distribution utilities and with some history regarding the pending legislation. CMP started in 1899 when two Mainers bought a hydroelectric generator serving about 100 people in the small town of Oakland. Around the same time in Northern Maine numerous small electric companies were popping up. That included Eastport Electric Light Company, Millinocket Light Company, Ellsworth Electric Illuminating Company, and many more, and they served small communities across the area but over the first few decades of the 20th Century these were gradually consolidated into the Bangor Hydroelectric Company. Bangor Hydro merged with Maine Public Service in 2014 forming Emera, the predecessor of Versant Power. Throughout much of the electrified history of Maine the power and distribution of that power were provided by the same company but, given concerns over potential monopolies, the Maine Legislature formally ended the practice in 2000. Now CMP and Versant only service transmission and distribution utilities, meaning they're responsible for getting power from the source to Maine's homes, businesses, hospitals, schools, places of worship, and other places that seek to illuminate the darkness. Many Mainers have fond memories of the CMP Public Service Announcements of the 1990s. No line is safe to touch evah. However, fast forward a few decades and Mainers have lost faith in the public utilities that are supposed to serve the residents of Maine. In 2018, Jackman residents filed a complaint against CMP for its poor reliability and the complaint read in part: 'CMP outages are putting elderly citizens, shut ins, and families of young children at risk during cold weather in our area. Further, these extended outages increase risks of frozen pipes and extensive damage to homes and businesses. Some citizens without cell phone coverage cannot even access 9-1-1 when there is a loss of power. Almost half the area ratepayers have had to purchase generators, causing financial stress, and lack of

reliable power has a negative effect on future businesses, economic, and community growth.' When we're so focused on bringing broadband to folks throughout the state, we can't forget that when the power goes our business, school children, and everyone else loses access to the internet. Unless a home or business has backup generators or energy storage batteries. They lose lighting, refrigeration, power to run medical devices, and pumps to run water and so much more. Mainers across the state, from Jackman to Kittery, from Addison to Fort Kent, deserve reliable, affordable power and our economy depends on it. For too long we've failed to take action to address the failures of these investor-owned utilities and today we can finally right that wrong. The bill before us will hold Maine's investor-owned utilities accountable for poor performance. The bill will also help Maine plan, design, and modernize our electric grid for a vastly different energy future that involves distributed renewable energy generation, large energy storage systems, and the electrification of transportation and heating. Regarding utility accountability, Maine people have every right to expect much better service than they have been getting in recent years. Our investor-owned utilities operate as monopolies and they've received failing grades in recent years for their poor performance. Here's what a headline in Maine Biz said last December, 'CMP and Versant Rank Among the Country's Worst Utilities for Customer Satisfaction,' and then the article said 'those Central Maine Power and Versant Power, which together provide electricity for nearly the entire state, received two worst grades in the country from a new study of utility customer satisfaction. CMP ranked dead last among the largest 145 U.S. electric utilities and Versant tied with Pacific Gas and Electric for the fourth worse in the nation.' This study was done by J.D. Power. This situation must end. Maine people deserve reliable service, accurate bills, timely customer service, and constructive involvement in achieving a clean energy future. Personally, I do support the consumer-owned utility and I hope that Maine voters get a chance to vote on it in a referendum about what kind of utility ownership model would best serve Maine people but that, Mr. President, is a matter for another day.

We have before us today a much needed bill to help provide accountability and a report card system for utilities, regardless of whether they are investor-owned or consumer-owned. This bill creates a simple framework for our utilities. They'll need to perform well or face penalties, and if they fail consistently they will be replaced. The bill requires the PUC to establish unambiguous service standards and thresholds of performance in four critical areas of utility operations and activities. Financial penalties for poor performance will be mandatory. The bill doubles the penalties the PUC can impose and it sets out divestiture as the ultimate penalty for a failing utility. This bill also includes strong whistleblower protections for utility employees, contractors, and the employees of contractors. Maine's Public Advocate has said that even one or two whistleblower reports with evidence of wrong doing by CMP or Versant could result in major benefits for Maine ratepayers. The other big part of this bill involves integrated grid planning, which holds the potential to save millions of dollars for Maine ratepayers. Maine needs a holistic grid planning process to achieve a modern grid in the most cost effective fashion possible, including alternatives to transmission and distribution lines, distributed energy generation, and load flexibility as we transition to a new dynamic grid powered by clean energy. Multiple stakeholder groups in recent years have identified grid planning as a top priority. This bill responds to those recommendations and this will put such process into motion and

into law. Right now the utilities do grid planning on their own. This status quo is a gift to the utilities because it gives them all the power to plan on their own behind closed doors with no public involvement and no policy directives. The utilities can focus on what's best for their shareholders and not what's best for Maine ratepayers. Allowing the utilities to do the planning on their own must end. We need a well planned grid that is the product of extensive input from the Office of the Public Advocate, the Governor's Energy Office, and outside experts and stakeholders to achieve the most cost effective transportation of our grid for a clean energy future. We would never think to build a house without an architectural plan and grid expansion, like we will see over the next decade, will save ratepayers if the planning process is open and transparent, holistic, and comprehensive. CMP alone has 291 grid segments in their service area. If grid planning resulted in similar alternative solutions to traditional utility plans in only one-third of those segments that would be close to one billion in ratepayer savings over time. Together, colleagues, let's embrace the need to hold utilities accountable, offer whistleblower protections, provide the ultimate penalty for underperformance with a lever to pull for divestiture, and address the need to embrace the essentiality of clean energy - the clean energy economy by engaging the utilities in open, transparent, and directed grid planning. This bill is about performance accountability and planning accountability and I urge my colleagues to stand up for Maine's ratepayers in support of this bill. Thank you, Mr. President.

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

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I'm actually a co-sponsor on this bill, L.D. 1959, and did so in good faith out the outset of this legislation and the process that underwent at the committee level and, you know, was doing so with an open mind to what we could do to actually make this process better for the people of Maine. There are certainly some parts in the bill that I think I like and makes sense. The whistleblower protections is one example of that. However, there are several parts of this bill that I consider now to be problematic, one of which you heard the sponsor of the bill, the Senator from Cumberland, speak about it just a minute ago with this sort of new report card, if you want to refer to it as such, that would be implemented in statute. In that report card it would have at least, and I want to underscore at least, four components. It could have more depending on how those get broken out over time. It's unclear how many there could be at some point in the future. With the ability then for the PUC to apply, if they are given a failing grade in any of those categories, up to \$1 million penalty, now this is the sticky point, that would not be recoverable in rates. Some of these, for example, the component about customer satisfaction, according to some analysis that's been done on this, would more or less be a sentiment-based analysis, one that could effectively be equated to a popularity contest between the utilities and would be incredibly hard to nail down what exactly that means, customer satisfaction, and, importantly, and again this is the rub, how do you improve that? Well, the simple answer from the utilities would be it's going to cost money. Now that money would be, in fact, recoverable in rates through a process that they would go through like any other rate case at the PUC and I know that we've got a good Public Advocate who I was excited to vote to confirm

and I'm sure that he'll do his job and due diligence in trying to keep those rates as low as possible over there. However, the question turns on whether it's prudent or not and we are now enshrining in statute various items that the utilities would easily be able to point to and say 'this is prudent. Of course it's prudent. In fact, we've just been mandated in law that we have to do this.' How do you think that case is going to shake out? Here's another example. In one of those metrics there's a question around the satisfaction of distributive generators, more or less the solar companies. Are they satisfied with the utilities? If not they're going to be penalized up to \$1 million. What does that really mean? That penalty's not recoverable but all of the millions of dollars that those utilities are then going to spend to make sure that the solar lobby is placated is going to be recoverable on the backs of your constituents. You heard talk about the component about integrated grid planning. That's another couple of million dollars, also recoverable. Depends on which analysis you're going to use. Depends on what amendment may or may not be coming later on. How hard do we want to stick it to the ratepayers for integrated grid planning? Another element that is to go to placate certain trenches in that circle that building. You know, the cold hard reality is that the PUC, if they felt that these things were actually already prudent, they could initiate rule making and do these things tomorrow. They have not done that because there are legitimate questions to be asked around how important is it. You know, I'm sure that the utilities, both CMP and Versant, the two that, and I believe after, you know, again another amendment, that's what we'll be left with in terms of who we're impacting here, will be fine with this. They, I don't think, will lose a penny from this. I feel confident they won't in fact be penalized because we have now made it prudent for them to spend whatever they need to spend to avoid any sort of penalties going forward. That is going to have a substantial impact on your constituents' electricity bills. You know, I think we've all heard from our constituents about, particularly lately, about the rising cost of energy, how detrimental that is. Obviously, we were talking most recently about a supply-side increase that's been incredibly problematic and my take-away from constituents when they call me about energy issues is they're upset about the price. They're not upset that a solar project couldn't get connected, that's then going to be selling electrons onto the grid at an above market rate. That's not what they're frustrated about, Mr. President. They're frustrated about that number at the bottom of their bill and they are looking to us to make sure that number doesn't get unnecessarily larger. You know, when I was in the House, Mr. President, I served as the Minority Whip over there, so I know how to count votes pretty alright. I know where we're heading today and I can speculate what the outcome is ultimately going to be on this legislation. I will say this to the folks, the good folks over at the Public Utilities Commission and enter this into the official record, when you do engage in rulemaking please, please, please do so with the mind to the words minimum in regards to the standards, that these are the minimum standards, and to the word affordability because if those words are not looked at seriously I believe that we are in for a heck of a rate increase, Mr. President, if this bill goes forward. Our constituents are concerned about cost. Certainly, they want the lights to come on when they turn the switch but they also don't want to ration that electricity because it now costs so much so that we can placate the solar lobby, so that we can have a popularity contest between our utilities in Maine. That's not what they care about. I would urge my colleagues to reject this motion and, again, would

underscore to those listening that affordability matters most.
Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President and colleagues. My colleague from Cumberland made some great points. Can't disagree with her at all on most of it, and we really do need the part about planning the grid. We're so far behind. We're behind of what I disagree with about her optimism. This is not a company that reacts normally to what accountability is put in place for them because Maine has tried to do that before. It has a PUC that has been unresponsive even when they don't conform to what we told them to do. I don't have to tell you this. Your constituents have been telling you this for several years now. Pretty emphatically. Pretty repeatedly. And it goes on business as usual. The biggest thing you'll see, what are the optics? They go out and they'll trim a few more trees because the trucks are seen and then they'll send someone in to tell us how - look how there's trucks everywhere. They're contracting them and that's what they do. But when they've been told that they can't disconnect people for not paying their bill in the winter, they've sent them notices saying that they can. When they're fined for doing that they do it again. They do everything to maximize profits. Other states have been smart. They have a term that you get this contract for and, even if it's a long term of 20 years, you can know that it's coming to an end. We're one of only two states that don't have a length of contract with the transmission and distribution utility. For these reasons, this is not a good bill. Those other things are very important but what's more important is starting to get some accountability for our electricity distribution and grid to bring on the renewables that are coming. They're always being refined, so if you don't like one now just wait a minute. Technology is changing quickly. But the grid needs to be there to get it to everybody who needs it. Get it to be reliable, and for that reason, this "A" does not work for what we are facing here in Maine. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (S-550). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#779)

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

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

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **VITELLI** of Sagadahoc to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-550)**, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (S-550) **READ.**

On motion by Senator **LAWRENCE** of York, Senate Amendment "A" (S-575) to Committee Amendment "A" (S-550) **READ.**

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

Senator **LAWRENCE:** Thank you, Mr. President. This amendment makes changes to the bill. It makes a good committee amendment even better. I want to thank the Senator from Cumberland, Senator Brenner, for her hard work on this bill. This was not easy. It is never easy to get a solution that can have widespread support. What this amendment does, it reduces actually the costs on ratepayers while retaining control in the PUC of the grid plan. Puts more burden on the utilities, on the information they have to provide to the PUC for the development of this grid plan. Overall, with this amendment and the committee amendment, this will bring accountability now to our utilities and, more than anything else, that's what we have to achieve. It's hard to reach an agreement on something like this, and I know there's people who want more, some people want less, some people want a different way, but if you want to bring accountability now you need to support this amendment and this bill. It is our way to achieve it. It's our way to achieve long term rate reduction and I know it's going to achieve long term rate reduction because we heard from the Public Advocate about that and the Public Advocate is very focused on rate reduction and making things work well for consumers and he was very involved in this bill. I want to make it clear that the penalties that the utilities are going to be paying will not come from ratepayers. They will come from the profits of the utilities. Why I know this is a good bill is that the utilities are opposing it. They don't want this to pass. In our committee I was even more surprised that those supporting a consumer-owned utility, our power, is opposing it too and it's like an unholy alliance between the two to kill this bill and stop it from passing. That's why I know this is a good bill. That's why I know it will bring accountability now and I urge you to support it.

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

Senator **BRENNER:** Thank you, Mr. President. I just want to rise again to offer some feedback about costs for grid planning. It'll cost ratepayers 36¢ per year for us to engage in comprehensive and holistic grid planning. The game for rate stabilization is a long game. We need to think about where's our fuel coming from. The reason our rates are rising in Maine is because of the fuel that we're using to power our electric grid. So, if you want to decarbonize and have control over what it is that we're doing here in Maine related to our fuel source, we need to play the long game. We need a holistic grid plan. We need to make sure the power doesn't go out and our businesses aren't suffering from power losses and I'm excited about the amendment we've come

up with and I look forward to all of your support on the bill. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, I rise today to speak in strong support of L.D. 1959 and the amendment that we just attached. For years we've heard from Maine people and businesses about their frustrations with Maine's electric transmission and distribution utilities. In response, the Legislature has worked on piece-meal fixes to address issues with billing, disconnection notices, and more. But we've not yet addressed Mainer's frustrations in any comprehensive way and the cries for action have only grown louder as a result. I would echo my good colleague from York, we need accountability now. It's clear that Maine people are at a breaking point and that many of our constituents have lost faith in their utilities. In December, Central Maine Power was for the fourth year in a row ranked last in the nation for customer satisfaction by J.D. Power. Last out of the nation's 145 largest utilities. Versant is fourth last, tied with the notorious PG&E. Maine people are demanding more accountability from their electric utilities and they're demanding it now. This bill offers the opportunity to do that in a meaningful way. L.D. 1959 lays out clear performance metrics for our utilities, as well as financial penalties for when those benchmarks aren't met. The bill also improves protections for whistleblowers and others who want to speak out to help ensure that utilities are being honest with Maine people. The bill also requires our utilities to work along side stakeholders, including the PUC, Efficiency Maine, other experts, to plan for Maine's future by designing a more modern and reliable grid. This represents a critical step forward for accountability and for protecting ratepayers as we move toward a modernized grid, powered by clean energy. We need this approach in order to build the most cost effective grid possible, a grid designed for Maine ratepayers, not utility shareholders. As Mainers struggle with high energy prices that threaten their ability to keep their lights on and their businesses open, it's paramount the Legislature take steps to ensure that transmission and distribution utilities are putting service to Mainers not profits first. It's perhaps ironic that as we sit here in this Chamber today thousands of Maine people are without power because of the storm, including 3,287 right here in Kennebec County according to the CMP website. Maine's electric utilities have a tremendous responsibility to Mainers, as does the Legislature. Today, fulfilling our responsibility to Maine people means ensuring that our utilities are fulfilling theirs as well. I urge you to follow my light and support this measure and bring accountability now.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, I appreciate the hard work that so many members of this Chamber, this Legislature, are engaged in to drive down energy costs and to hold our utilities more accountable. I know this measure is well meant and it - I testified against it before the committee. It's come out of committee improved. I think this amendment before us today improves it further. Almost there. It's getting there and I will be supporting this amendment as an

improvement to the bill and would look forward to further steps to make this bill all it can be. I ask for the yeas and nays.

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

THE PRESIDENT: The pending question before the Senate is Adoption of Senate Amendment "A" (S-575) to Committee Amendment "A" (S-550). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#780)

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

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

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **LAWRENCE** of York to **ADOPT** Senate Amendment "A" (S-575) to Committee Amendment "A" (S-550) **PREVAILED**.

Committee Amendment "A" (S-550) as Amended by Senate Amendment "A" (S-575) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **BENNETT** 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 (#781)

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

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

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-550) AS AMENDED BY SENATE AMENDMENT "A" (S-575)** thereto.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/22) matter:

An Act Regarding a Post-judgment Motion To Seal the Criminal History Record Information for Certain Criminal Convictions
H.P. 966 L.D. 1310
(C "A" H-1009)

Tabled - April 18, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **ENACTMENT**, in concurrence

(In Senate, April 15, 2022, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1009)**, in concurrence

(In House, **PASSED TO BE ENACTED**.)

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 (#782)

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

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

25 Senators having voted in the affirmative and 9 Senators having voted in the negative, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

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 As Amended

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws"

S.P. 528 L.D. 1643

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-571)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-571) **READ** and **ADOPTED**.

Under suspension of the Rules, **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:

Act

An Act To Provide Access to Fertility Care

H.P. 1144 L.D. 1539

(S "A" S-566 to C "A" H-865)

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine (EMERGENCY)

H.P. 1516 L.D. 2034
(C "A" H-1028)

In Senate, April 18, 2022, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1028)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1028) AS AMENDED BY HOUSE AMENDMENT "A" (H-1032)** thereto, in **NON-CONCURRENCE**.

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

Off Record Remarks

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

RECESSED until 3:00 in the afternoon.

After Recess the Senate was called to order by the President.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023" (EMERGENCY)

H.P. 1482 L.D. 1995

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1029)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1029)**.

Report **READ**.

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.

Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-1029) **READ** and **ADOPTED**, in concurrence.

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

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

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

REPORTS OF COMMITTEES

House

Divided Report

Eight members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Reorganize the Provision of Services for Infants, Toddlers and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of Eligibility under the Federal Individuals with Disabilities Education Act to 22 Years of Age"

H.P. 1531 L.D. 2039

Reported in Report **"A"** that the same **Ought to Pass**, pursuant to Resolve 2021, chapter 106, section 3.

Signed:

Senators:

RAFFERTY of York
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
SALISBURY of Westbrook
STEARNS of Guilford

Three members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**, pursuant to Resolve 2021, chapter 106, section 3.

Signed:

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred

Two members of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1031)**, pursuant to Resolve 2021, chapter 106, section 3

Signed:

Senator:

DAUGHTRY of Cumberland

Representative:

MILLETT of Cape Elizabeth

Comes from the House with Report "B", **Ought Not to Pass**, pursuant to Resolve 2021, chapter 106, section 3, **READ** and **ACCEPTED**.

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS**, pursuant to Resolve 2021, chapter 106, section 3, in **NON-CONCURRENCE**.

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.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#783)

YEAS: Senators: CHIPMAN, FARRIN, MIRAMANT, ROSEN, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, GUERIN, HICKMAN, KEIM, LAWRENCE, LIBBY, MAXMIN, MOORE, POULIOT, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, PRESIDENT JACKSON

5 Senators having voted in the affirmative and 29 Senators having voted in the negative, the motion by Senator **RAFFERTY** of York to **ACCEPT** Report "A", **OUGHT TO PASS**, pursuant to Resolve 2021, chapter 106, section 3, in **NON-CONCURRENCE**, **FAILED**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** Report "B", **OUGHT NOT TO PASS**, pursuant to Resolve 2021, chapter 106, section 3, in concurrence.

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.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#784)

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, CYRWAY, DAVIS, DESCHAMBAULT, DILL, FARRIN, GUERIN, KEIM, MIRAMANT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, PRESIDENT JACKSON

NAYS: Senators: BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DIAMOND, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MOORE, POULIOT, SANBORN, VITELLI, WOODSOME

17 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **RAFFERTY** of York to **ACCEPT** Report "B", **OUGHT NOT TO PASS**, pursuant to Resolve 2021, chapter 106, section 3, in concurrence, **FAILED**.

Senator **DAUGHTRY** of Cumberland moved the Senate **ACCEPT** Report "C", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1031)**, pursuant to Resolve 2021, chapter 106, section 3, in **NON-CONCURRENCE**.

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 Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. May I pose a question through the Chair, please?

THE PRESIDENT: The Senator may pose his question through the Chair.

Senator **MIRAMANT:** Thank you. Did I understand correctly that this version will generate a study for which there is already a study that was conducted for \$300,000 and has answered the questions that are looking to be answered. Is that correct on this version?

THE PRESIDENT: The Senator from Knox, Senator Miramant, has posed a question through the Chair for anyone who can answer. The Chair recognizes the Senator from Cumberland, Senator Daughtry.

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to answer the question that was just posed from the good Senator from Knox. No, I will say this is an issue that I've been in this building for ten years and I know that everyone who's been on this committee has worked immensely on, as well as the Department of Education, as well as all the stakeholders and employees in the CDS and, most importantly, the parents and children who are in this system. Report "C" creates a stakeholder group to look further at the process. So, yes, there is an aspect of studying it but then what again in life doesn't at least have some sort of academic study into it. But it is to sort of steer, it's not a study it's a steering committee to be able to work with the Department to guide them to through the next steps as well as hiring an outside facilitator to help all those involved be able to guide it. But as you can see from the roll calls that we've had in front of us and the committee report, it was definitely something - I want to say I respect everyone, this has been an incredible committee but, as you can see, we were a little bit scattered all over the place but I think, having worked on this for many, many different - many different years, I've read the study that was referenced as well, that this is a good step forward.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "C", Ought to Pass as Amended by Committee Amendment "A" (H-1031). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#785)

YEAS: Senators: BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DIAMOND, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, MOORE, SANBORN, VITELLI, PRESIDENT JACKSON

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

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **DAUGHTRY** of Cumberland to **ACCEPT** Report "C", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1031)**, pursuant to Resolve 2021, chapter 106, section 3, in **NON-CONCURRENCE, PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (H-1031) **READ** and **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1031)**, in **NON-CONCURRENCE.**

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness"

H.P. 1463 L.D. 1968

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-947).**

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
MADIGAN of Waterville
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

CONNOR of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

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-947) AS AMENDED BY HOUSE AMENDMENT "A" (H-1030)** thereto.

Reports **READ.**

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

Signed:

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.

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

The Doorkeepers secured the Chamber.

Representatives:

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

The Secretary opened the vote.

ROLL CALL (#786)

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

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

Signed:

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

Senator:

KEIM of Oxford

Representatives:

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

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-947) **READ**.

House Amendment "A" (H-1030) to Committee Amendment "A" (H-947) **READ** and **ADOPTED**, in concurrence.

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-1033)**.

Committee Amendment "A" (H-947) as Amended by House Amendment "A" (H-1030) thereto, **ADOPTED**, in concurrence.

Reports **READ**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-947) AS AMENDED BY HOUSE AMENDMENT "A" (H-1030)** thereto, in concurrence.

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

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

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.

REPORTS OF COMMITTEES

The Doorkeepers secured the Chamber.

House

The Secretary opened the vote.

Divided Report

ROLL CALL (#787)

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Protect against Discrimination by Public Entities"
H.P. 728 L.D. 982

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1033)**.

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

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

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

Comes from the House with the Majority **OUGHT TO PASS**, pursuant to Resolve 2021, chapter 113, section 1, Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Bill **READ ONCE**.

Reports **READ**.

Committee Amendment "A" (H-1033) **READ** and **ADOPTED**, in concurrence.

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS**, pursuant to Resolve 2021, chapter 113, section 1, Report, in **NON-CONCURRENCE**.

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

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Maintain a Comprehensive Substance Use Disorder Treatment Program for Maine's Incarcerated Population"

H.P. 1532 L.D. 2040

Reported that the same **Ought to Pass**, pursuant to Resolve 2021, chapter 113, section 1.

Signed:

Senator: LAWRENCE of York

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

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**, pursuant to Resolve 2021, chapter 113, section 1.

Signed:

Senators: CYRWAY of Kennebec DESCHAMBAULT of York

Senator **DESCHAMBAULT:** I'm just going to tell a brief story. This is substance use disorder program. The Department of Corrections since, I would guess, it's 2016 or 2017, began a program. It's called the MAT Program, Medically Assisted Treatment, for those that come in with a substance use disorder or an alcohol use disorder. They see a physician. There's a whole program set up and they're getting medication for that. The jails are doing that also. Last year my committee heard from the Department about the success of the program. It's not in the statute or anything. It was a policy. It was a program designed by the Department and put into effect. As a result, there was really no statistics on it or what have you. The committee asked that the Commissioner develop a pilot program last year and come up with facts and figures on how many are on the program and there were other statistics about how many completed it, what kind of medications. As a result of that program, which was a number of pages long and it was a very well developed program and report, they were able to - this committee was able to ask that legislation be put into place. So, what we have here, and I'd like to explain a little, that, as I said, MDOC has had a comprehensive treatment program in place for several years. They have an array of services and, you see it in the amendment, there's training and technical assistance for the staff. The program coordination is with the community upon release so they can have a continuum of care upon release and that the program includes, at the time of admission to any jail or prison, they are screened, assessed, treated, not limited to screening at intake also. They manage withdrawal and, as you know, that probably happens more often in the jail after they're arrested. By the time they're in the state prison, we're not talking too much withdrawal. Medication assisted treatment, individual and group counseling, and other behavioral treatment options also go into effect. Currently, the Maine Department of Corrections has over 600 people a day receiving some form of medication as part of their treatment. Because of the type of medication, it is not going up to the med window and seeing a nurse and being given the medication. It's not aspirin or anything else. This requires a number of officers who bring the prisoners in and get their medication every day. It requires making sure they're not bringing it back. You can well imagine what goes on in a prison when you've got this kind of medication. If you're not on the program you sure as heck would like to have your cellmate's medication. So, that takes in staff. They've got this high quality, they call it, wrap around services for

residents and they continue upon the release. MDOC is able to offer residents three medications currently provided for Opioid use. That's Methadone, Buprenorphine, and Naltrexone, without additional funds from the Legislature - without additional funds. The sponsor of the bill rejected numerous attempts by DOC to codify the services. By codify, we well know, we - the Department has been doing this on a policy basis and on a program basis. The Department is really pushing to accept the program and put it in statute so that another Commissioner doesn't take it away. So, they are in favor of this. However, the problem of the amendment is that, and I shall read what it says, excuse me, I've got it here. The problem that the Commissioner has with this is they - the amendment buys everything they're doing but it also says that the U.S. - the MAT Program must use medication approved by the United States Food and Drug Administration, of course, for the treatment of substance abuse disorder, including at least one of each - I mean of all formulations. One drug from all formulations. The three I just told you are the ones they use. Now I asked the Commissioner to explain that a little further for the Department - for the committee. There is a medication that is quite expensive and it's an injection once a month. Currently, I was told, it's \$1,600 a month per person. They're not offering that. So, the objection, and my reasoning for saying Ought Not to Pass, is the amendment says all formulations. I'm looking for the correct word. Yes, right here. Medications approved or authorized by the United States Food and Drug Administration for the treatment of substance abuse disorder, including alcohol use disorder, including at least one of each formulation of all United States Food and Drug Administration approved medication assistance treatments. Here's the problem. You will see that the fiscal note is zero. So, I was asked, 'Well why are you saying you don't want all the medications?' Well, when I heard \$1,600 a month per person that was a question. So, I approached the Commissioner and asked and currently they have it within their budget with other things, you know, the population's gone down. I guess they have the money for this year but he says not for future years. We would have to put it in the budget to approve all of the medications and I know I - I'll say it here because I've said it in caucus many times, the Commissioner is here, the doctor is here. Whatever the doctor prescribes I've not known any Commissioner or Warden to say no if that's what they need. For me, that matter is having it all available for everybody when it's not needed right now and the question is to remove that word 'all' and that's the objection that the Department has and it's unfortunate because they want to keep going with it but it's going to be somewhat cost prohibitive and it will come through General Funds next year or the following year. It's something to decide. We can always come back next year but right now it's not imperative that we use the word 'all' formulations of the drugs available. Thank you.

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

Senator **LAWRENCE:** Thank you, Mr. President. We have done a lot and talked a lot about opioid addiction and addiction and trying to find ways to address it in our state. It is truly a pandemic. It is everywhere in our state and it is something we need to take seriously in how to deal with. The use of medication

in combination with counseling and behavioral therapy is the most effective way to deal with this type of addiction and, unfortunately, a great number of people with this addiction end up in our correctional facilities and we have to find the ability to treat them in the manner they would be treated if they were not in the correctional facility and that's what this bill attempts to do. It attempts to give them the coverage that they would have if they were outside of the correctional institution. Now, I just want to make it clear, it is not all formulations that need to be provided under this bill. A formulation is essentially a different way of delivering a medication. The language says, excuse me, at least one of the formulations for all medications to treat addiction. You have to buy at least one of the formulations to treat the addiction and that's the purpose of this legislation. It won't have a financial impact in this budget. Whether it has or not in the future I do not know but this is the treatment we need if we're going to take opioid addiction seriously in this state and treat people who are incarcerated. Thank you.

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

Senator **SANBORN:** Thank you, Mr. President. I rise just briefly with the lens of having worked on prescription drug coverage issues for the last six years and this formulation that's included in the text here of including at least one of each formulation of all approved medication assisted treatment is the way we actually limit the number of drugs that have to be covered because you only have to cover at least one of each formulation. So, if you had two drugs, same formulation, you could pick the cheaper one and that would be available to the DOC. I also just want to comment on the fiscal note which, if it were likely that the Department of Corrections were going to see cost increases in the future, there's a way to write a fiscal note that says that and this fiscal note does not say that. We've seen plenty of them and they're plenty of them sitting on the table, some of them bills that are near and dear to my heart. But this fiscal note says the costs are expected to be minor and can be absorbed within existing resources. Thank you, Mr. President.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I reached out to MDOC today. Yesterday this meeting happened right while we were voting so I didn't get chance to go to the Criminal Justice meeting but it was reflective of L.D. 663 that we did last year, which failed and then they brought it up today - yesterday and passed it. Anyway, I agree with Senator Deschambault and also MDOC agrees with Senator Deschambault and they wanted me to actually let the Senate Body know that the problem with this bill is that the sponsor preferred to put forward this bill that obligates the Department of Corrections to offer all current and future FDA provide medications regardless of cost, regardless of appropriateness within the correctional facility, and without regard to access correctional clients will have these medications within the community upon release. The MDOC has been stymied in the process to codify the services they've worked hard to implement. Pushing into law the sponsor's version will force current and future taxpayers to pay for medications they may not be - that may not be the gold standard for treatment treating

incarcerated residents. So, they are very much against this bill, feels that their program has been really come a long way and they've been really working hard and I think that I certainly will go along with Senator Deschambault for Ought Not to Pass. Thank you, Mr. President.

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

Senator **CLAXTON:** Thank you, Mr. President and members of the Chamber. I just rise briefly to point out that one of the inherent important pieces of medication assisted treatment is that it be individualized to the needs of the person and so, as a prescribing physician, you have access to the full ranges of medicines already, whether they're covered in the Department or not, and the money that was given last time to the Department to cover these expenses wasn't touched last year. So, there's plenty of money available and this would - not passing this would interfere with the provider's ability to get the right medication to the right person at the right time, which is the hallmark of individualized therapy. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#788)

YEAS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, FARRIN, GUERIN, KEIM, MIRAMANT, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, VITELLI, PRESIDENT JACKSON

13 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS**, pursuant to Resolve 2021, chapter 113, section 1, Report, in **NON-CONCURRENCE, FAILED**.

The Majority **OUGHT TO PASS**, pursuant to Resolve 2021, chapter 113, section 1, Report **ACCEPTED**, in concurrence.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Regulate the Use of Biometric Identifiers
H.P. 1450 L.D. 1945

In Senate, April 18, 2022, on motion by Senator **CARNEY** of Cumberland, Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017), READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017), in NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1018) AS AMENDED BY HOUSE AMENDMENT "A" (H-1036)** thereto, in **NON-CONCURRENCE**.

Senator **CARNEY** of Cumberland moved the Senate **INSIST**.

Senator **BENNETT** of Oxford moved the Senate **RECEDE** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017), in NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **RECEDE** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017), in NON-CONCURRENCE**.

Non-Concurrent Matter

An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water
H.P. 662 L.D. 906
(C "A" H-984)

In Senate, April 14, 2022, **PASSED TO BE ENACTED**, in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1530, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-984) AS AMENDED BY HOUSE AMENDMENT "A" (H-1035)** thereto, in **NON-CONCURRENCE**.

On motion by Senator **CARNEY** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **TIMBERLAKE** of Androscoggin, the Senate **RECONSIDERED** whereby it **RECEDED** and **CONCURRED**.

Senator **MOORE** of Washington moved the Senate **RECEDE** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

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

Senator **MOORE** of Washington moved the Bill and accompanying papers be **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

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

Senator **MOORE:** Sorry, Mr. President. I'm just as confused I think as everyone. I withdraw my motion.

Senator **MOORE** of Washington requested and received leave of the Senate to withdraw her motion to **INDEFINITELY POSTPONED** the Bill and accompanying papers, in **NON-CONCURRENCE**.

THE PRESIDENT: The pending question before the Senate is Recede from Passage to be Engrossed. A roll call has been ordered. The Chair recognizes the Senator from Washington, Senator Moore.

Senator **MOORE:** Mr. President, I move that we Recede from whereby this bill was Passed to be Engrossed as Amended.

THE PRESIDENT: I think, Senator, your motion is out of order. There's already a motion on the floor. You certainly can make remarks to or for that motion.

Senator **MOORE:** Okay. Thank you, Mr. President. I'm quite concerned about the way the amendment is, as it stands now, the Committee Amendment "A" and also House Amendment "A" and so I was asking to be able to present a Senate Amendment that would actually resolve some of the concerns that I have regarding the original bill, the Committee "A" and then the House Amendment as well. That's why I'm going - was going through this process just to present, at least present my Senate Amendment.

Senate at Ease.

The Senate was called to order by the President.

Senator **CARNEY** of Cumberland requested and received leave of the Senate to withdraw her request for a Roll Call.

On motion by Senator **MOORE** of Washington, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

On further motion by same Senator, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-984)**, in concurrence.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (H-984)**, in concurrence.

House Amendment "A" (H-1035) **READ**.

On motion by Senator **MOORE** of Washington, House Amendment "A" (H-1035) **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

THE PRESIDENT: The Chair would advise that trying to give the good Senator from Washington, Senator Moore, the opportunity to present her amendment. The Chair recognizes the Senator from Washington, Senator Moore.

Senator **MOORE:** Thank you, Mr. President and thank you, ladies and gentlemen of the Senate. This is a little bit new to me, so I apologize for the delays here. Mr. President, I present Senate Amendment "A" with a filing number of S-574 to Committee Amendment "A" and move its adoption and wish to speak to my motion.

On motion by Senator **MOORE** of Washington, Senate Amendment "A" (S-574) to Committee Amendment "A" (H-984) **READ**.

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

Senator **MOORE:** Thank you, Mr. President. In the original Committee Amendment "A" - let me back up just a bit. In the original Maine Indian Act, let me put it that way, in Section 5 the limitations specifically states no lands held or acquired by or in trust for the Passamaquoddy tribe or the Penobscot Nation shall be included within or added to the Passamaquoddy Indian Territory except under the recommendation of the Commission and then it goes on to say that no lands within any city, town, village, or plantation shall be added to either the Passamaquoddy Indian tribe or the Penobscot Indian Territory without approval of the Legislative Body of said city, town, village, or plantation, in addition to the approval of the State. In this bill there are two pieces of properties that are being suggested to be moved into the actual Indian territory that actually resides in the town of Perry. As a result of that, my concern is that I feel that the town of Perry should have a say in whether or not this property should be removed from their tax rolls and placed into Indian territory. The amendment, itself, does require the approval by the voters of the town of Perry at a referendum for the addition of land in the Passamaquoddy Indian Tribe as specified in Committee Amendment "A". I will also add that my amendment also removed some of the proposed Maine Indian Act changes. However, all of those were also included in L.D. 1626 that this Body has already passed and is sent forward to the Governor for

signature. The town of Perry is set to lose approximately, well \$2,658 per year from their tax rolls as a result of this transfer and I think that the town of Perry should have the opportunity to weigh in on that and say yes or no to the motion that is being brought forward. Thank you, Mr. President.

On motion by Senator **CARNEY** of Cumberland, 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 Carney.

Senator **CARNEY:** Thank you very much, Mr. President and colleagues of the Senate. I just want to remind us where we were a few days ago on L.D. 906. The amendment that has been presented by our colleague, the good Senator from Washington County, actually reverses, in large part, the work that 21 members of this Body voted to support. It reverses the effect of Section 4 of the bill and then strikes the remainder of the bill, which is remaining Sections 5 through 12. The work that we did on L.D. 906 was important work. It was very - it was good work that helped reverse an important human rights issue, the Passamaquoddy Tribe not having access to clean drinking water on its reservation. I would urge colleagues to vote against the pending motion, with all due respect to the sponsor, and recede and concur with the House so that we may move this matter forward, and I would just also note that it is important to take this action in this legislation. This is the bill we're voting on today and we should move forward with the Recede and Concur motion. Thank you.

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

Senator **BREEN:** Thank you, Mr. President. I just wanted to correct the record. L.D. 1626 has been placed on the Special Appropriations Table.

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

Senator **KEIM:** Thank you, Mr. President. I just wanted to stand in support of the pending motion. Our committee did not hear much at all from the people of Perry and we did have an Indian Claims Settlement Act that did, as was read to you, specifically outlined that any Legislative Body of the city, town, or village should give approval to having land being taken into trust and this bill, I need to remind everyone as well, does not change the fact that there is already a pathway for clean water and the solution to that is underway and will continue whether or not this bill passes and there are fair ways to get to a process that would allow this to be under consideration and fair to all members of - all citizens of the state of Maine and not just some.

THE PRESIDENT: The pending question before the Senate is Adoption of Senate Amendment "A" (S-574) to Committee Amendment "A" (H-984). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#789)

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

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

12 Senators having voted in the affirmative and 22 Senators having voted in the negative, the motion by Senator **MOORE** of Washington to **ADOPT** Senate Amendment "A" (S-574) to Committee Amendment "A" (H-984) **FAILED**.

On motion by Senator **CARNEY** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

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

ORDERS OF THE DAY

On motion by Senator **DIAMOND** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

Emergency Measure

An Act To Expand the Address Confidentiality Program to Victims of Certain Human Trafficking Crimes

S.P. 684 L.D. 1943
(C "A" S-541)

Placed on Special Highway Table - April 14, 2022, by Senator **DIAMOND** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In Senate, April 12, 2022, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-541).**)
(In House, April 13, 2022, **PASSED TO BE ENACTED.**)

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-541).**

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-541).

On further motion by same Senator, Committee Amendment "A" (S-541) **INDEFINITELY POSTPONED**.

On further motion by same Senator, Senate Amendment "A" (S-572) **READ**.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen, very briefly. This was a mistake. The funds were included in the Highway budget and do not need - did not need to be placed in this bill. So, that's the reason for the amendment.

On motion by Senator **DIAMOND** of Cumberland, Senate Amendment "A" (S-572) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-572), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

On motion by Senator **DIAMOND** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act Governing the Sale, Purchase, Removal, Transport and Disposal of Catalytic Converters Removed From Motor Vehicles, Governing Scrap Metal Processors and Creating the Motor Vehicle Services Fund

S.P. 61 L.D. 796
(C "A" S-539)

Placed on Special Highway Table - April 13, 2022 by Senator **DIAMOND** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In Senate, April 12, 2022, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-539).**)

(In House, April 12, 2022, **PASSED TO BE ENACTED.**)

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

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

Senate at Ease.

The Senate was called to order by the President.

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 Correct Inconsistencies, Conflicts and Errors in the Laws of Maine

H.P. 1516 L.D. 2034
(H "A" H-1032 to
C "A" H-1028)

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

Act

An Act To Increase Funding for the Animal Welfare Fund by Increasing Certain Fees

S.P. 599 L.D. 1744
(S "A" S-562 to C "A" S-454)

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

Resolve

Resolve, To Help Certain Businesses with Electricity Costs

S.P. 723 L.D. 2010
(S "A" S-569 to C "A" S-549)

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Enact the Maine Psilocybin Services Act

S.P. 496 L.D. 1582
(S "A" S-567 to C "A" S-464)

In Senate, April 19, 2022, on motion by Senator **CLAXTON** of Androscoggin, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-464) AS AMENDED BY SENATE AMENDMENT "A" (S-567)** thereto.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

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

Senate at Ease.

The Senate was called to order by the President.

Senator **VITELLI** of Sagadahoc requested and received leave of the Senate to withdraw her motion to **RECEDE** and **CONCUR**.

On further motion by same Senator, the Senate **INSISTED**.

Sent down for concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/12/22) matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Secretary of State Regarding Notarial Acts"

H.P. 1503 L.D. 2023

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-983)** (9 members)

Minority - **Ought Not to Pass** (3 members)

Tabled - April 12, 2022 by Senator **TIMBERLAKE** of Androscoggin

Pending - motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence (Roll Call Ordered)

(In House, April 11, 2022, 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-983)**.)

(In Senate, April 12, 2022, Reports **READ**.)

Senator **TIMBERLAKE** of Androscoggin requested and received leave of the Senate to withdraw his request for a Roll Call.

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

Senator **CHIPMAN:** Mr. President, I believe there's an amendment that's supposed to be offered on this bill.

THE PRESIDENT: We're going to get there. Absolutely.

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-983) **READ**.

On motion by Senator **KEIM** of Oxford, Senate Amendment "A" (S-576) to Committee Amendment "A" (H-983) **READ**.

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

Senator **KEIM:** Thank you, ladies and gentlemen of the Senate. This amendment is seeking to change the bill that was passed out of committee and address the issue of fees. So, gratefully, there has been an agreement to address that issue. I know there was some comments on the floor saying that this bill didn't touch fees but it does because it changed the length of time that a person could be a notary. So, right now a person can be a notary and it's a seven year term and it costs you \$50 to get licensed. This bill would change it to a four year term and make it so that you also had to pay an additional \$25 to a marriage officiant and also purchase a stamp for \$25. So, this amendment is doing away with those extra fees. It's making the stamp optional. It's also making the journaling, if you are in person, to be optional. So, I think this is a big favor to the people of Maine who this type of work, really just most of them out of the favor to their neighbor - to their friends and neighbors. So, this is a good amendment and I'm grateful that we are considering putting this onto the bill today.

On motion by Senator **KEIM** of Oxford, Senate Amendment "A" (S-576) to Committee Amendment "A" (H-983) **ADOPTED**.

Committee Amendment "A" (H-983) as Amended by Senate Amendment "A" (S-576) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-983) AS AMENDED BY SENATE AMENDMENT "A" (S-576)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

Senate at Ease.

The Senate was called to order by the President.

The President requested the Sergeant-At-Arms escort the Senator from Cumberland, Senator **BREEN**, to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tem **CATHERINE E. BREEN** of Cumberland County.

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 Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023

H.P. 1482 L.D. 1995
(C "A" H-1029)

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you very much, Madame President. I just want to speak briefly about what's before us, which is, of course, the Supplemental Budget. Ladies and gentlemen of the Senate, I believe one of our most important functions here in the Legislature is to spend Maine peoples' money wisely and prudently. It is one of our greatest responsibilities since what we do in this Chamber has an effect on the lives of our residents and we have a unique powerful role and that power comes to duly exercise prudently. The budget before you, I believe, does that. It represents the greatest tool that members of both parties, and even both Chambers, have at their disposal and that tool is compromise. In a compromise nobody gets everything they want but usually somebody gets everything - some of what they want. We are in the middle, we meet in the middle for the common good of all Mainers. We represent 35 Senate Districts, 1,300,000 people. But we all work for all of Maine's people. We did prioritize a bunch of things. We prioritized that Maine families by giving back \$730 million in hard earned taxpayers to families making less than \$200,000 a year and trust me, folks, that was a compromise. We were also able to agree on some tax reforms to help protect our seniors and their retirement income and that will help keep, I hope, some of our seniors here in Maine instead of losing them to states like Florida. We were able to give our aspiring youth, and this is very important, especially to me, their

first two years of education free through our Community Colleges. That puts Maine on the map for helping our students. This is all a compromise but it's as it should be. I believe in the years I've been here I've voted against more budgets than I've voted for but the ones I ever voted for were usually a compromise and a two-thirds budget. Thank you very much, Madame President, and thank you for your hard work on this. Thank you.

THE PRESIDENT PRO TEM: Thank you, Senator Davis. The Chair recognizes the Senator from Androscoggin, Senator Pouliot.

Senator **POULIOT:** Thank you, Madame President. While Androscoggin is a very lovely county, I'll stick to Kennebec.

THE PRESIDENT PRO TEM: Oh, pardon me. The Senator from Kennebec. Pardon me, Senator Pouliot, my apologies.

Senator **POULIOT:** I wouldn't want to take that away from the good Senator to my left, but I won't pose any questions through you, Madame President, to ask him. I request a roll call.

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

Senator **BAILEY:** Thank you, Madame President. Colleagues in the Senate, I would concur with the good Senator from Piscataquis County in that this Supplemental Budget represents a compromise. I can say, serving on AFA, that there was a lot of give and take and a lot of listening on both sides and I think that we did come up with a product that I was trying to think of kind of the theme and I think the Senator from Piscataquis County kind of hit on the theme I came up with which there is a lot in this budget to help children, families, and working Mainers, both those entering the workforce, such as the Community College and the opportunity tax credit, and those who are leaving, or have left, and are enjoying their hard earned retirement, as well as continuing our leadership on remediation and identification of PFAS. I am very proud of the product that we came up with and I think that it does, again, speak loudly to our values in helping children, families, and working Mainers and I would ask you all to vote green. Thank you.

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

Senator **JACKSON:** Thank you, Madame President. Ladies and gentlemen of the Senate, I just wanted to rise for a moment and say that, having been through a number of these, I'm always really, really impressed with the members of Appropriations, both House and Senate. Long, long periods that they have to spend. The weekends, the time away from home. It really is quite impressive and so I do think this is a good budget. I think it's the way you always hope for it to happen and it could not have happened without the great work of my good friend from Piscataquis, Senator Davis; my good friend and colleague from York, Senator Bailey; and my good friend and colleague from Cumberland, Senator Breen. I certainly want to thank the entire

process, everyone that has to do that production. It is quite, quite complicated but, you know, the three of you, for the long long evenings, the long weeks, I couldn't be more proud to serve with all of you and I certainly couldn't be more proud for you, Madame President, to have the opportunity to sign this budget. So, with that, thank you very much and look forward to taking this vote.

THE PRESIDENT PRO TEM: Thank you, Senator Jackson. Now the actual Senator from Androscoggin, Senator Timberlake.

Senator **TIMBERLAKE:** I thank you, Madame President, and I just felt that in my 12 years of serving here I think I've only voted for like two budgets in my life. So, it's not something I do a lot of but I just have served on the Appropriations Committee and I know the work that you guys go through. I appreciate the work you've done, Madame President, Senator Davis, Senator Bailey. I've been there. You've done great work. As they said, this budget has something we all don't like and has all something we do like and I will be supporting the budget today. So, thank you for just what you guys have done and it's good to do this. Thank you.

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

Senator **KEIM:** Thank you, Madame President Pro Tem. I would like to express gratitude for the hard work that's happened in Appropriations and there is so much in this budget that I - which I am supportive, and I know there are things that were not supportive as well. So, today I'm going to be voting in opposition to passing the budget and I'm doing so with difficulty because I respect the work that's gone on and I think that it is a good budget. However, there is, once again, no funding in there for indigent legal services to make changes to the system that are really needed and there's a lot of things in this budget that are on sort of our wish list or are things that we prioritize and we believe are really important. But indigent legal services is a constitutional obligation of our state and since I have been in the Maine Legislature I have served on Judiciary Committee and I have worked every single year to try to create more and more change in that system and so my vote today will be because I think at this point I must take a stand. I voted in favor of the budget last year and it wasn't in - the funding wasn't in there and it is once again not in there and I'm hopeful we can do something with our table money and still take care of at least some measures. But having served on the Judiciary Committee for this many years and having prioritized it for this long, and holding up a high bar for constitutional obligations of our state, it is in that - it is for that reason and that reason only that I will be casting a vote in opposition. Thank you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Daughtry.

Senator **DAUGHTRY:** Thank you, Madame President. Ladies and gentlemen of the Senate, I rise to echo many of the sentiments that have been shared here on the floor today, that I am very proud and excited to vote for the budget before us and I think, following the good Senator's comments, I want to say you know it's a good budget when everyone walks away feeling like they've had a great win but also a great loss and exactly the subject matter that she highlights, I agree and it's something we

need to keep moving forward. We did a funding for it in the last budget but, most importantly, I think it's a call to all of us who are lucky enough to return to this hallowed Chamber to be able to do more and know that, you know, I always see a budget as the beginning and also as the book end at the end of our session. It sets the pages. It sets the terms. It helps as sort of a guiding and moving document and I think, you know, voting in strong support of this budget doesn't mean that we're completely closing the chapter. We're just putting our portion in the history of this Legislature and in this state and reminding ourselves that we still have a lot more work to do. I also, once again, want to thank the good Senator from Cumberland County for all of her incredible work and guidance and I'm particularly excited to vote yes having her at the rostrum. Thank you.

THE PRESIDENT PRO TEM: The pending question before the Senate is Enactment. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#790)

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

NAYS: Senators: CHIPMAN, KEIM

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 2 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 Pro Tem, was presented by the Secretary to the Governor for approval.

Ordered sent down forthwith.

Senate at Ease.

The Senate was called to order by President Pro Tem. **CATHERINE E. BREEN** of Cumberland County

Act

An Act To Correct Errors, Inconsistencies and Conflicts in and To Revise the State's Liquor Laws

S.P. 528 L.D. 1643
(C "A" S-571)

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

Senator **HICKMAN:** Thank you, Madame President. We don't often see a bill that's got errors, inconsistencies, and conflicts as it relates to the State's liquor laws but here it is. It's been a long time coming. In fact, the staff of the Bureau of Alcoholic Beverages and Lottery Operations; stakeholders across the liquor industry, both large and small; the sub-committee on this effort that I served on back in the summer of 2019, which seems like a lifetime ago, along with the good Senator from Kennebec, Senator Cyrway; two different VLA Committees came together to get rid of archaic language and make the liquor code actually readable. But the greatest thanks and appreciation goes to our committee analyst, Janet Stocco, who - I don't know, she's magic and her work on this bill was nothing short of impeccable and I just wanted to give all of the people involved in this great thanks and appreciation. It doesn't have the fanfare of a budget but this was actually a pretty big deal. So, I wanted to say that before we send it to the Chief Executive's desk. Thank you, Madame President.

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

Ordered sent down forthwith.

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:

Act

An Act Concerning Equity in Renewable Energy Projects and Workforce Development

H.P. 1464 L.D. 1969
(S "A" S-570 to C "A" H-971)

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

Ordered sent down forthwith.

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 Cumberland, Senator **BREEN**, to her seat on the Floor.

The Senate was called to order by the President.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until 8:00 in the evening.

After Recess the Senate was called to order by the President.

Off Record Remarks

Senator **BENNETT** of Oxford asked for unanimous consent that members be allowed to knit at their desks.

The Chair **RULED** the motion was against the Senate Rules.

Senator **BENNETT** of Oxford asked for unanimous consent to allow that members be allowed to knit at their desks.

The Chair **RULED** that the request was against the written decorum of the Senate.

Senator **BENNETT** of Oxford moved to **SUSPEND THE RULES** for the purpose of allowing members to knit at their desks.

The Chair ordered a Division. 25 Senators having voted in the affirmative and 9 Senators having voted in the negative, the motion by Senator **BENNETT** of Oxford to **SUSPEND THE RULES PREVAILED**.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Ensure Transmission and Distribution Utility Accountability

S.P. 697 L.D. 1959
(S "A" S-575 to C "A" S-550)

In Senate, April 19, 2022, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-550), READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-550) AS AMENDED BY SENATE AMENDMENT "A" (S-575)** thereto.

Comes from the House, Bill and accompanying papers
INDEFINITELY POSTPONED, in **NON-CONCURRENCE**.

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until
Later in Today's Session, pending **FURTHER CONSIDERATION**.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Advance Health Equity and Improve the Well-being of
All Maine People

H.P. 1258 L.D. 1693
(H "A" H-998; S "A" S-573
to C "A" H-993)

In Senate, April 19, 2022, 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-993) AS AMENDED BY HOUSE
AMENDMENT "A" (H-998) AND SENATE AMENDMENT "A"
(S-573)** thereto, in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (H-993) AS
AMENDED BY SENATE AMENDMENT "A" (S-573)** thereto, in
NON-CONCURRENCE.

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

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 1536

ORDERED, the Senate concurring, that Bill, "Resolve,
Regarding Monitoring of and Reporting on Energy Use Data
Standards and Online Energy Data Platforms," H.P. 1499, L.D.
2017, and all its accompanying papers, be recalled from the
Governor's desk to the House.

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

READ and **PASSED**, in 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:

Acts

An Act To Provide Passamaquoddy Tribal Members Access to
Clean Drinking Water

H.P. 662 L.D. 906
(H "A" H-1035 to
C "A" H-984)

An Act To Maintain a Comprehensive Substance Use Disorder
Treatment Program for Maine's Incarcerated Population
H.P. 1532 L.D. 2040

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

An Act To Protect against Discrimination by Public Entities
H.P. 728 L.D. 982
(C "A" H-1033)

Senator **BREEN** of Cumberland moved the Bill and
accompanying papers be placed on the **SPECIAL
APPROPRIATIONS TABLE** pending **ENACTMENT**, in
concurrence.

Senator **KEIM** of Oxford requested a Roll Call.

THE PRESIDENT: The Senator from Oxford, Senator Keim, has
asked for a roll call on item 7-2, the motion to put it on the Special
Appropriation Table. The Senator, after we get the roll call, can
speak to why it shouldn't be put on the Table but cannot speak to
the content of it. The motion is to set it on the Special
Appropriations Table.

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
Oxford, Senator Keim.

Senator **KEIM:** Permission to approach the rostrum?

Senate at Ease.

The Senate was called to order by the President.

Senator **KEIM** of Oxford requested and received leave of the
Senate to withdraw her request for a Roll Call.

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

An Act To Expand Access to Mental Health and Crisis Care for Individuals in Jails and Individuals Experiencing Homelessness
H.P. 1463 L.D. 1968
(H "A" H-1030 to
C "A" H-947)

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

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Reorganize the Provision of Services for Infants, Toddlers and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of Eligibility under the Federal Individuals with Disabilities Education Act to 22 Years of Age
H.P. 1531 L.D. 2039
(C "A" H-1031)

In Senate, April 19, 2022, Report "**C**", **OUGHT TO PASS AS AMENDED**, pursuant to Resolve 2021, chapter 106, section 3, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1031)**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby Report "**B**", **OUGHT NOT TO PASS**, pursuant to Resolve 2021, chapter 106, section 3, was **READ** and **ACCEPTED**.

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

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 Expand the Address Confidentiality Program to Victims of Certain Human Trafficking Crimes

S.P. 684 L.D. 1943
(S "A" S-572)

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

Act

An Act To Implement the Recommendations of the Secretary of State Regarding Notarial Acts

H.P. 1503 L.D. 2023
(S "A" S-576 to C "A" H-983)

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

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/22) matter:

SENATE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Restore to the Penobscot Nation and Passamaquoddy Tribe the Authority To Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010"

H.P. 428 L.D. 585

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (H-1020)** (7 members)

Report "**B**" - **Ought to Pass as Amended by Committee Amendment "B" (H-1021)** (2 members)

Report "**C**" - **Ought to Pass as Amended by Committee Amendment "C" (H-1022)** (2 members)

Report "**D**" - **Ought to Pass as Amended by Committee Amendment "D" (H-1023)** (1 member)

Report "**E**" - **Ought Not to Pass** (1 member)

Tabled - April 18, 2022 by Senator **CARNEY** of Cumberland

Pending - motion by same Senator to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020)**, in concurrence

(In House, April 15, 2022, Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020)**.)

(In Senate, April 18, 2022, Reports **READ**.)

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

Senator **CARNEY:** Thank you, Mr. President. I wish to speak to the pending motion.

THE PRESIDENT: The Senator may proceed.

Senator **CARNEY:** Thank you. Esteemed colleagues of the Senate, I rise to urge your support of the pending Ought to Pass as Amended by Committee Amendment "A" motion on L.D. 585. Tonight, and in light of the late hour, I will focus only on the compelling reason to pass the gaming sections reflected in the legislation before you. Giving exclusive rights for mobile sports gaming to the four federally recognized tribes in Maine is essential to restoring economic self-determination and will give the Wabanaki tribes the resources they need to build schools, to protect public health, and to provide other essential infrastructure and government services to Wabanaki people. Mobile sports gaming will also provide economic stimulus to rural areas of the state. This policy decision is fair and equitable. It is - the Wabanaki tribes previously have been excluded from conducting most forms of gaming in our state and, unlike private entities that currently run gaming operations in Maine, 100% of the profits from mobile sports gaming by the tribes will be used by tribal governments to provide the essential government services that benefit Wabanaki people. It is similar to the Maine lottery, which supports State government programs and services by sending over \$50 million to the State's General Fund each year. L.D. 585, as amended, also allows off-track betting facilities, commercial tracks, and casinos to engage in facility-based sports gaming. This policy decision supports both the harness racing industry and agricultural interests related to it. Similarly, off-track betting facilities, commercial tracks, and casinos are well suited to conduct facility-based sports gaming because of their infrastructure and experience with the conduct of wagering in the state. This balancing among those interests in wagering fairly and reasonably allocates sports gaming to meet the needs of our state. I urge you to support the Majority Ought to Pass as Amended motion.

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

Senator **FARRIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, while I respect my colleague's comments on that, I just also remember that there's also a process piece in this and members of this Body voted for sports betting, mobile sports betting, in our previous session and the process that this bill came forward through excluded Veterans

and Legal Affairs and members from both Chambers, how this process worked forward and we had worked all of this out and this is not a piece about the tribes and fairness. We talked and included the tribes in the previous legislation that we passed through here and I just think there's a whole piece of this whole thing about process that we have ignored. The Chief Executive did not include the people in that process. It happened while we were not in session and as we wonder sometimes why the people of the state of Maine don't always have faith in the work that we do here, it's because of how this piece of this legislation came to be and I will be opposing acceptance of Report "A" and I encourage my members to do that same. Thank you.

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

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it's a late hour to be discussing such a heavy bill but this bill, like many actually that came through the Judiciary Committee this year, really did not get the proper process and, as was mentioned, there is the gaming portion of this bill, which I think everyone has heard about ad nauseum and the process was something that was put together in the VLA Committee with an amendment that worked with everybody, all the stakeholders, and everyone was included in that bill, even the tribes. The process for 585 was more like a backroom deal. It was negotiations over months that excluded the Maine people, excluded transparency, and became what we see here, which was an agreement between basically the Chief Executive and the tribes without a lot of input from the other - from Legislators and the other people in Maine. One of the pieces that didn't get much conversation in our committee, because probably Taxation would have been a better place for this section, is the part to make tax exempt the tribes and I'm going to read to you the Legislative findings and purpose of this bill because it's something I find that I can get behind 100%. It says: the Legislature finds and declares that the changes to the State's tax laws that appear in Part C to H of this act to the State tax laws will do this; improve the economic opportunities available to and welfare of the Penobscot Nation, the Passamaquoddy Tribe, and the Houlton Band of Maliseet Indians and their tribal members; encourage economic development within the tribal lands of the Penobscot Nation, Passamaquoddy, and Houlton Band of Maliseet Indians, the benefits of which will improve not only the tribes and their tribal members but the surrounding communities and the State; will clarify and simplify the application of the State's tax laws as well as to their tribal lands and tribal members in order to reduce the cost of tax compliance to the tribes and their members to reduce the cost of the State administering its tax laws. Reducing taxation will improve economic opportunities for individuals and encourage economic development is true but this should apply to all Mainers. If we want to benefit a certain portion of Maine people we should be benefiting them all. The tribes still get school funding and revenue sharing. They'll still be using the roads and yet they won't be paying into those same things like the rest of Maine people will be. For example, they also are exempted from the forestry excise tax. That helps fight forest fires. That's the reason for that tax. So, their property will still get the coverage and the protection but that will then fall on the backs of the other property - sorry, it's late - that will fall then on the backs of the other owners of large forest tracts. So, the blueberry tax is another piece of it. This law is complex because they will

not be paying tax on the blueberries but they will be sharing in the Blueberry Commission good work that they do to advertise Maine blueberries, which are wonderful, and then also their businesses will be taxed - their blueberry business wouldn't be taxed. The people that work at that blueberry business, if they also live on the land, they won't be taxed. And so we are setting up an unfair economic advantage for some people in Maine that are going to be living and working and doing business, the same exact business side by side, from other people in Maine. So, there are good - there is portions of this bill that I think are very beneficial to tribal/state relations and I wholeheartedly support that, that we have a collaboration, although I will say that it doesn't pass the straight face test that you would have sixteen people from every State agency that would be designated liaison to the tribes and to say that that could be absorbed within existing resources, doesn't really pass the straight face test, but nonetheless I believe it is a good step forward for the state and would be beneficial. But this bill, and all the process of which has sidestepped this Body and most of the Maine people, is not something that I can support and the good ideas in here around tax exemption would help all Maine people and I wish that we were considering something more substantial for everyone and not just for some. Thank you for your time this evening.

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

Senator **CARNEY:** Thank you, Mr. President. I just want to provide some additional information about the process. So, this bill did receive a lot of process in the Judiciary Committee. We had two very extensive public hearings, one in May of 2021 and another in February of 2022. We conducted four work sessions that, as I recall, were very long work sessions where we carefully discussed and reviewed this bill. I think all of the documentation related to those are on the L.D. file under the Judiciary Committee web page if people are interested in seeing how extensive the process was. We also did receive a request from the VLA Committee to meet with the Judiciary Committee and to provide us their feedback and insight on the contents of L.D. 585. We accepted that invitation and were very, actually, pleased to receive that request. We invited them to join our committee and we had a robust discussion. I think the bottom line is that, you know, there are just two different policy choices to be made here and L.D. 585 makes a policy choice that will provide economic self-determination to the Wabanaki tribes. On that note, I wanted to also reflect on the concerns about the tax exemptions. These tax exemptions aren't lifting tax burdens from Wabanaki people. They are actually freeing up tax resources to go to the tribal governments to run the tribal court systems, public health services, and other essential public services that are not funded by State tax funds. Thank you.

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

Senator **POULIOT:** Thank you, Mr. President. As a Republican lead on the Tax Committee, I don't recall a single conversation about this bill. There's a substantial amount of impact on tax

policy in the State of Maine and I feel that that part of the process was just not had. For that reason, I can't support this measure. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (H-1020). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#791)

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

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

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020)**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-1020) **READ**.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "B" (S-577) to Committee Amendment "A" (H-1020) **READ**.

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

Senator **CARNEY:** Thank you, Mr. President. I just wish to express thanks and to recognize the Senator from Penobscot, Senator Baldacci, for his work on this amendment.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "B" (S-577) to Committee Amendment "A" (H-1020) **ADOPTED**.

On motion by Senator **FARRIN** of Somerset, Senate Amendment "C" (S-579) to Committee Amendment "A" (H-1020) **READ**.

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

Senator **FARRIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this amendment strips the mobile gaming portion from L.D. 585 and I offer this to the Body to have the discussion about how important the mobile gaming piece is to the entire citizenship of the state of Maine and not to have, and to

use the words of my colleague from Bangor, that's right, Senator Baldacci, who talked about how bad it was to have exclusivity and I also want to shine some light on this. You know, I mentioned earlier about how the people of the state of Maine look at what happens down here and this is a prime example. We had previous legislation that we agreed upon as a majority that is still within our grasp and the Chief Executive, through those deals and through what happened with Judiciary and what's happened in this Body in the last few days, has picked apart what we all agreed to as a Body and have pitted us against each other to do what's best, not only for the tribes but for the citizens of the state of Maine, and how we oversee mobile sports betting and moving it forward. So, while we can support the other pieces of 585, I ask for your support on Amendment "C" which would remove the sports betting piece of 585 and we can deal with that on its own instead of packaging things altogether and not have a poison pill. Thank you, Mr. President.

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 Kennebec, Senator Hickman.

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, with all due respect to my colleague and Republican lead on the Veterans and Legal Affairs Committee, the good Senator from Somerset, I would like to read into the record a letter from the tribal Chiefs to the Judiciary Committee dated March 15, 2022. 'Dear members of the Joint Standing Committee on the Judiciary. As the Chiefs of the Wabanaki Nations, we feel compelled to respond to some of the attacks on the portion of the proposed amendment to L.D. 585 that would legalize sports betting in Maine. The sports betting portion of the amendment to L.D. 585 was developed after thoroughly reviewing the record related to the pending L.D. 1352 and after researching and communicating with representatives of entities conducting mobile sports betting in every state where federally recognized Indian tribes exist. This included discussions with entities who partner with members of the Sports Betting Alliance and other critics of the proposed amendment. The sports betting portion of the proposed amendment to L.D. 585 uses the protective regulatory provisions of L.D. 1352 as its foundation. The amendment then revises L.D. 1352's list of eligible sports betting operators to ensure that the market for both facility and mobile sports betting can accommodate the entities being authorized to conduct the activity, adds additional regulation and oversight by the State to mobile sports betting, and addresses constitutional concerns that existed with L.D. 1352. The Wabanaki Nations worked with Governor Janet Mills to develop a fair and responsible approach for legalizing sports betting in the state that focuses on governments, tribal governments, being the primary licensees of mobile sports betting while allowing entities who currently conduct wagering activities to be able to obtain retail or in-person facility licenses. Our research shows that focusing on tribal governments for new gaming markets will provide the most benefits to the regional rural economies in the state. To be clear, nothing in the proposed amendment harms the existing casinos, which enjoys tens of millions of dollars in annual profit from monopoly of casino-style gaming and there has been no evidence presented to show any potential harm to any existing casinos,

commercial tracks, or off-track betting facilities. This is because the debate is over access to a new gaming market and not impacts to existing gaming businesses. Sports betting is a new gaming market and Maine has never taken an open market approach that allows any or everyone to enter such a market. That is evident in the fact that there are only two casinos in Maine, no casinos operated by any of the Wabanaki Nations, and limited commercial tracks and off-track betting facilities. The proposed amendment to L.D. 585 continues Maine's tradition of limited access to new gaming markets but focused access to the new sports betting market on tribal governments and other smaller entities such as off-track betting facilities that have been unable to conduct casino-style gaming. Regional economies in rural Maine will be the greatest beneficiaries of legalized sports betting in the state under the proposed amendment. This is because the revenues received by tribal governments from sports betting will be invested back into government services, programs, economic development, and infrastructure. Devoting revenues to these purposes will create jobs and directly enhance the economies of Penobscot, Washington, and Aroostook Counties. The Wabanaki Tribal Governments directly provide law enforcement, healthcare, road and utility infrastructure, housing, education, and other essential governmental services to thousands of rural Mainers every day. Commercial casinos do not. The open market approach contemplated in L.D. 1352 would allow a few large corporations and private individuals to dominate benefits from the new market of sports betting. The Wabanaki Nations were not going to benefit from L.D. 1352's legalization of sports betting. The Wabanaki Nations were not consulted on the provisions of that bill and there was clearly no incentive for any of the existing mobile vendors to communicate or build relationships with the Wabanaki Nations, and they didn't. L.D. 1352 was merely going to allow a select few mobile vendors to quickly enter Maine's mobile sports betting market and to cannibalize the market to the exclusion of the other entities authorized to access that market. Maine is a small gaming market. That is one reason why the State has long allowed only two casinos to exist and why those casinos have long opposed tribal gaming. Given that, there is no reason to believe that the so-called open market approach contemplated in 1352 would benefit all the entities authorized to access the market. It clearly would not. The proposed amendment focuses on authorizing the four Wabanaki Nations as licensees for mobile sports betting and the existing entities that conduct wagering activities to obtain licenses for in-person retail sports betting. The language of the amendment initially focused on off-track betting facilities obtaining facility licenses because we were still conducting outreach to determine how many commercial track licenses were still in use within the state and the status of particular entities. The Wabanaki Nations support the inclusion of commercial tracks, including Hollywood Casino Raceway Bangor and Oxford Casino for facility licenses to conduct retail, in-person sports betting. The inclusion of these entities will directly benefit the two casino operators in Maine. Critics of this amendment are disgruntled because they were hoping to monopolize the mobile sports betting market. Draft Kings, one of the Sports Betting Alliance's members, has successfully done just that in New Hampshire and this amendment provides a more equitable and responsible approach to the sports betting market in Maine. To be clear, the critics will be able to access the new sports betting market in Maine. They will simply have to partner with one of the Wabanaki Nations or with an off-track betting facility, commercial track, or casino in

order to access sports betting. We appreciate the Committee's work on this matter and your continued respect for the treatment of the Wabanaki Nations as governments. We ask the Committee prioritize consideration of the proposed amendment to L.D. 585 so that we can begin the process of bringing economic opportunities to rural Maine and tribal communities. Sincerely, Kirk E. Francis, Chief, Penobscot Nation. Clarissa Sabattis, Chief, Houlton Band of Maliseet Indians. Maulian Dana, Chief, Passamaquoddy Tribe, Pleasant Point. William Nicholas, Sr., Chief, Passamaquoddy Tribe, Indian Township. Charlie Peter Paul, Chief, Aroostook Band of Micmac Indians.'

Mr. President, I urge this Body to support the tribal governments seated with us here today and vote this amendment down. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Adoption of Senate Amendment "C" (S-579) to Committee Amendment "A" (H-1020). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#792)

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

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

11 Senators having voted in the affirmative and 23 Senators having voted in the negative, the motion by Senator **FARRIN** of Somerset to **ADOPT** Senate Amendment "C" (S-579) to Committee Amendment "A" (H-1020) **FAILED**.

On motion by Senator **CHIPMAN** of Cumberland, Senate Amendment "D" (S-580) to Committee Amendment "A" (H-1020) **READ**.

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, as you may recall, about a year ago we came together and passed L.D. 1352. That bill was a Majority Report out of the Committee on Veterans and Legal Affairs. That bill passed under the hammer unanimously in the House and that bill passed with 22 votes here in the Senate. That bill would become law right now if it wasn't sitting on the Appropriations Table. Under that bill, all of the major operators and stakeholders came together. The off-track betting facilities, casinos, fairs, harness racing industry came together on the sports betting bill that benefited everybody. It benefited all those entities and it benefited the tribes. It allotted revenue to everybody. It allowed everybody to have access to an on-line sports mobile betting license. Only 20% of the business of sports betting is conducted

in-person, so the retail licenses that everybody would be able to get under this bill 585 is only 20% of the business, so it does help some but it doesn't help that much. Eighty percent of the business from mobile sports betting is conducted on-line and that's really where the revenue is. So, what I'm trying to do with this amendment is pass something that benefits everybody, to take the language from L.D. 1352 and swap it out with the language in this bill for the gaming piece only, but also to provide some additional revenue to our tribes. So, this amendment would help everybody but it helps the tribes the most. For instance, under this amendment no commercial operator can launch a mobile sports betting app until a tribe is granted a license or one year after the effective date, whichever is sooner. This ensures that no one has a head start over the tribes. Six percent of the tax revenue from all mobile sports betting operators other than the tribes will go to the tribes and provides only a 10% tax rate on mobile sports betting for just the tribes. All other commercial gaming operators would pay 16% on mobile sports wagering. This means a better deal for the tribes and a better deal for the State. So, I think that by passing this amendment, which I hope you will vote with me to do, we will be helping the off-track better facilities, the fairs, harness racing industry, the farms that are supported by them, and the tribes, who all need our support. This amendment accomplishes all of that and it's a win win for everyone. So, I hope you will join me in voting yes. 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 PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Carney.

Senator **CARNEY:** Thank you, Mr. President and colleagues of the Senate. I just wish to speak briefly in opposition to the pending motion. I don't think that this amendment helps the tribes. Essentially, what it does is it takes away a very valuable economic benefit of exclusive mobile sports gaming and - from the tribes and instead gives 6% of the revenue from the profits of other corporations made to the tribes. In essence, what you're doing is you're taking away the promise of economic self-determination that Committee Amendment "A", Report "A", gives to the Wabanaki Nations and you're replacing it with making the nations once again dependent on others for income. I think that we have consistently voted - the majority of us have consistently voted in favor of economic self-determination for the tribes and I just ask that you continue to support the Wabanaki Nations in this way. Thank you.

THE PRESIDENT: The pending question before the Senate is Adoption of Senate Amendment "D" (S-580) to Committee Amendment "A" (H-1020). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#793)

YEAS: Senators: BLACK, CHIPMAN, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

13 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator **CHIPMAN** of Cumberland to **ADOPT** Senate Amendment "D" (S-580) to Committee Amendment "A" (H-1020) **FAILED**.

Committee Amendment "A" (H-1020) as Amended by Senate Amendment "B" (S-577) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1020) AS AMENDED BY SENATE AMENDMENT "B" (S-577)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until 11:00 in the evening.

After Recess the Senate was called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Regulate the Use of Biometric Identifiers
H.P. 1450 L.D. 1945

Tabled - April 19, 2022 by Senator **BENNETT** of Oxford

Pending - motion by same Senator to **RECEDE** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in **NON-CONCURRENCE**

(In Senate, April 18, 2022, on motion by Senator **CARNEY** of Cumberland, Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in **NON-CONCURRENCE**.)

(In House, April 15, 2022, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1018) AS AMENDED BY HOUSE AMENDMENT "A" (H-1036)** thereto, in **NON-CONCURRENCE**.

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 Oxford, Senator Bennett.

Senator **BENNETT:** Thank you, Mr. President. I made the motion to Recede so that we could put the bill in a posture where it can be perfected and amended. Thank you.

THE PRESIDENT: The pending question before the Senate is to Recede from Passage to be Engrossed as Amended by Committee Amendment "A" (H-1017). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#794)

YEAS: Senators: BAILEY, BENNETT, BLACK, BRENNER, CHIPMAN, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, MAXMIN, MIRAMANT, MOORE, RAFFERTY, TIMBERLAKE, WOODSOME

NAYS: Senators: BALDACCI, BREEN, CARNEY, CLAXTON, CURRY, CYRWAY, DAVIS, LAWRENCE, LIBBY, POULIOT, ROSEN, SANBORN, STEWART, VITELLI, PRESIDENT JACKSON

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **BENNETT** of Oxford to **RECEDE** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in **NON-CONCURRENCE**, **PREVAILED**.

On motion by Senator **BENNETT** of Oxford, the Senate **RECEDED** from whereby it **ADOPTED** Committee Amendment "A" (H-1017).

Same Senator moved the Senate **RECEDE** from whereby it **ACCEPTED** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in **NON-CONCURRENCE**.

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 Penobscot, Senator Baldacci.

Senator **BALDACCI:** Thank you, Mr. President. I just want to address to my colleagues that I have real concerns about us taking a bill that we voted one way, amending it at 11:20 acknowledging that there had been multiple errors in how this bill has been drafted and that it's going to impose regulations on several sectors of our economy. I think the wiser course is the one that we chose previously and I would ask people to reject this effort to revive the bill.

THE PRESIDENT: The pending question before the Senate is Recede from Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (H-1017). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#795)

YEAS: Senators: BAILEY, BENNETT, CHIPMAN, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, GUERIN, HICKMAN, KEIM, MAXMIN, MIRAMANT, RAFFERTY, WOODSOME

NAYS: Senators: BALDACCI, BLACK, BREEN, BRENNER, CARNEY, CLAXTON, CURRY, CYRWAY, DAVIS, FARRIN, LAWRENCE, LIBBY, MOORE, POULIOT, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, PRESIDENT JACKSON

14 Senators having voted in the affirmative and 20 Senators having voted in the negative, the motion by Senator **BENNETT** of Oxford to **RECEDE** from whereby it **ACCEPTED** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)**, in **NON-CONCURRENCE, FAILED**.

Senator **VITELLI** of Sagadahoc moved the Senate **INSIST**.

Senator **BENNETT** of Oxford moved the Senate **INSIST** and **ASK FOR A COMMITTEE OF CONFERENCE**.

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.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#796)

YEAS: Senators: BAILEY, BENNETT, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GUERIN, HICKMAN, KEIM, MAXMIN, MIRAMANT, WOODSOME

NAYS: Senators: BALDACCI, BLACK, BREEN, BRENNER, CARNEY, CURRY, CYRWAY, DAUGHTRY, DAVIS, FARRIN, LAWRENCE, LIBBY, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, PRESIDENT JACKSON

13 Senators having voted in the affirmative and 21 Senators having voted in the negative, the motion by Senator **BENNETT** of Oxford to **INSIST** and **ASK FOR A COMMITTEE OF CONFERENCE, FAILED**.

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

Sent down for concurrence.

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

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Ensure Transmission and Distribution Utility Accountability

S.P. 697 L.D. 1959
(S "A" S-575 to C "A" S-550)

Tabled - April 19, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In Senate, April 19, 2022, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-550)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-550) AS AMENDED BY SENATE AMENDMENT "A" (S-575)** thereto.)

(In House, April 19, 2022, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.)

Senator **VITELLI** of Sagadahoc moved the Senate **INSIST**.

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.

Senator **STEWART** of Aroostook 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#797)

YEAS: Senators: BAILEY, BLACK, BREEN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BALDACCI, BENNETT, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **STEWART** of Aroostook to **RECEDE** and **CONCUR**, **PREVAILED**.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **BREEN** of Cumberland, the Senate **RECONSIDERED** whereby it **RECEDED** and **CONCURRED**.

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **STEWART** of Aroostook to **RECEDE** and **CONCUR**.

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

ORDERS

Joint Order

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

S.P. 752

ORDERED, the House concurring, that, in accordance with emergency authority granted under the Maine Revised Statutes, Title 3, section 2, the Second Regular Session of the 130th Legislature is extended for up to 2 legislative days.

The Joint Order was **READ**.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I know it's late so I will try to be brief but I do want to take a moment to speak about - speak in favor of the motion before us. For the past few days we've had thoughtful debate, voted across party lines, and passed critical pieces of legislation with either unanimous or strong bi-partisan support. Perhaps the most telling was our Appropriations Committee coming together to unanimously report out a 225 page Supplemental Budget that, as we all know well, very well, earned overwhelming bi-partisan support just a little while ago in both of our Chambers. In this age and political climate, that is no easy feat and certainly something worth celebrating. As Senator Davis said, this is a big moment and, heck, we even got - Senator Timberlake voted for it too. If anything, it is clear that the members of this Chamber take the duties and responsibilities entrusted to them by the people of the state very seriously and that's why I rise to speak in favor of the motion to extend for the Second Regular Session of the 130th Maine Legislature for just two additional days so that we may complete the work in front of us. It's no secret that the non-partisan employees who work in this building, especially in the Revisor's Office, OFPR, and OPLA, have done yeoman's work to put us in a position to end on time. We have had well over 2,030 bills over the past two years. In fact, I think we voted today on L.D. 2039. That's a lot of production work and over the past few weeks they've all been working around the clock to produce a truly herculean number of amendments and that's been especially true over the past 48 hours. I know we've all spent plenty of time getting to bond in the hallways waiting on amendments. But here's the thing, they simply need more time. Every session is unique and there's always one event that sticks out but I think there's one thing we need to acknowledge in this Chamber as we make this decision, that we had something happen that has not happened before. There was a flood. The State House flooded and this largely effected the Revisor's Office, disrupting their work and sending them to offices throughout our campus. All of us in this Chamber want to be done. One thing I always talk about that I'm very proud about is we are a citizen's legislature. We are not professional politicians and all of us want to get back to our lives. Sitting in these seats right now at 11:32 pm we're all making sacrifices in our lives, in our personal lives, our jobs. We all want to get home. We want to see our loved ones. We want to see our dogs. We want to wake up and see the sunrise in our homes, not in this building. So, that's why I hope you'll agree to extend. When we think about our non-partisan staff, they've told us they simply cannot complete in time. They're asking for just a little more time to do their work. It's the least we can do to show our appreciation for the commitment and professionalism that the non-partisan offices have shown us throughout the entire session and even being able to do their jobs when water drove them from their offices. This Joint Order isn't an open extension, rather it's an attempt to give the non-partisan office the time they need to draft amendments so that we can run the Special Appropriations Table by extending the session one more Legislative day. I know we are tired - well two, maybe one, who knows, miracles happen, but planning ahead. We all have bills we care about. We all have things on the table that we want to see passed and I know that's a bi-partisan sentiment. I know we are all very tired, evidenced by

a few votes we've had before us, and our work is almost done. So, I really hope you can join me in voting to pass this Joint Order out of respect to our non-partisan staff who keep this building running each and every single day. Thank you.

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

Senator **POULIOT:** Thank you, Mr. President. Fifteen weeks and three days; 108 days; 2,592 hours; 155,520 minutes; 9,331,200 seconds. We've had plenty of time to get our job done, Mr. President. I respect every member that works in this building tremendously. There's no way that we could do our job without them but we've had plenty of time. Please join me in voting against the pending motion.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to add that, you know, we - in respect for the good Senator from Kennebec County, I got the county right, we did lose almost a week to the flood. So, in that count of time, there is a serious chunk where we were unable to do our work as normal and, yes, we were able to do our work in that time but every action we take here, every bill, every committee vote, I mean, heck, even our comments are written down and carefully transcribed at every moment. There is a back end to our decisions that's required, that's the law, that's our recorded history. These actions take physical time to transcribe. So, please, let's show them the respect that they deserve and give them time to be able to dictate and be able to catch up and make sure the paper is where it needs to be. Thank you.

THE PRESIDENT: The pending question before the Senate is Passage. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#798)

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

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

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, the Joint Order **FAILED PASSAGE**.

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

REPORTS OF COMMITTEES

House

Divided Report

Five members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Update the Regulation of Public Utility Monopolies"

H.P. 764 L.D. 1026

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1025)**.

Signed:

Senators:

LAWRENCE of York
STEWART of Aroostook
VITELLI of Sagadahoc

Representatives:

FOSTER of Dexter
GRIGNON of Athens

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" (H-1026)**.

Signed:

Representatives:

BERRY of Bowdoinham
GROHOSKI of Ellsworth
KESSLER of South Portland
ZEIGLER of Montville

Two members of the same Committee on the same subject reported in Report "**C**" that the same **Ought to Pass as Amended by Committee Amendment "C" (H-1027)**.

Signed:

Representatives:

CUDDY of Winterport
SACHS of Freeport

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

Signed:

Representatives:

CARLOW of Buxton
WADSWORTH of Hiram

Comes from the House with Report "**C**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "C" (H-1027)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-1027) AS AMENDED BY HOUSE AMENDMENT "A" (H-1041)** thereto.

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "C" (H-1027)**, 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.

Senate at Ease.

The Senate was called to order by the President.

Senator **POULIOT** of Kennebec requested and received leave of the Senate to withdraw his request for a Roll Call.

On motion by Senator **LAWRENCE** of York, Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "C" (H-1027)**, **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "C" (H-1027) **READ**.

House Amendment "A" (H-1041) to Committee Amendment "C" (H-1027) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "C" (H-1027) as Amended by House Amendment "A" (H-1041) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-1027) AS AMENDED BY HOUSE AMENDMENT "A" (H-1041)** thereto, in concurrence.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/12/22) matter:

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Cap the Value of Contracts for Renewable Resources and Distributed Generation Resources"

S.P. 248 L.D. 634

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-528)** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - April 12, 2022 by Senator **LAWRENCE** of York

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

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

Bill **READ ONCE**.

Committee Amendment "A" (S-528) **READ**.

On motion by Senator **LAWRENCE** of York, Senate Amendment "A" (S-581) to Committee Amendment "A" (S-528) **READ** and **ADOPTED**.

Committee Amendment "A" (S-528) as Amended by Senate Amendment "A" (S-581) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-528) AS AMENDED BY SENATE AMENDMENT "A" (S-581)** thereto.

Ordered sent down forthwith for concurrence.

Senate at Ease.

The Senate was called to order by the President.

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:

Acts

An Act To Enhance Tribal-State Collaboration, To Revise the Tax Laws Regarding the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and To Authorize Casinos, Off-track Betting Facilities, Federally Recognized Indian Tribes and Certain Commercial Tracks To Conduct Sports Wagering

H.P. 428 L.D. 585
(S "B" S-577 to
C "A" H-1020)

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

An Act To Advance Health Equity and Improve the Well-being of All Maine People

H.P. 1258 L.D. 1693
(S "A" S-573 to C "A" H-993)

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

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

Off Record Remarks

The following proceedings were conducted after 12:01a.m. Wednesday, April 20, 2022.

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Wednesday, April 20, 2022 at 10:00 in the morning in memory of and lasting tribute to the Honorable John L. Tuttle of Sanford.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (4/15/22) matter:

SENATE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Make Changes to the State's Hemp Program"

S.P. 683 L.D. 1942

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-557)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-558)** (5 members)

Tabled - April 15, 2022 by Senator **HICKMAN** of Kennebec

Pending - motion by Senator **DILL** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-557)** Report

On motion by Senator **DILL** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-557)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-557) **READ**.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "A" (S-582) to Committee Amendment "A" (S-557) **READ** and **ADOPTED**.

Committee Amendment "A" (S-557) as Amended by Senate Amendment "A" (S-582) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-557) AS AMENDED BY SENATE AMENDMENT "A" (S-582)** thereto.

Ordered sent down forthwith for concurrence.
