

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

In Senate Chamber  
Tuesday  
June 13, 2023

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

Prayer by Senator Marianne Moore of Washington County.

**SENATOR MOORE:** Thank you, Mr. President. Good morning, everyone. Let us pray.

Gracious Heavenly Father, we humbly acknowledge and appreciate Your divine concern and care for our great state, its people, and these proceedings. We ask that You would grant each of us, our districts, our communities, and our leadership, the wisdom to make wise choices in the best interest of our constituents. Help us to honor and value one another as we work with civility and a common interest for the wellbeing of our schools, our businesses, and the residences of citizens as we strive for the collective healing of our great state. Where we differ, let us show civility. Where we agree, let us celebrate unity. As we work together, let us show patience and understanding. We humbly acknowledge the responsibility bestowed on us by the citizens of the State of Maine. We ask that you superintend both the public and private negotiations and the motives and the desires of each of us. May we always remember to whom we are accountable, both now and in eternity. We ask this in the name that is above names. Amen.

Pledge of Allegiance led by Senator Michael Tipping of Penobscot County.

Reading of the Journal of Monday, June 12, 2023.

Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

An Act to Reduce Plastic Packaging Waste  
H.P. 1055 L.D. 1645

In Senate, June 7, 2023, on motion by Senator **BRENNER** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-360)**.

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

Senator **BENNETT** of Oxford moved the Senate **RECEDE** and **CONCUR**.

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

The Chair noted the absence of the Senator from Knox, Senator **BEEBE-CENTER**, the Senator from Franklin, Senator **BLACK**, the Senator from Somerset, Senator **FARRIN**, and the Senator from Androscoggin, Senator **TIMBERLAKE**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#292)**

**YEAS:** Senators: BAILEY, BALDACCI, BENNETT, CHIPMAN, CURRY, GROHOSKI, HICKMAN, INGWERSEN, LAWRENCE, POULIOT, RENY, ROTUNDO, TIPPING

**NAYS:** Senators: BRAKEY, BRENNER, CARNEY, DAUGHTRY, DUSON, GUERIN, HARRINGTON, KEIM, LAFOUNTAIN, LIBBY, LYFORD, MOORE, NANGLE, PIERCE, RAFFERTY, STEWART, VITELLI, PRESIDENT JACKSON

**EXCUSED:** Senators: BEEBE-CENTER, BLACK, FARRIN, TIMBERLAKE

13 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **BENNETT** of Oxford to **RECEDE** and **CONCUR FAILED**.

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

**COMMUNICATIONS**

The Following Communication: S.C. 617

**STATE OF MAINE  
131st LEGISLATURE  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE**

June 9, 2023

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

Dear Secretary Grant,

Pursuant to my authority under Senate Rule 201.3, I have appointed Senator Jill Duson to the Joint Standing Committee on Judiciary, replacing Senator Donna Bailey of York County.

This appointment is effective the date of this communication. Should you have any questions, please do not hesitate to contact me.

Sincerely,

S/Troy D. Jackson  
President of the Senate

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 619

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

June 9, 2023

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Erika S. Bristol of Brunswick, for appointment as a District Court Judge.

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

YEAS Senators 2 Carney, A. of Cumberland,  
Brakey, E. of Androscoggin

Representatives 6 Moonen, M. of Portland,  
Henderson, R. of Rumford,  
Kuhn, A. of Falmouth, Lee, A.  
of Auburn, Moriarty, S. of  
Cumberland, Sheehan, E. of  
Biddeford

NAYS 0

ABSENT 5 Sen. Bailey, D. of York, Rep.  
Andrews, J. of Paris, Rep.  
Haggan, D. of Hampden,  
Rep. Poirier, J. of  
Skowhegan, Rep. Reckitt, L.  
of South Portland

Rep. Dana of Passamaquoddy Tribe was absent.

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Erika S. Bristol of Brunswick, for appointment as a District Court Judge be confirmed.

Signed,

S/Anne Carney  
Senate Chair

S/Matt Moonen  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#293)**

YEAS: Senators: None

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BLACK,  
BRAKEY, BRENNER, CARNEY, CHIPMAN,  
CURRY, DAUGHTRY, DUSON, GROHOSKI,  
GUERIN, HARRINGTON, HICKMAN, INGWERSEN,  
KEIM, LAFOUNTAIN, LAWRENCE, LIBBY,  
LYFORD, MOORE, NANGLE, PIERCE, POULIOT,  
RAFFERTY, RENEY, ROTUNDO, STEWART,  
TIPPING, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: BEEBE-CENTER, FARRIN, TIMBERLAKE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Erika S. Bristol** of Brunswick for appointment as a District Court Judge was **CONFIRMED**.

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

The Following Communication: S.C. 620

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

June 9, 2023

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Cynthia L. Montgomery of South Gardiner, for reappointment as a District Court Judge.

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

YEAS	Senators	1	Carney, A. of Cumberland
	Representatives	6	Moonen, M. of Portland, Henderson, R. of Rumford, Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Sheehan, E. of Biddeford
NAYS		0	
ABSENT		6	Sen. Brakey, E. of Androscoggin, Sen. Duson, J. of Cumberland, Rep. Andrews, J. of Paris, Rep. Haggan, D. of Hampden, Rep. Poirier, J. of Skowhegan, Rep. Reckitt, L. of South Portland

Rep. Dana of Passamaquoddy Tribe was absent.

Seven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Cynthia L. Montgomery of South Gardiner, for reappointment as a District Court Judge be confirmed.

Signed,

S/Anne Carney  
Senate Chair

S/Matt Moonen  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#294)**

YEAS: Senators: None

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BRAKEY, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, INGWERSEN, KEIM, LAFOUNTAIN, LAWRENCE, LIBBY, LYFORD, MOORE, NANGLE, PIERCE, POUILLIOT, RAFFERTY, RENY, ROTUNDO, STEWART, TIPPING, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: BEEBE-CENTER, FARRIN, TIMBERLAKE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Cynthia L. Montgomery** of South Gardiner for reappointment as a District Court Judge was **CONFIRMED**.

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

The Following Communication: S.C. 621

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

June 9, 2023

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

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Katherine E. Tierney, Esq. of Yarmouth, for appointment as a District Court Judge.

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

YEAS	Senators	2	Carney, A. of Cumberland, Brakey, E. of Androscoggin
	Representatives	5	Moonen, M. of Portland, Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Sheehan, E. of Biddeford
NAYS		0	
ABSENT		6	Sen. Bailey, D. of York, Rep. Andrews, J. of Paris, Rep. Haggan, D. of Hampden, Rep. Henderson, R. of Rumford, Rep. Poirier, J. of Skowhegan, Rep. Reckitt, L. of South Portland

Rep. Dana of Passamaquoddy Tribe was absent.

Seven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Katherine E. Tierney, Esq. of Yarmouth, for appointment as a District Court Judge be confirmed.

Signed,

S/Anne Carney  
Senate Chair

S/Matt Moonen  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#295)**

YEAS: Senators: None

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

EXCUSED: Senators: BEEBE-CENTER, FARRIN, POULIOT, TIMBERLAKE

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Katherine E. Tierney**, Esq. of Yarmouth for appointment as a District Court Judge was **CONFIRMED**.

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

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The Following Communication: S.C. 618

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

June 9, 2023

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of E. Allen Hunter of Westmanland, for reappointment as an Active Retired Justice of the Superior Court.

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

YEAS	Senators	1	Carney, A. of Cumberland
	Representatives	6	Moonen, M. of Portland, Henderson, R. of Rumford, Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Sheehan, E. of Biddeford
NAYS		0	
ABSENT		6	Sen. Brakey, E. of Androscoggin, Sen. Duson, J. of Cumberland, Rep. Andrews, J. of Paris, Rep. Haggan, D. of Hampden, Rep. Poirier, J. of Skowhegan, Rep. Reckitt, L. of South Portland

Rep. Dana of Passamaquoddy Tribe was absent.

Seven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of E. Allen Hunter of Westmanland, for reappointment as an Active Retired Justice of the Superior Court be confirmed.

Signed,

S/Anne Carney  
Senate Chair

S/Matt Moonen  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#296)**

YEAS: Senators: None

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

EXCUSED: Senators: BEEBE-CENTER, FARRIN, POULIOT, TIMBERLAKE

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **E. Allen Hunter** of Westmanland for reappointment as an Active Retired Justice of the Superior Court was **CONFIRMED**.

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

The Following Communication: H.C. 206

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

June 12, 2023

Honorable Darek M. Grant  
Secretary of the Senate  
131st Maine Legislature  
Augusta, Maine 04333

Dear Secretary Grant:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program" (H.P. 442)(L.D. 673).

Representative Suzanne M. Salisbury of Westbrook  
Representative Colleen M. Madigan of Waterville  
Representative Robert W. Nutting of Oakland

Sincerely,

S/Robert B. Hunt  
Clerk of the House

**READ and ORDERED PLACED ON FILE.**

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Off Record Remarks

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**ORDERS**

**Joint Orders**

Expressions of Legislative Sentiment recognizing:

Anita Wright, of Pittsfield, Principal of Piscataquis Community Elementary School, who has been named Maine's National Association of Elementary School Principals National Distinguished Principal of the Year for 2023 in recognition of her student advocacy. We extend our congratulations and best wishes;

SLS 782

Sponsored by Senator GUERIN of Penobscot.  
Cosponsored by Senator: FARRIN of Somerset, Representative: COLLAMORE of Pittsfield.

The Joint Order was **READ**.

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

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I am pleased to recognize an individual in our Chamber today who has made outstanding contributions to her community in the education profession. Each year, the National Association of Elementary School Principals honors a select number of principals from across the country who are ensuring that America's children acquire a sound foundation for lifelong learning and achievement. This year, Principal Anita Wright was named as Maine's National Distinguished Principal of the Year. Principal Wright began her teaching career as an English teacher at Maine Central Institute in 1999. After MCI, she went on to teach and coach at Warsaw Middle School, Nokomis Regional High School, and then served as a literacy coach at St. Albans Consolidated School from 2009 to 2014. For nearly a decade now, she has served the students, teachers, staff at Piscataquis Community Elementary School as their principal. She was nominated for this award by SAD 4's superintendent because of her strong advocacy for students. According to the Maine Principal's Association Professional Division Executive Director, Dr. Holly Blair, 'Principal Wright has a clear vision for her school and that vision is evident and alive in every way, in every hall, and in all spaces of her school. She creates authentic learning experiences and her ability to channel student energy into issues bigger than themselves is unique to Ms. Wright's leadership set.' When one of her third-grade students was asked to share the best thing about her principal she replied, 'she gives us opportunities.' I believe this says a lot about Principal Wright and her commitment to seeing that the next generation of Mainers have the knowledge, confidence, and skills to be successful in whatever they put their mind to. Thank you for your commitment to our students and congratulations on this worthy recognition as Maine's National Distinguished Principal of the Year.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is very pleased to recognize in the rear of the Chamber Principal Anita Wright from the town of Pittsfield. The guest today of the Senator from Penobscot, Senator Guerin, and the entire Maine Senate. Would she please rise and accept the greetings of the Maine Senate.

Ethan Palmer, of Topsham, who placed second in the Triple Jump Event at the Class A Boys State Track and Field Championship. We extend our congratulations and best wishes;  
SLS 785

Sponsored by Senator VITELLI of Sagadahoc.  
Cosponsored by Representatives: GALLETTA of Durham, JAUCH of Topsham.

The Joint Order was **READ**.

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

The Mt. Ararat High School Relay Team, of Topsham, including Ben Foreman, Silas Green, Chase Roth-Wells and Andrew Card, which placed second in the 4x400 Meter Relay Event at the Class B Boys Track and Field Championship. We extend our congratulations and best wishes;

SLS 786

Sponsored by Senator VITELLI of Sagadahoc.  
Cosponsored by Representatives: GALLETTA of Durham, JAUCH of Topsham.

The Joint Order was **READ**.

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

Drew Hill, of Pittston, a Webelos Cub Scout of Cub Scout Pack 672, who received the Charles H. Townes Supernova Award from the Boys Scouts of America for his efforts in the area of STEM. We extend our congratulations and best wishes;

SLS 793

Sponsored by Senator HICKMAN of Kennebec.  
Cosponsored by Representative: LEMELIN of Chelsea.

The Joint Order was **READ**.

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

Senator **HICKMAN:** Thank you, Mr. President. Mr. President, it is a great honor to rise and ask my colleagues in the Senate to join me in congratulating Mr. Drew Hill on receiving the prestigious Charles H. Townes Supernova Award at the Cub

Scout Pack 672 Blue and Gold Award Ceremony. Your dedication and efforts in the field of science, technology, engineering, and mathematics, STEM, have truly set you apart. You must be the brains in the family. It is fantastic to see a young mind like yours embracing the wonders of science and technology. Your commitment to exploring and experimenting not only showcases your natural curiosity, but also inspires other young minds to follow their passion for math and science. We applaud your parents, Lisa and Andy Hill, for their support and guidance throughout your Cub Scout journey. Without them, this could not be possible. We also applaud your hard work, Drew, and the support of your mentors, Sarah Riddle, Cubmaster Scout St. Amand, and leaders Drew and Christina Riddle, who have guided you on your journey. Their dedication in fostering your growth in STEM is more than commendable.

The Dr. Charles Townes Supernova Award is a testament to your exceptional achievements as a Webelos Cub Scout. Dr. Charles Townes, the inventor of the laser, now indispensable in science, technology, and medicine, received the 1964 Nobel Prize in Physics for his work. Townes was a pioneer in his field and this award in his name is a reflection of Drew's own potential to make significant contributions in the world of science, technology, engineering, and mathematics. Keep nurturing your passion for STEM, Drew. Continue to explore new frontiers. I am most confident that your inquisitive nature and enthusiasm will lead you to great success in the future. Mr. President, once again, please join me in congratulating this brain-brain-brain child, Drew Hill.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is very pleased to recognize in the rear of the Chamber Drew Hill, Webelo Cub Scout. He's joined today by his parents, Andy and Lisa Hill; his grandmothers, Polly Hill and Karen Brentnell; and brother, Wyatt Hill. All from the town of Pittston. The guests today of the Senator from Kennebec, Senator Hickman, and the entire Maine Senate. Would they all please rise and accept the congratulations and greetings of the Maine Senate.

The Shead Ahead Jazz Combo, of Eastport, including bassist Antonio Vizcarrondo, guitarist Nate Tardiff, guitarist Ellis Zipperer-Sanchez and drummer Kieran Weston, with their teacher, director and arranger Robert Sanchez, which won the Gold Medal at the State Jazz Festival and placed second at the National Jazz Festival in Philadelphia, Pennsylvania. We extend our congratulations and best wishes;

SLS 794

Sponsored by Senator MOORE of Washington.  
Cosponsored by Representative: PERRY of Calais.

The Joint Order was **READ**.

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

Senator **MOORE:** Thank you, Mr. President. Mr. President, I rise today to recognize the Shead Ahead Jazz Combo, along with

their director, and share the fact that they really, really surprised the state and the country. Earlier this year, as was read in the sentiment, the group won the only gold medal at the State High School Jazz Festival, and a month after that, the group traveled to Philadelphia to compete in the National Jazz Festival, where they earned second place. To make this even more impressive, just over a year ago, two members of the quartet, Antonio and Nate, did not even play an instrument. But they began taking classes and teamed up with Ellis and Kieran to form the Shead Ahead Jazz Combo, and something clicked. Mr. President, I want to congratulate these young men for their outstanding accomplishment and thank them for showing the country some of the talent we have in Washington County. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is very pleased to recognize in the rear of the Chamber Principal Paul Theriault; band director Robert Sanchez; lead guitarist Ellis Zipperer-Sanchez; rhythm guitarist Nathan Tardiff; and drummer Kieran Weston. All from Shead High School. The guests today of the Senator from Washington, Senator Moore, and the entire Maine Senate. Would they please rise and accept the congratulations of the Maine Senate.

Margaret "Peggy" Reinsch, of Bowdoin, on her retirement as a Senior Analyst from the Maine Legislature's Office of Policy and Legal Analysis after over 37 years of service. Ms. Reinsch worked for most of her career as an analyst for the Joint Standing Committee on Judiciary. She has the confidence and esteem of all those with whom she worked, and her work has greatly benefited the people of the State. We extend our appreciation and best wishes;

SLS 796

Sponsored by Senator KEIM of Oxford.  
Cosponsored by Senator: VITELLI of Sagadahoc,  
Representatives: CLUCHEY of Bowdoinham, GALLETTA of Durham, MOONEN of Portland.

The Joint Order was **READ**.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending **PASSAGE**.

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## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Expand the List of Crimes That Do Not Qualify for Immunity Under Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance"

H.P. 483 L.D. 714

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

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook

HASENFUS of Readfield

LOOKNER of Portland

MADIGAN of Waterville

MATHIESON of Kittery

MILLIKEN of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-396)**.

Signed:

Senators:

HARRINGTON of York

LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello

NEWMAN of Belgrade

NUTTING of Oakland

PERKINS of Dover-Foxcroft

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

Reports **READ**.

Senator **BEEBE-CENTER** of Knox moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Beebe-Center.

Senator **BEEBE-CENTER:** Thank you, Mr. President. Colleagues in the Senate, I rise in opposition to L.D. 714. Seven hundred and sixteen Mainers, that's how many people died from overdoses last year. Six hundred thirty-six Mainers, that's how many died the year before last. Last session, a bipartisan coalition of lawmakers and advocates including Senators Maxmin, Moore, and Pouliot, Representatives Crafts, LaRochelle, McCrea, and Warren, came together to draft, debate, and negotiate the expansion of the Good Samaritan Law. Advocates from across the state rallied, calling on this Body to help them save lives. They knew that the Good Samaritan Law passed in the 129<sup>th</sup> Legislative Session was not working and that the most important thing that can happen at the scene of an overdose is for someone to call 9-1-1 and get the help that they need. They were the closest to the crisis and they knew what would make a difference. Their efforts gave us a clear, simple law and make sure that

people feel safe calling 9-1-1, a law that saves lives. L.D. 714 seeks to roll back those protections before we've even given the new law time to be implemented. The arguments for this bill are grounded in what-ifs and maybes. One of those what-ifs is what if someone overdoses while driving, hits and kills someone, and someone calls 9-1-1, reports the overdose, and evokes the Good Samaritan Law. Would the person be charged with killing the other person? The answer is yes. The person would be charged with manslaughter, which is not a protected crime under the Good Samaritan Law. The likelihood of this scenario is close to zero, but either way, the person would still be held accountable for their actions. The flipside of these what-if scenarios is what if someone is dying on the floor and the people with them are scared to call 9-1-1 because they fear being charged with furnishing drugs, which is simply sharing drugs with each other. What if the person doesn't call 9-1-1 and your family member dies? That scenario is much more likely. If this bill passes, I guarantee you, overdoses will go up, more of our neighbors will die from overdoses, fewer of our neighbors will call for help. Let me be clear, Good Samaritan Laws are not an attack upon our good law enforcement officers who save lives when they are called. Rather, Good Samaritan Laws are designed to rebuild and repair trust between government and the recovery community. Every time an overdose-driven 9-1-1 call leads to a prosecution, every time someone is punished for being a Good Samaritan, then that trust erodes, and lives are lost. But every time the government rewards someone for being a Good Samaritan, then trust is rebuilt. More trust means more calls for service, more calls for services means more lives saved. If we pass this law, then we will destroy whatever trust that our Good Samaritan Law has been rebuilding. Fewer and fewer people will call 9-1-1 and more people will die. I am asking my colleagues to join me in voting L.D. 714 down and helping us to protect the Good Samaritan Law. Thank you.

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

Senator **HARRINGTON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I stand in opposition to the pending motion. Maine's Good Samaritan Law has some good provisions, but I think it goes way too far and this bill could seek to roll back - I'm happy to see that Maine Gun Safety Coalition and Moms Demand Action are here today. I assume they are here to cheer on this bill, because we have a great opportunity here to get the guns - to get firearms out of the hands of dangerous people. Maine's Good Samaritan Law went way too far, and when it - we've removed the ability to prosecute prohibited people in possession of a firearm. Sitting on the Criminal Justice Committee this year, I heard far too often that we've got to do something about the iron pipeline. The iron pipeline is this metaphor used to insinuate that guns in Maine are being sent down to New York and Connecticut to be used in firearm violence. Guns at the scenes of these overdoses are the exact same guns that are going to be trafficked and used in crimes in New York City. We've got to do something about getting guns out of the hands of violent people, and guns being used at drug houses are the exact same guns that will be used in drive-bys and in violent offenses out of the State of Maine. So, we have a great chance, I'm really happy to see Moms Demand Action here to cheer this bill on, and I hope that we can do something about

getting guns out of the hands of violent people, something I think that we all agree on. Thank you.

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

Senator **CARNEY:** Thank you, Senate President. I just rise very briefly to let my colleagues know that Moms Demand Action and the Maine Gun Safety Coalition are here today. They've been handing out information, I hope you all received it, about the bills that they are here to support. Thank you.

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#297)

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

NAYS: Senators: BALDACCI, BLACK, BRAKEY, GUERIN, HARRINGTON, KEIM, LAFOUNTAIN, LIBBY, LYFORD, NANGLE, STEWART, TIMBERLAKE

EXCUSED: Senators: FARRIN, LAWRENCE

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BEEBE-CENTER** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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#### Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Penalties for Maintaining Drug-involved Premises"

H.P. 820 L.D. 1295

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

Signed:

Senator:  
BEEBE-CENTER of Knox

Representatives:  
SALISBURY of Westbrook  
HASENFUS of Readfield  
LOOKNER of Portland  
MATHIESON of Kittery  
MILLIKEN of Blue Hill  
NEWMAN of Belgrade  
NUTTING of Oakland

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

Signed:

Senators:  
HARRINGTON of York  
LaFOUNTAIN of Kennebec

Representatives:  
ARDELL of Monticello  
PERKINS of Dover-Foxcroft

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

Reports **READ**.

On motion by Senator **BEEBE-CENTER** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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#### Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Replace Certain Stigmatizing Language in the Maine Revised Statutes, Titles 22, 25 and 34-A with Respectful Language"

H.P. 1104 L.D. 1715

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-395)**.

Signed:

Senator:  
BEEBE-CENTER of Knox

Representatives:  
SALISBURY of Westbrook  
HASENFUS of Readfield  
LOOKNER of Portland  
MADIGAN of Waterville  
MATHIESON of Kittery  
MILLIKEN of Blue Hill

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

Signed:

Senators:

HARRINGTON of York  
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello  
NEWMAN of Belgrade  
NUTTING of Oakland  
PERKINS of Dover-Foxcroft

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)**.

Reports **READ**.

Senator **BEEBE-CENTER** of Knox moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#298)

YEAS: Senators: BAILEY, BEEBE-CENTER, BRAKEY, BRENNER, CARNEY, CHIPMAN, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, PIERCE, ROTUNDO

NAYS: Senators: BALDACCI, BENNETT, BLACK, CURRY, GUERIN, HARRINGTON, KEIM, LAFOUNTAIN, LIBBY, LYFORD, MOORE, NANGLE, POULIOT, RAFFERTY, RENY, STEWART, TIMBERLAKE, TIPPING, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: FARRIN, LAWRENCE

13 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BEEBE-CENTER** of Knox to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **FAILED**.

The Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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#### Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Reimburse Training Costs for Emergency Medical and Public Safety Dispatchers" H.P. 1189 L.D. 1859

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

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook  
HASENFUS of Readfield  
LOOKNER of Portland  
MADIGAN of Waterville  
MATHIESON of Kittery  
MILLIKEN of Blue Hill

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

Signed:

Senator:

HARRINGTON of York

Representatives:

ARDELL of Monticello  
NEWMAN of Belgrade  
NUTTING of Oakland  
PERKINS of Dover-Foxcroft

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

Reports **READ**.

Senator **BEEBE-CENTER** of Knox moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

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

Senator **BRAKEY:** Thank you, Mr. President. I'll be very brief. I rise in opposition to the pending motion. This is a bipartisan bill from the full Auburn delegation asking for something very simple. Like many communities, Auburn recruits and trains people to serve as emergency medical and public safety dispatchers. Under the current workforce shortage, communities are constantly bidding personnel away from each other. As such, Auburn property taxpayers are paying to train dispatchers for the benefit of other communities. This bill would simply direct the EMS Board to develop a reimbursement schedule if a dispatcher is poached from the community that paid for their training within five years of the completion of that training, that the new community would reimburse for some portion of that training. It's

not - frankly, it's not fair, Mr. President, for the property taxpayers in one community to be taxed to train dispatchers for the benefit of other communities. We're just asking for some balance and some equity there. So, I oppose the pending Ought Not to Pass Report and support the underlying bill on behalf of the Auburn delegation. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#299)

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

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

EXCUSED: Senators: FARRIN, LAWRENCE

20 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BEEBE-CENTER** of Knox to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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### Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Allow Armed Security in Schools" H.P. 323 L.D. 518

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-414)**.

Signed:

Senator:  
LIBBY of Cumberland

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

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

Reports **READ**.

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

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### Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Establish a Rating System for Books in School Libraries" H.P. 644 L.D. 1008

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-415)**.

Signed:

Senator:  
LIBBY of Cumberland

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

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

Reports **READ**.

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

Senator **STEWART** of Aroostook requested a Division.

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

Senator **LIBBY:** Thank you, Mr. President. I'll be very brief. Men and women of the Senate, at some point, I think that parents deserve to have some sort of a rating system, and the reason for - and this is for books in schools. And the reason for this is because they can't read every single one of these books. And I know people that are in charge of that sort of thing, librarians, do a great job reading and understanding the content, but for parents, it would be nice if we had some guardrails and establish a rating system similar to what we do in movie theaters. Thank you very much for the time.

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

Senator **RAFFERTY:** Thank you, Mr. President, and I appreciate those comments, Senator, but I think as you look a little bit closer at the bill and what you're asking is to rate every book and every piece of written material that comes into a school. And I think that's a monumental task and request and don't think that that system is needed as there is book review prior to purchase, and I think that's when the decision should be made, not once it's on site and we make a decision in terms of what do we put on this, we're going to put a sticker on every book and article to rate it and I think that comes too late in the game. I urge you to vote Ought Not to Pass and leave what currently exists in terms of the process for purchase and reviewing as it stands. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President. I rise to pose a question through the Chair, if anyone can answer, whether - if this bill were to move forward it would constitute an unfunded mandate. And I would further request a Roll Call.

**THE PRESIDENT:** The Senator from Sagadahoc, Senator Vitelli, has posed a question through the Chair and further moves that there be a Roll Call.

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

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

Senator **LIBBY:** Thank you, Mr. President. The answer to that question is yes, it would be an unfunded mandate.

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

Senator **STEWART:** Thank you, Mr. President. So, the motion on the Floor is Ought Not to Pass on the underlying bill, and as I read the title of the underlying bill, it says An Act to Establish a Rating System for Books in School Libraries. And so, I just want to make sure we're talking about the underlying bill, and not the committee amendment, which I think does something different here. So, if somebody could clarify that, that would be helpful. Thanks.

**THE PRESIDENT:** The Senator from Aroostook, Senator Stewart, has posed a question through the Chair to anyone who can answer. The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### **ROLL CALL (#300)**

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

**NAYS:** Senators: GUERIN, HARRINGTON, LIBBY, LYFORD, POULIOT, STEWART

**EXCUSED:** Senators: FARRIN, LAWRENCE

27 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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#### **Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Enhance Wildlife Conservation Efforts and Preserve Sporting Heritage by Making the Elements of a Hunter Safety Course a Part of Public School Curriculum"  
H.P. 679 L.D. 1084

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

Representatives:

BRENNAN of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
MILLETT of Cape Elizabeth  
MURPHY of Scarborough  
SAMPSON of Alfred  
SARGENT of York  
WORTH of Ellsworth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-416)**.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham  
POLEWARCZYK of Wiscasset

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Provide Grants to Promote Innovative Learning Strategies"

H.P. 965 L.D. 1510

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-413)**.

Signed:

Senators:

RAFFERTY of York  
LIBBY of Cumberland  
PIERCE of Cumberland

Representatives:

BRENNAN of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
MILLETT of Cape Elizabeth  
MURPHY of Scarborough  
SAMPSON of Alfred  
SARGENT of York  
WORTH of Ellsworth

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

Signed:

Representatives:

BAGSHAW of Windham  
POLEWARCZYK of Wiscasset

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-413)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-413) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Establish the Hope and Inclusion Scholarship Program"

H.P. 1173 L.D. 1841

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

Signed:

Senators:

RAFFERTY of York  
PIERCE of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-424)**.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

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

Reports **READ**.

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

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

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of  
 the Senate, this establishes a Hope Scholarship for private school  
 instruction and instruction by other private entities. There is a  
 fiscal note on this, \$75 in the first year, \$107,000 the second.  
 The 90% of EPS would be deposited into a scholarship fund to be  
 used to pay for private instruction. Thank you.

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

Senator **RAFFERTY:** Thank you, Mr. President. I just rise to  
 speak to some of my concerns. Any time you peel money away  
 from public schools in order to supplement someone going to a  
 private school worries me and I feel that it is unnecessary. I think,  
 you know, there is a choice out there for people to go to private  
 schools, but the reality is I think it's unmanageable if we just take  
 90% of the expected cost locally and just take those away and put  
 them into - this bill calls for putting them into a scholarship  
 program that would ultimately be managed by many of our  
 publicly elected - appointed officials, such as the Treasurer of the  
 State, the State Auditor, the Attorney General, the Commissioner  
 of Education, the Chancellor of the University of Maine. So, we're  
 drawing funds away from public education, we're asking our  
 public servants, as you will, to manage this fund for people to go  
 to private school. It just is very confusing to me, and I cannot  
 support the legislation, and I ask you to vote Ought Not to Pass.  
 Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I just wanted to  
 say on this legislation that I've always been under the impression  
 that our public education dollars are for the purpose of educating  
 students, not for the purpose of funding systems. So, let's fund  
 students, not systems. Let's have the money follow the child.  
 Let's reject the pending motion and adopt the underlying report.

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

Senator **LIBBY:** Thank you so much, Mr. President. Mr.  
 President, it's important I think also to state - I probably should've  
 done this the first time - how important I think competition is and  
 injecting competition into this system that we have in the state of  
 Maine that governs K to 12 schools. I mean, essentially, when  
 you have units as we do that are monopolies, have monopoly  
 status over the students that are there, it makes it really difficult  
 for there to be the pressure to create innovation. And that  
 pressure that exists in the private sector, that created pressure, is  
 what gives us all kinds of new products, new services, better  
 products, better services, and that would be the case, I have  
 always believed, with K to 12 institutions. I think that they would  
 provide a better service. And the reason for that is that they  
 would fear, especially under our current system, which I'm not  
 saying I agree with our current system, when we fund part of EPS  
 on a per student basis, that's some - at some point, we should  
 look at. But under our current system, we do. So, you know, if  
 schools were forced to look at oh, my gosh, I might lose  
 somebody to a private school, that's going to cause them to be  
 more customer service based, more customer service oriented.  
 You've heard this debate before, so I don't want to take too much  
 time, but I will say that I have one student, my daughter, in a  
 private school, one in a public school. And we were struggling  
 with our middle school, and I went to the middle school and talked  
 to them and I was shocked at the response I got from one  
 administrator. It was if you don't like the job that we're doing, you  
 should send your daughter to a private school. I mean, it was  
 jaw-dropping. And here's what I had to then contemplate. I had  
 to contemplate spending dollars to send somebody else's child to  
 that school and spending double the dollars to send my child to a  
 private school, and that's actually what we ended up doing. So,  
 I'm - I am paying currently for three people in one. That's what  
 I'm paying. Because I'm paying my taxes to support that school,  
 which I want to pay my taxes to support that school, my son goes  
 to the school. I pay my taxes to support that school, but if I send  
 my daughter to a private school, I've got to pay for that. And the  
 price is a little bit higher in some of those private schools,  
 admittedly. But what I'm shocked about in the state of Maine is  
 that when I sent my daughter to private school, the results were  
 incredible. There's nothing stopping public schools from having  
 incredible results other than the fact that the pressure is not quite  
 there. That's - I mean, it's philosophical, but yet it isn't. I call it a  
 fact. Pressure needs to be there, there needs to be a  
 marketplace pressure. That's what the marketplace does. I  
 agree, though, with the good Senator from York. We want to fully  
 fund schools. If there is a way to send more funding to those  
 schools and accomplish this, I'd be voting green for sure, but  
 here, we're contemplating an Ought Not to Pass. I really do think  
 that in the future, if this isn't the way to go, that we have to  
 determine how will we get - especially in some school systems  
 that are performing well below their peer rating group, that's what  
 I'm struggling with, not the ones that are doing a great job, but  
 also determining why they're doing a great job and why others  
 that are way below their peer rating - not below state, below their  
 peer rating group, which is below the state, why they're not  
 performing, why they're not providing an adequate education. We  
 need to look at that, and this is one way to do that, create that  
 pressure. It's not a perfect bill by any means, I don't blame  
 anyone who doesn't want to support it, I just want to make sure  
 that you've heard from me, somebody that's got children,  
 somebody that's seen both sides of it, and somebody that's been  
 a teacher in education myself at Sanford High School, that there

is another way and that we should - at times, we should reflect. Thank you very much.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#301)**

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

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

**EXCUSED:** Senators: FARRIN, LAWRENCE

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**ORDERS OF THE DAY**

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

Margaret "Peggy" Reinsch, of Bowdoin, on her retirement as a Senior Analyst from the Maine Legislature's Office of Policy and Legal Analysis after over 37 years of service. Ms. Reinsch worked for most of her career as an analyst for the Joint Standing Committee on Judiciary. She has the confidence and esteem of all those with whom she worked, and her work has greatly benefited the people of the State. We extend our appreciation and best wishes;

SLS 796

Tabled - June 13, 2023, by Senator **BENNETT** of Oxford

Pending - **PASSAGE**

(In Senate, June 13, 2023, **READ**.)

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

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it is indeed an honor and a privilege to recognize Peggy Reinsch here today on her retirement and thank her for more than 37 years of service in the Office of Policy and Legal Analysis. But I really hate standing here doing this. In fact,

Peggy and I both equally dislike this moment. Me, because I don't want her to be gone from the State House, and Peggy because she hates being the center of attention. But there is no way that her commitment to all of us and to this institution could be left without recognition.

If any of you ever worked with Peggy, you would know that she worked long, long hours to ensure that the members of the Judiciary Committee had all of the information that they ever needed on any bill, no matter how complicated. She is an encyclopedia of legislative history. She always made sure that the committee members were prepared and also if you just had random questions about anything, she would pretty much have the answer to that as well. She was so organized, all of our papers would come to us on certain colors, whether it was, you know, current law or amendments, and everything would be in a folder, and you would open it up and it was a work of art, but she put all of that time and effort into that, knowing how important it was for us to understand what was going on and what current law was and what the changes would mean, so that we could make good decisions. She has utmost respect for this institution and for the work that we do here and has for years instilled in members of the Judiciary Committee to be transparent in the work that they do and to pay attention to detail. Peggy, her work ethic is unsurpassed, and she held herself to the highest standards, but she was always gracious towards legislators, recognizing the limitations that we have in our knowledge on the subject areas that we might have to cover, and the overwhelm that we feel, especially when we're freshmen. She is patient, kind, and brilliant. Her favorite days were when the committee would work together to come up with a unanimous report. And, interestingly, for a person who works in this building, she wants people to get along and like each other. Her influence set a positive tone in the Judiciary Committee, I think for all of her years and certainly the years that I was there, and it definitely influenced our work, to do better together and to come out with reports that were well thought out.

When I was first in office, I was pretty overwhelmed. I was the Chair of Judiciary and just new to this building and new to politics and new to everything, and it - I, you know, was one day in this building thinking I can never, never do this. And I prayed for a mentor, and I didn't actually realize until years in of working with Peggy, that she was the answer to that prayer. She was my mentor. And so, I'm so blessed to have been assigned to the Judiciary Committee even though I thought I had drawn the short straw, because no one wants a committee with that much work, but then, you know, looking back, obviously, it was such a blessing to have been there with her. So, I thank the Senator from Cumberland, Senator Vitelli, for allowing me to put in this sentiment on behalf of Peggy and all of us for all of her work.

The people of Maine have no idea how much they have benefited from the dedication of Peggy Reinsch. We owe her such a great debt that under her careful guidance, we have always done good work. So, thank you, Peggy, for everything that you've done, and for the final gift of attending this session so that we can recognize you, which I know you hate. But thank you so much.

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

Senator **VITELLI:** Thank you, Mr. President. I, too, would like to rise briefly to first thank my colleague from Oxford for bringing this

- bringing Peggy back today for this celebration of her retirement, her recognition. And I want to add just a brief statement about how in this building which we are all privileged to work in, there are a number of faces that become so familiar to us that they're part of our ongoing family. And Peggy is one of those who's just here - has been here for long enough and has worked so hard and is one of those people that we come to depend on for their competence, their good cheer, and their dedication to our work together. It's always hard to say goodbye to folks who represent that kind of commitment to our work here together. So, I was delighted one day last fall to actually, as I was visiting my community, the community of Bowdoin, when I stopped by an old farmhouse and looked across the field, and before I knew it, there was Peggy, walking through the field, because it was her house that I had stopped in front of. And I was so pleased to be able to greet her, congratulate her on her fresh retirement at that point, and to acknowledge and welcome her as a member of the community that I am so grateful to be able to represent. So, thank you, Senator, for bringing Peggy today so that we can all of us, again, thank you for all your dedication and hard work, and it's great to see you again. Thank you, Mr. President.

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

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, what a pleasure to stand in honor of Peggy today. She just was such a treasure to me in my time on the Judiciary Committee. All of the things that Senator Keim talked about about her were certainly true, I won't repeat them. Maybe one of the best things about Peggy was her adherence to the nonpartisan role that she had. You would never know that Peggy had an opinion, and I really admire that. And I would say that arguably, she was the best analyst in this building. She just really was incredible. I would get emails from her in the middle of the night, answering questions I had about bills, and her dedication was beyond compare, really. And so, I wish you the best in your retirement, Peggy. God bless you for all your help.

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

Senator **ROTUNDO:** I just want to rise and add my congratulations to Peggy on her retirement and to thank her for the inspiration that she continued to provide us, with her integrity, her expertise, her professionalism, but also her kindness and patience. I thank her for the enormous legacy that she leaves behind and the enormous service that she has provided to the people of Maine in her long and very distinguished career here in the State House. Thank you.

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

Senator **CARNEY:** Thank you, Senate President Jackson, and I rise to echo the words of my colleagues with regard to Peggy Reinsch. I was very proud to serve with Peggy as a colleague on the Judiciary Committee in the 130th. I'm sure none of us can forget that that was the Legislature of the Zoom committee process, and I just have to note that Peggy made that transition seamlessly. It seemed to me that she had been doing it her whole life, it was such a smooth transition for the committee. And

so, when I first met Peggy, which was toward the end of the first session, I think when we were doing the errors bill, which is a favorite amongst committee geeks. In my mind - I was shocked, because in my mind, Peggy was this ten-foot-tall person with this infinite brain, and here she was in the flesh, looking just like any other person. She is so highly regarded by everyone she works with, whether it's committee members, other OPLA staff, LEO staff, and literally everyone who came before the Judiciary Committee then and actually who comes before the Judiciary Committee today. She has an extraordinary knowledge of Maine law that is unparalleled and also boundless energy and deep patience for the committee. And Peggy, I just want to let you know we miss you and I personally am really honored - excuse me - and grateful to have been able to work with you. Thank you.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Men and women of the Senate, it's hard to follow up such profound and wonderful tribute to Peggy. I just want to throw in while I did not have the great pleasure of getting to serve on Judiciary, I actually got to know Peggy outside the building, and I think she's known me since I was about maybe this tall. And when I first got into the building, I mean, we all have this feeling when you're freshly elected, and I was 25, and I was so elated and nervous and felt like everything was coming at me, and like an absolute firehose. And I'll never forget, I came around the corner, and there was Peggy. All she did was give me the biggest smile and said have a great day. And for some reason, I'll never forget that; it literally set me on the right path, gave me the confidence, and I know all of us who have worked with Peggy have seen that smile and have benefited from her knowledge. So, I'm excited she'll get to spend more time at home in Bowdoin, but I know this building will not be the same without her.

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

Senator **BRAKEY:** Thank you, Mr. President. I will say serving on the Judiciary Committee now, and not in past years, I have not had the opportunity to serve on the committee in the Peggy era. That said, it feels like every day that we are in the Judiciary Committee, her presence is still there. Our analysts always seem to be comparing themselves to these big shoes they have to stand in. It's very clear that Peggy set the gold standard, and that everyone is trying to live up to. So, thank you for setting the bar so high, and for all your service to the state.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Margaret "Peggy" Reinsch of Bowdoin. She's joined today by a number of other analysts she's worked with who also do an unbelievable job. I'm sure her standard and others made that possible for all. Would she please rise and accept the congratulations of the Maine Senate.

**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Prohibit Inclusion of the COVID-19 Vaccine in the Universal Childhood Immunization Program"  
H.P. 34 L.D. 59

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

Signed:

Senators:

BALDACCI of Penobscot  
INGWERSEN of York

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
GRAHAM of North Yarmouth  
MADIGAN of Waterville  
SHAGOURY of Hallowell  
ZAGER of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-426)**.

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#302)**

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

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

EXCUSED: Senators: FARRIN, LAWRENCE

20 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Temporarily Prohibit the State from Mandating COVID-19 Vaccinations" (EMERGENCY)  
H.P. 999 L.D. 1547

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

Signed:

Senators:

BALDACCI of Penobscot  
INGWERSEN of York

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
GRAHAM of North Yarmouth  
MADIGAN of Waterville  
SHAGOURY of Hallowell  
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#303)

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

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

EXCUSED: Senators: FARRIN, LAWRENCE

20 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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### Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies"

H.P. 1003 L.D. 1558

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-425)**.

Signed:

Senators:

BALDACCI of Penobscot  
INGWERSEN of York

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
GRAHAM of North Yarmouth  
MADIGAN of Waterville  
SHAGOURY of Hallowell  
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:

FREDERICKS of Sanford  
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-425)**.

Reports **READ**.

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

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

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

Senator **BALDACCI:** Thank you, Mr. President. I rise in support of the committee report on this matter. Maine's cancer incidence rate is significantly higher than the national average, and that is driven largely by higher-than-average tobacco-related use and tobacco-related cancers. Maine has the 16th highest rate of adult smoking, ninth highest rate of smoking-related cancer deaths. You may be surprised that Maine's rate is higher than that of Georgia, Florida, North Carolina, and Texas. An estimated 2,400 smoking-related deaths each year in Maine, including nearly 34% of - are cancer deaths. Smoking is estimated to cost Maine \$942 million in direct healthcare costs, including \$281 million in Medicaid costs annually. Selling tobacco in pharmacies sends a mixed message to consumers about the dangers of tobacco products and access - easy access to a product encourages its use. Pharmacies are in the business of helping to support peoples' health. Pharmacists are some of the most trusted healthcare professionals and important members of the healthcare team. According to a study in the Journal of American Medical Association, when filling prescriptions for chronic illnesses worsened by smoking, one in 20 customers also purchased cigarettes. Some of the strongest evidence in support of tobacco-free pharmacy laws comes from a study from the Journal of Preventive Medicine which found that after the chain CVS stopped selling tobacco in September of 2014, cigarette pack sales decreased, and nicotine patches increased in states where the chain had a large retail presence. And additionally, adolescents and young adults are uniquely vulnerable to the effects of nicotine and nicotine dependence, causing lasting adverse consequences on brain development. Here in Maine, nearly one in five high school students used some form of tobacco products in the last 30 days, including nearly 30% of 12<sup>th</sup> graders. Through FDA compliance data, we know that some very large pharmacy chains still sell tobacco products and still sell them to underage individuals. While the movement is growing and a number of pharmacies have voluntarily joined this effort,

this will be an important public health measure, an important way to reduce our what we have as a higher-than-average use of tobacco and a higher-than-average incidence of cancer.

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

Senator **MOORE:** Thank you, Mr. President. I appreciate the good Senator from Penobscot's information about the smoking situation in Maine, and we all agree that there is a lot of illness that we do have in relation to that. This bill, however, is actually making that - excuse me - any pharmacy that has - let me start over again, pardon me. What it does is it makes a pharmacy ineligible for a retail tobacco license and provides that a pharmacy or retail establishment containing a pharmacy that engage in retail sales of tobacco products commits a civil violation, and it gets a very, very strong penalty for just a business decision. CVS made that decision themselves, it was a market decision, and there are other markets out there that are doing the same thing.

I do not feel that we should be putting this into statute and requiring and having a say as to a business decision that needs to be made on a local basis. Thank you.

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

Senator **INGWERSEN:** Thank you, Mr. President. I just wanted to mention, as I will be supporting this motion, that the remaining large pharmacies in Maine - Walgreens, Walmart, and Shaw's - that currently sell tobacco, they - none of those pharmacies have testified against this bill. I just wanted to mention that.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Men and women of the Senate, I rise in support of the pending motion as both a legislator and also as the granddaughter of two pharmacists. This is something that is a reasonable step. As my good colleague said, none of the major pharmacies testified against this bill. Additionally, the Journal of the American Medical Association did a survey and study where they found that one in 20 customers bought cigarettes while filling prescriptions for chronic illnesses that were made worse by additional smoking. While folks are often at the pharmacy to be able to get things that they might be doing for smoking cessation, I've heard from my constituents the struggle of when they are going to get their nicotine patch or other smoking cessation products while seeing literally what they're trying to break away from available for sale. I think this is a great measure, and it was shared, CVS and Hannaford have already started doing this and other large pharmacies are as well.

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

Senator **BRAKEY:** Thank you, Mr. President. I wasn't going to speak, but then I see that a lot of folks on the other side are speaking, and I just wanted to say my piece very quickly. You know, we've had bills like these come through HHS in the past. Let me - let me preface by saying I think like a lot of members of

this Chamber, I hate smoking, I've never smoked a day in my life. I remember as a kid coming up, talking - talking with adults who were smoking and everyone who was a smoker always seemed to tell me that they were trying to quit smoking, and so I thought that was a good lesson as a kid, well, if everyone's trying to quit, why would I start? But I think -- and I'm encouraged when I see pharmacies like CVS and other pharmacies voluntarily adopting policies in the marketplace to not sell cigarettes, I think that's great, but I think it's also encouraging as Senator Moore has highlighted those market decisions are already taking place. It seems to me that this is kind of the epitome of nanny state government to kind of come in with this attitude that we know better as far as - as far as what decisions adults should be making in their own lives in regards to smoking, to the point where we're going to come in and tell private businesses what their policies need to be. That - that just doesn't seem the appropriate place of government to me, especially when we see the market is already moving in that direction without our assistance. I know sometimes we like to see a parade that's marching on, and we like to hop in front of it in government to act like we're, you know, leading the parade, but this is already happening in the marketplace, it doesn't need our assistance. In fact, I think that we would be overstepping the bounds of limited government to pass something like this. Thank you, Mr. President.

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

Senator **CARNEY:** Thank you, Mr. President, and thank you, colleagues. I just rise briefly to speak in support of the Ought to Pass as Amended Report. I know that some of us have the - are focusing on the fact that there are - these are market decisions that should be made by private businesses, but I just want to bring us all around to what the good Senator from Penobscot said, there are very serious, in fact deadly public health consequences that are impacting our state budget. First of all, the health consequences, we lose 2,400 Mainers every year to illnesses caused by tobacco use, and we spent \$281 million a year in Medicaid costs to treat people who are suffering from these illnesses. So, unlike other market and private business decisions, this has a very significant public health element to it, and I ask my colleagues to support the pending motion.

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

Senator **GUERIN:** Thank you, Mr. President. My vote on this will probably surprise most people in the Chamber, but my father died from the effects of tobacco addiction, and the tobacco companies have immunity from liability. Whenever they're willing to give up that immunity, I'd be happy to give them the freedom of the market. But I think where government is protecting them, we have an interest in protecting our people that are not able to sue the tobacco companies.

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

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

MORRIS of Turner  
NUTTING of Oakland  
SWALLOW of Houlton

\_\_\_\_\_  
The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#304)**

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, CURRY, HARRINGTON, LIBBY, LYFORD, MOORE, STEWART, TIMBERLAKE

EXCUSED: Senators: FARRIN, KEIM, LAWRENCE

22 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-425) **READ** and **ADOPTED**, in concurrence.

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

\_\_\_\_\_  
**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Ensure Access to Newly Born Male Infant Circumcision by Requiring MaineCare and Health Insurance Coverage" H.P. 392 L.D. 615

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

Signed:

Senators:  
BAILEY of York  
BRAKEY of Androscoggin

Representatives:  
PERRY of Calais  
CLUCHEY of Bowdoinham  
CYRWAY of Albion  
MATHIESON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-403)**.

Signed:

Senator:  
RENY of Lincoln

Representatives:  
ARFORD of Brunswick  
MASTRACCIO of Sanford  
PRINGLE of Windham

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

Reports **READ**.

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

\_\_\_\_\_  
**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Protect Maine Patients Regarding Hospital Price Transparency" H.P. 600 L.D. 953

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

Signed:

Senators:  
BAILEY of York  
RENY of Lincoln

Representatives:  
PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
PRINGLE of Windham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-400)**.

Signed:

Senator:  
BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion  
 MORRIS of Turner  
 NUTTING of Oakland  
 SWALLOW of Houlton

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)**.

Reports **READ**.

Senator **BAILEY** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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

Senator **BAILEY:** Thank you, Mr. President. Colleagues in the Senate, hospital price transparency is something that is very important to those of us on the Health Coverage, Insurance, and Financial Services Committee, as is carrier price transparency, which kind of go hand in hand. And that is why we as a committee made the decision to carry over L.D. 1740, so that we could deal with both of these issues on a statewide basis in order to come up with a solution that works for our state, to incorporate federal law where it's appropriate, and to come up with a state enforcement action that would, again, work for both carrier transparency laws as well as hospital transparency laws.

One thing I wanted the Chamber to be aware of in terms of hospital transparency, that as of today, there are no violations in the State of Maine of this law. So, Maine hospitals are in compliance, although I will say that there is a national private organization that implied that one of Maine's hospitals was not in compliance simply because they had listed prices for coverage under the three types of plans, the gold and the silver and the bronze plans, they had done it three times because, as most of you know, we have a pooled market in Maine and so the price for individuals as well - I mean, the coverage for individuals as well as the small group market is exactly the same. So, this group said that this hospital was not in compliance because they didn't list the same information six times as opposed to three times. Which leads me to one of the concerns about this bill is it's kind of a gotcha bill. You know, looking - having a national private organization looking for minor violations of the federal law so that private individuals can be convinced to start a private cause of action under this law. The bill, as written in regards to the private cause of action, is a strict liability law, meaning that, again, if there's a violation that the hospital has in price transparency that any patient who receives services during that time could bring the hospital to court and not have to pay for services. There does not need to be any correlation between the violation and the cause to this particular individual. So, for example, if a hospital was not in compliance because they didn't properly disclose their price for a hip surgery, and someone during that time period had knee replacement surgery, they would not have to pay for their services even though there really was probably no harm to them in terms

of the violation. So, for these reasons, I would ask you to support the Ought Not to Pass motion and allow the committee to do the deep dive that this issue deserves next session with L.D. 1740. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the pending motion and in favor of the underlying legislation. In November 2019, the Department of Health and Human Services finalized a rule requiring hospitals to publish prices, fulfilling a directive in an Executive Order signed by President Donald Trump. For too long, the price of care at hospitals has been shrouded from patients, leaving them with unexpected bills after they receive care. This lack of transparency leaves patients in the dark and renders them unable to make informed decisions about where and when to receive care. Efforts to improve transparency have been bipartisan and aim to increase consumer knowledge, increase competition, and put downward pressure on the prices of medical devices and services. The final rule required hospitals to publish a machine-readable file of five types of standard charges for all items and services and create a consumer-friendly shoppable list of 300 items and services, including 70 identified by CMS. Unfortunately, a hospital compliance with this rule has been subpar since it took effect. As of February 2023, only an estimated 24.5% were in full compliance. I believe these are national statistics, not specific to Maine, I want to respect the point made by my good colleague, Senator Bailey. Under the Biden Administration, HHS signaled support for these policies by increasing the penalties for hospitals who do not comply in regulation. The higher penalties went into effect January 1, 2022. The Centers for Medicare and Medicaid Services have issued about 350 letters of warning to noncompliant hospitals and have fined four hospitals. Several states, most recently Colorado, have seized the opportunity to pass price transparency legislation like this, which encourages greater compliance with the rule by hospitals in their state. This bill requires that hospital comply with the price transparency requirements established in federal regulations as in effect on January 1, 2023. It provides that upon application of the Attorney General, the Department of Health and Human Services or any affected patient, the Superior Court or District Court have - has full jurisdiction to enforce the price transparency laws. It prohibits a hospital from billing a patient, a patient guarantor, or a third-party payer for items or services provided to the patient and requires that a hospital refund any payment made for items or services provided on a date the hospital was in violation of the price transparency laws as determined by a court. In closing, the federal rules around healthcare price transparency are only as strong as the individual state's enforcement mechanism, and providing direct recourse for Maine citizens is the best mechanism by which to ensure compliance. The only reason for healthcare facilities to object to L.D. 953 would be an intent to continue in noncompliance with federal rules. As Maine citizens continue to struggle to pay ever-increasing healthcare costs, improving our statewide compliance with the federal rules will empower Mainers to make educated and informed healthcare decisions. Mr. President, I hope that we will join with the other Chamber, reject the Ought Not to Pass Report, and then adopt the Committee Amendment "A" Report.

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

Senator **STEWART:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I recognize that the rules of this Chamber don't allow us to talk about other reports but the one in front of us dealing with just an outright killing of this bill when there are, in fact, amendments that I think address a lot of the concerns that were noted by the opposition to this bill. And so, I would concur that I don't think, you know, an intent here is not to be fair - or unfair to the hospitals, it's to just make sure that the patient isn't going to be on the hook for something that they were completely unaware of when they could have been made aware of what the price was and then shopped it. And I think the example that, you know, the Senator from York mentioned around, you know, a knee surgery, that could be adjudicated on a case-by-case basis depending on the severity of that issue and depending on circumstances in that case. And I do believe, in fact, that there will be an amendment, provided that we reject this motion, which is what I would urge you all to do, so that we can give that ability to the judge in that case who would be adjudicating this and making the decision as to whether or not there was some violation of law and whether or not this does merit the court's attention to provide some type of remedy. So, with that, I really would hope that this Body could reject this motion so that we can then talk about some of those amendments in greater detail. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#305)**

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

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

**EXCUSED:** Senator: FARRIN

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

**Senate**

**Divided Report**

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Create the New Maine Resident Service Coordination Program in the Department of Economic and Community Development"  
S.P. 346 L.D. 787

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-287).**

Signed:

Senators:

CURRY of Waldo  
RAFFERTY of York

Representatives:

ROBERTS of South Berwick  
CROCKETT of Portland  
LaROCHELLE of Augusta  
SAYRE of Kennebunk  
WHITE of Waterville

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

COLLAMORE of Pittsfield  
LANIGAN of Sanford  
NESS of Fryeburg  
SMITH of Palermo  
WALKER of Naples

Reports **READ.**

Senator **CURRY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, the proposal before you is a bill that I submitted, and I think it's become even more imperative with the occurrences over the last several months. The fact is that Maine people are welcoming, they're generous, but that doesn't mean that it's easy for towns and particularly rural communities to deal with influxes of populations suddenly where there are issues that need to be grappled with - language issues, cultural issues. And

we've seen recently with events in Sanford that towns need to be prepared. And there is currently no facility at all at the State level for dealing with this. In fact, during the debate in the committee, it was revealed that the administration has - is developing a plan to help Maine communities deal with the positives and negatives and the issues and the challenges and the opportunities that welcoming new Mainers presents and can present to a community its very short notice. They're working on a plan. But that plan is yet to be forthcoming. And I was gratified to hear Commissioner Johnson from the Department of Economic Community Development in response to this bill say in committee that this could - this part of a solution, it's not the whole solution, it's a small little piece, but this part of the solution could actually make a difference and be incorporated into a bigger plan. But I don't think the Legislature should not act, I don't think we should just await the administration here. Our towns and our communities, as I say, particularly in rural Maine, need a place where they can call and a place where they can get best learnings, the best information, best practices about how to deal with this sort of sudden change of populations moving into their communities and be welcoming and encouraging and provide the best services possible. And this bill before you, actually, just does that simply. It's not a big solution to the whole problem, it's not - but it is focused on that. And I just want to underscore there are lots of programs and resources that are becoming available to help new Mainers themselves and there needs to be a better understanding of what those resources are, and this proposal before us here is really focused on the communities and how communities can be resilient and welcoming and get access to those resources, a one-stop shop, somebody to call when they need help. So, I encourage you to pass the Majority Ought to Pass Report and move this matter forward and let's start planning for this change and allow our communities resources to plan for the changes as we welcome new Mainers to our great state. Thank you so much.

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#306)**

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

**NAYS:** Senators: GUERIN, LYFORD, MOORE, STEWART

**EXCUSED:** Senators: FARRIN, KEIM, TIMBERLAKE

28 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CURRY** of Waldo to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-287) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, to Create the Commission to Study the Operations of the Maine Legislature (EMERGENCY) S.P. 436 L.D. 1067

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-286)**.

Signed:

Senators:  
BALDACCI of Penobscot  
LYFORD of Penobscot

Representatives:  
ADAMS of Lebanon  
GREENWOOD of Wales  
POMERLEAU of Standish  
RISEMAN of Harrison  
UNDERWOOD of Presque Isle

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

Signed:

Senator:

NANGLE of Cumberland

Representatives:

STOVER of Boothbay

ABDI of Lewiston

COPELAND of Saco

DHALAC of South Portland

PAULHUS of Bath

Reports **READ**.

Senator **NANGLE** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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

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

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise because this is my bill that I put forward. Actually, I put it forward last year as well, or a very similar version to it last - in the previous Legislature, which passed with unanimous support, and I think - and I invite any discussion or debate on this, certainly, but I think what happened here, my understanding is what happened down in the State and Local Committee is that those on the Ought Not to Pass Report were more inclined to send a letter from the committee asking the Legislative Council to effectively do the tasks laid out by this commission, and - which is why there's a split report here. Unfortunately, I don't think that's very realistic. As you know from serving and chairing the Legislative Council and I know from serving on it now - this is my third year on that body - studies in this regard are not really something that the Legislative Council actually does or frankly has time to do. We are lucky if we can get together once a month and most often those meetings are cancelled because we have scheduling conflicts and whatnot. But the whole point of this bill and what it seeks to do and the push behind it is from both inside of the - not just the Chamber, but this Body, this legislative institution, as well as outside, trying to find ways to make the wheels of the Legislature and vis-a-vis state government work a little bit better. And by looking at different models that we could utilize across the country in the 50 laboratories of democracy that we have to compare and contrast Maine and our operations here in the Legislature with other places and kick around different ideas and put everything on the table and come back with some recommendations. And the membership of this Body, I'd encourage you to take a look at it, has changed as well to be really an emphasis on legislators both current and past to try to pull in some of that institutional knowledge as well from former members and get some feedback, too, from the public and those that represent the public in these halls and do that important work to make sure that we have all of our - access to all the information that we need to make the best decisions that we possibly can and to do so in a transparent way. So, it looks at everything from the way the committees are structured to the way that our districts are structured and how

frequently we're up for election and how we retain institutional knowledge and how we get input from the public and how we manage our workload in here - really a pretty wide spectrum here. And I suppose that's enough for everybody to love and enough for everybody to hate as well, so that could be a double-edged sword depending on how you feel about these different things. But to be clear, it doesn't actually do any of them, it just convenes this bipartisan, bicameral stakeholder group to come together and really flesh out some of these ideas a little bit better than we have. I certainly don't think that the Legislative Council can do that, and so I really hope that we can reject the pending motion here, like we did two years ago, and unanimously support this idea to bring it to the study table, to then try to move it forward in that regard. So, please reject the pending motion. 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, our legislative process is breaking. I find it ironic that this bill comes before us right in the vortex of our legislative session while we're here for hours debating a lot of bills that sound a lot alike, for example, the titles come up and one after the other is like didn't we just vote on that a moment ago? How is this different? That's just one example of the issues that we need to deal with. As most of you may know, I'm in favor of the Rules Committee getting together, and I hope we do this summer. I'm a member of that committee, the Joint Rules Committee, and there are several issues that could be brought up at the Rules Committee. In fact, I have three that were referenced to the Rules Committee and - relating to cloture, relating to concept drafts. But those are just part of the issues that we're facing here. And I really like this bill as a means of taking a more holistic view, a more expansive view, involving members of the public, involving not just legislators but people who are frequent participants in the legislative process and have been for years, perhaps decades, who have some perspective on how things have changed and how things might be better. And so, I look to this bill with a lot of optimism, that we can use this to really think through what's working, what isn't working well in our process, and restore the Legislative Branch of our government back to its rightful leadership role in policymaking and representation for the great people of Maine. Thank you very much.

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

Senator **NANGLE:** Thank you, Mr. President, and distinguished colleagues here. Looking at the - just reviewing the text of the bill, again, there's 15 items that the - this committee would look at. A number of them would be more than sufficiently handled by the Rules Committee without the need for an independent council. And then a lot of the other things are already covered either in statute or the Constitution: the overall structure of the Legislature, the number of terms for members of the Legislature, frequency of elections for members of the Legislature. That's all covered already and I'm just not sure what - what there is to gain by studying these things that we could either change individually or have the Rules Committee or the Legislative Council look at the other things. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. You know, I'm looking at that list right now that Senator Nangle has referenced, and I agree that I think some of these things could be addressed by the Rules Committee. I'll say as a member of the Rules Committee, I'm very much looking forward to our first meeting at the call of the Chair and perhaps we could address some of these things. I will say I know that there was some other legislation on the constitutional question, there's some other legislation that's come through the Judiciary Committee that - actually, legislation by Senator Hickman that could also look at some of the constitutional questions. So, I think - but I do think it does seem to me from other bills that we're hearing that there is an appetite to really look at some of these fundamental questions about the structure of our Legislature and how it could be improved, because I don't think that conversation has really been had for a long time. And I think especially in the aftermath of kind of having a disruption in our legislative processes for several years with COVID and Zoom and all of that, now is kind of a really good time to take fresh eyes at this process and look how it could be improved. So, I suppose I'm for all of the above. I'm for this legislation seeking to do that, I'm for other legislation seeking to do it, I'm for the Rules Committee meeting, I'm for any input from the Legislative Council. I just think it's something that needs to be done, and I don't think, you know, I think we've been sitting around waiting for some other opportunities that haven't taken place, so this seems as good an opportunity as any. Thank you.

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Off Record Remarks

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

Senator **LAWRENCE:** Thank you, Mr. President. Men and women of the House, I just rise to disagree that - with the statements that this hasn't been looked at for a long, long time. I would say the exact opposite is true, this has been looked at for a very, very, very long time, virtually every Legislature I sit in looks at this. I've seen proposals to reduce the size of the House, I've seen proposals to reduce the size of the Senate, I've seen proposals to change rules, to do all these different things over and over and over and time again. And in fact, we have the best committee to look at this, it's called the Legislature. What better committee to look at this than the Legislature itself and its subcommittees to look at how to do this. To appoint lobbyists to a commission to tell us how we should change doing our business, I think it's a very, very dangerous path to go down, very dangerous. And generally, I see these proposals come from people who are out of power and are looking for ways to change the legislative process so that they can get into power and so that they can control the Legislature.

**THE PRESIDENT:** The Chair inquires why the Senator from Aroostook, Senator Stewart, rises.

Senator **STEWART:** I feel we are flirting dangerously close to impugning the motives of another member of this Body. Thank you.

**THE PRESIDENT:** I don't think the Senator from York, Senator Lawrence, was talking about any members in this Body, I think he was talking about former members. The Senator may proceed.

Senator **LAWRENCE:** Thank you, Mr. President. And what I'm saying is the reason why any legislation is brought forward, people want to make a change, and the reason why they want to make a change. So, we have the - it's been looked at time and time again, it's continuously looked at every single Legislature, and we don't need to create another commission to study this.

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

Senator **BENNETT:** Thank you, Mr. President. To respond to the previous speaker, I do feel out of power. I think every one of us in this Legislature is out of power because we don't put our talents and our time to the best use for Maine people. And yes, that's a willful act on our part, we could take a look at each one of these things incrementally, which we do and have done. But I'll give you an example of one thing on this list is our budget process. Earlier this year, we passed a budget and - a part one current services budget. When I last served in the Legislature, in fact, the last time I was appointed to the Appropriations Committee by then-President the Senator from York, Senator Lawrence, we actually had a current services budget and we had public hearings on the current services budget, policy committees were involved, and we got away from that. And now we have this kind of hybrid, in fact, where, you know, we've had public hearings on the initiatives and part two, we're now debating part two. The budget process by itself is something which is so instrumental to the way that we spend our time and our energy here. And I'm one who thinks that we need to maybe think about moving the fiscal year to October 1<sup>st</sup>. What kind of impact would that have on the legislative process? I think it could have some very beneficial ideas. But that's not something to just consider by itself in a vacuum. It has implications for other ways that the Legislature acts. And I think that it would be wonderful to step back, take a more holistic - not an incremental approach of just looking at each one of these changes respective to the current dysfunction which prevails in the Legislative Branch - and I might say, I'm not indicting anybody or any of us in the dysfunction, I think it comes out of a very healthy compulsion that we all have to be as inclusive as possible, and we need to honor that and respect that as we consider reforms. But taking each one of these things one by one doesn't get us where we really need to go because if we are to be in power, that is the Legislative Branch, respective to other branches of government, we need to give - step back and give real thought to the way we spend the time of our members, the time of the public as they participate in our process, and the talent of the members as citizen legislator with all of the experience and expertise that we bring into the legislative process. I strongly urge you not to reject this opportunity to step back and take this view. I think it could be immensely beneficial. And so, I hope that you will reject the motion on the Floor right now. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. First, I'll say whenever the Rules Committee is called, you can count on me to be there and contribute to quorum. I'll look forward to it. On the question that was raised by Senator Lawrence of we have looked at these proposals, we have had individual proposals come forward to various committees over the years, I certainly agree. I've seen these proposals, a lot of these proposals around these issues coming forward to committees year after year, but I also see that committees tend to be hesitant to take these things up in a piecemeal fashion. I don't know the last time there's been a comprehensive look at everything because certainly, one change here affects a lot of different things. This proposal suggests we take a comprehensive look and a bipartisan look. I can't imagine that any change proposed coming out of this commission by a party that is out of power is going to pass without buy-in from the party that's in power. So, by the very nature of this process, it would require - it would require agreement and consensus from both parties. I don't imagine anything's going to come out of here that the minority is somehow going to strongarm the majority into getting through. This is - this is an opportunity for collaboration and a long-term view at this institution and how we make sure the Legislative Branch of government remains the first branch of government, the most powerful branch of government among the three branches. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#307)**

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

**NAYS:** Senators: BALDACCI, BENNETT, BLACK, BRAKEY, BRENNER, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

**EXCUSED:** Senator: FARRIN

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **NANGLE** of Cumberland to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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

**RECALLED FROM GOVERNOR'S DESK**

An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists

H.P. 555 L.D. 899  
(C "A" H-202)

(In Senate, June 6, 2023, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 832).

On motion by Senator **BAILEY** of York, 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 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" (H-202)**, in concurrence.

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" (H-202), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-281) to Committee Amendment "A" (H-202) **READ** and **ADOPTED**.

Committee Amendment "A" (H-202) as Amended by Senate Amendment "A" (S-281) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-202) AS AMENDED BY SENATE AMENDMENT "A" (S-281)** thereto, in **NON-CONCURRENCE**.

Ordered sent down for concurrence.

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Senate at Ease.

The Senate was called to order by the President.

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Off Record Remarks

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**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 (6/8/23) matter:

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Improve School Safety and Preparedness Through Comprehensive Health and Safety and Emergency Management Planning"  
S.P. 384 L.D. 892

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-165)** (8 members)

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

Tabled - June 8, 2023 by Senator **DAUGHTRY** of Cumberland

Pending - motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report (Roll Call Ordered)

(In Senate, June 8, 2023, Reports **READ**.)

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

Senator **STEWART:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I believe that the parties in this case have been able to have an opportunity to converse about what the impact of the alleged mandate/not mandate and get that issue figured out and if it is, in fact, not a mandate - this was a number of days ago, I believe that I was the one that requested the Roll Call here on this bill, if that's the case, I'd like to remove my request for a Roll Call because we have no opposition at this point to the bill. Thank you.

Senator **STEWART** of Aroostook 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 Daughtry.

Senator **DAUGHTRY:** Thank you, Mr. President. Men and women of the Senate, I just want to rise and thank my good colleagues from across the aisle for a great conversation on this, and I hope we can all support it and I just want to thank the Department of Education as well for clarifying a lot of the aspects of the bill.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-165) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/8/23) matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Update Criminal Indictment Procedures and Expand the Provision of Counsel to Certain Indigent Defendants"  
S.P. 642 L.D. 1625

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-221)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 8, 2023 by Senator **VITELLI** of Sagadahoc

Pending - motion by Senator **BEEBE-CENTER** of Knox to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, June 8, 2023, Reports **READ**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#308)**

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

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

EXCUSED: Senator: FARRIN

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BEEBE-CENTER** of Knox to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-221) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/12/23) matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor"  
S.P. 386 L.D. 894

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-251)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 12, 2023 by Senator **STEWART** of Aroostook

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

(In Senate, June 12, 2023, Reports **READ**.)

On motion by Senator **BRENNER** 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 (#309)**

YEAS: Senators: BALDACCI, BLACK, BRAKEY, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, MOORE, NANGLE, RAFFERTY, ROTUNDO, STEWART, TIMBERLAKE, PRESIDENT JACKSON

NAYS: Senators: BAILEY, BEEBE-CENTER, BENNETT, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSON, LAFOUNTAIN, LAWRENCE, PIERCE, POULIOT, RENY, TIPPING, VITELLI

EXCUSED: Senator: FARRIN

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **NANGLE** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **FAILED**.

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/12/23) matter:

SENATE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act to Prevent Dating Partner Abuse by Including Dating Partners in the Scope of Domestic Violence Crimes"  
S.P. 579 L.D. 1461

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-274)** (11 members)

Minority - **Ought Not to Pass** (2 members)

Tabled - June 12, 2023 by Senator **CARNEY** of Cumberland

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

(In Senate, June 12, 2023, Reports **READ**.)

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

Bill **READ ONCE**.

Committee Amendment "A" (S-274) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/12/23) matter:

An Act to Require Transparency in Public Utility Advertising Expenditures

S.P. 146 L.D. 325  
(C "A" S-155)

Tabled - June 12, 2023 by Senator **DAUGHTRY** of Cumberland

**ROLL CALL (#310)**

Pending - **ENACTMENT**, in concurrence

(In Senate, June 6, 2023, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155).**)  
(In House, June 12, 2023, **PASSED TO BE ENACTED.**)

On motion by Senator **LAWRENCE** of York, 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-155).**

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-155).

On further motion by same Senator, Senate Amendment "A" (S-284) to Committee Amendment "A" (S-155) **READ** and **ADOPTED.**

Committee Amendment "A" (S-155) as Amended by Senate Amendment "A" (S-284) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

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 Chair recognizes the Senator from Penobscot, Senator Tipping.

Senator **TIPPING:** Thank you, Mr. President. I just want to provide some information here and want to thank my colleagues for the bipartisan vote on the first time through on this and join my colleague from Aroostook County in admitting a mistake here. So, this item meant to prohibit ratepayer money from being used for a variety of political purposes, it's meant to update a set of rules from the 1980s that haven't been updated and move some of those protections for ratepayers into statute. There is a piece that was left out around lobbying, grassroots lobbying, and lobbying through affiliated groups, and this amendment hopefully fixes that. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Passage to be Engrossed as Amended, in non-concurrence. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

**NAYS:** Senators: BLACK, BRAKEY, GUERIN, HARRINGTON, KEIM, LYFORD, POULIOT, STEWART, TIMBERLAKE

**EXCUSED:** Senator: FARRIN

25 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senator being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155) AS AMENDED BY SENATE AMENDMENT "A" (S-284)** thereto, in **NON-CONCURRENCE.**

Ordered sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/12/23) matter:

An Act to Protect Employee Freedom of Speech  
S.P. 702 L.D. 1756

Tabled - June 12, 2023 by Senator **DAUGHTRY** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In Senate, June 6, 2023, **PASSED TO BE ENGROSSED.**)

(In House, June 12, 2023, **PASSED TO BE ENACTED.**)

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

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

On further motion by same Senator, Senate Amendment "A" (S-291) **READ.**

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this simply clarifies the bill and makes it clear about attorney's fees after the process. I also want to state the importance of this bill. It makes it clear that an employee cannot be forced to attend a political or religious or anti-union workshop or hearing, and that, you know, they don't have to go, and they can't be - they can't lose their job for not going. Now, this doesn't cover other things such as, you know, training about

PPE or workplace safety or new protocols, it just ensures that employees are not forced into situations that may not comply with their political or religious affiliation or beliefs. Thank you.

On motion by Senator **DAUGHTRY** of Cumberland, Senate Amendment "A" (S-291) **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-291), in NON-CONCURRENCE.**

Ordered sent down for concurrence.

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Off Record Remarks

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**RECESSED** until the sound of the bell.

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

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

The President took a seat on the Floor.

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

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The Chair laid before the Senate the following Tabled and Later Assigned (6/12/23) matter:

**SENATE REPORTS** - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Build Maine's Economy by Supporting Child Care for Working Families"  
S.P. 690 L.D. 1726

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-266)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-267)** (5 members)

Tabled - June 12, 2023 by Senator **BALDACCI** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, June 12, 2023, Reports **READ**.)

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-266)** Report.

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

Senator **BALDACCI**: Thank you. I would just want to give the Chamber three highlights. This is a very important bill because it significantly increases childcare worker pay, it expands Head Start, and it increases the eligibility for childcare subsidies from 85% to 125% of the state's median income. It does many more things; those are, in my mind, three of the most important things. If you look at the nonpartisan studies about childcare in the State of Maine, the further you move north and the further you get into poorer counties, the further that the lack of childcare is extremely evident. This is an important bill to help tens of thousands of working people and I'm very proud to recommend it to the Senate. 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, this is a bill that clearly been working on for a long time and I think probably people have probably heard me speak about it to the point that they're probably sick of hearing me talk about it, but it's been a long time in the making and something that, you know, I'm pretty excited about that we could maybe enact this session. I think Maine is in the middle of a childcare crisis. And that rhetoric may sound extreme until you talk to parents, providers, and business leaders. Parents struggle to find a quality - a quality, affordable childcare provider with an open spot for their kids. And many are toiling away on waitlists for months, if not years. It doesn't matter if your childcare was the first call that they made upon learning about their pregnancy. And there's really people out there, a lot of people out there, that actually have that story, like, you know, a year, year and a half out, still waiting. And their stories reflect that data. You know, 70% of Maine children under the age of six live in homes that all available parents work in the workforce. All available parents. When parents can't find childcare, they can't go to work, make existing workforce shortages even more of a problem. And we've known about this for a long time, way before the pandemic, you know, we were struggling with childcare. And this is something that, for me, you know, I've come to understand more and more as time has gone on because I - I didn't have that issue with my two kids, I mean, I was like blessed that I had in-laws, you know, my parents, my stepparents all around us to where we were lucky that, you know, they could take care of our kids whenever, you know, when we needed them to. But as time has gone on, more and more people don't have that opportunity, and more and more grandparents have to work to make ends meet also. And it's just become, like I said, more and more apparent for me that this is a real issue and look, you know, we can talk about the pandemic, we can talk about people that left the workforce and how people don't want to go back and, you know, they're getting too much in unemployment. I don't agree with that, but what I do know very well is well before the pandemic, this was a problem, and this was a problem that we met with the Chamber of Commerce about, that we were trying to do things to actually help, you know, get more people, do more training, get more people in the workforce, and our unemployment rate pre-pandemic was at an unbelievable low. And so, now, we're in a situation where one in five Mainers live in a childcare desert, where there are three children for every licensed childcare spot. And when a spot finally does become available, the cost of care forces parents to make a decision about whether to stay in the workforce or remain home and care for their kids. Not only are there not enough providers, but the

childcare providers operating in Maine can barely afford to keep their doors open, and I hear this, too, across the state. I know when people talk about it in rural Maine, but, I mean, I was just down in Portland, at a really, unbelievably nice childcare facility where a whole section of the building was closed down because they didn't have enough providers. But in my area, I mean, like in Caribou, you know, Senator Stewart knows that area very well also, I mean, we have over a hundred families that I don't think understand how close they are to absolutely losing their opportunity to have childcare because the facilities that I know have either closed down because they can't afford to, or are just barely hanging on. And, you know, that's unfortunate, and you hear that story that, you know, childcare providers operating in Maine can barely afford to keep their doors open, find themselves in an impossible situation, trying to keep the costs affordable for families while also maintaining a safe, quality program that they can afford to operate. And at the same time, those stagnant wages have made it difficult to attract and retain staff. Folks simply can't afford to remain in the field they love. And you go down, you know, into the House and talk to people down there that actually worked in that industry and left it because they can't afford to. And the result of short staffing is that most childcare providers are caring for fewer kids than their license allows. And this is true for both center-based providers and family childcare homes. The gap between licensing capacity and enrollment in this state right now is 9,442. That's 9,442 kids that don't have a slot, and how many parents that don't have the opportunity. The bottom line is this, Maine's childcare system is not working for anyone. And if we don't take meaningful action this session, Maine will continue to pay the price, up to the tune of \$403 million a year - and that's not my numbers, that's Ready Nation report of, you know, totally unbiased report that shows what this costing our economy here in the state of Maine. And if we're serious about tackling this problem, we need to listen to the parents, providers, and employers. And if you think the answer is taking away the guardrails that keep our kids healthy and safe, then I don't believe you're listening to those parents or those providers. Maine's childcare crisis demands a comprehensive response, one that supports childcare professionals and working-class families. This bill, with a whole group of people putting effort into it, I mean, a real, huge group of advocates, treats childcare workers like the professionals that they are and that we should've been treating for a long time. And it doubles the monthly wage stipend for childcare workers so folks can afford to work in a profession they love. This will also help to hopefully attract and retain staff so that they can care for more kids. It also helps families afford childcare. The proposal would also expand eligibility for the childcare assistance program to families that earn up to 125% of the state's median wage. Currently, we're at 85%. The lack of childcare and inability to afford childcare makes it again difficult for parents to fully participate in the workforce. I mean, there is a tipping point for, you know, parents that are in lower-wage jobs, you know, how much can they actually afford to be able to pay for childcare to be able to actually still go to work. And that exasperates, like I said, the existing workforce shortage. I know that there's people that disagree on this, that people think there should be other priorities, but I do honestly believe that L.D. 1726 can transform Maine's childcare system by raising wages, improving access to scholarship programs, and making changes to data collection and program delivery that are long, long overdue. Maine's childcare crisis demands this comprehensive response, one that supports childcare professionals and working-

class families, and I would also say the very providers that we depend on, also. The amended proposal includes provisions to help childcare teachers remain in the industry they love while also making childcare more affordable for working-class families. Now, I've been in this building a long time, there's people that's been in here even longer, and there's probably people that understand issues even more than I do, and I can certainly appreciate that. But I've got to tell you that when you get the Maine Chamber of Commerce and the Maine AFL-CIO pulling together the same way, in such a huge way, then that tells you that we have issues out there that is clearly cutting across all divide lines in the state. And there's a reason those business leaders, childcare workers, parents, law enforcement, and so many others support this bill. I truly believe that it reflects what we're hearing from folks on the ground that are experiencing this crisis - the parents, the providers, and the experts. And I do hope that despite any other issues that we deal with today, or this session, I do hope that you'll hear those voices, those business leaders, those parents, those childcare providers that are business leaders, all these people - and the kids, I mean, also the kids that having that quality - quality, you know, provider that, you know, actually teaches kids things throughout their day and keeps them engaged. I hope you'll join me in voting in favor of all these things and recognize the severity of the crisis that we are in right now. One that doesn't leave childcare workers or those working-class families behind. Thank you very much.

**THE PRESIDENT PRO TEM:** The Chair recognizes the other Senator from Aroostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Madame Chair, and ladies and gentlemen of the Senate. You know, my good friend from the Allagash and I don't always agree on everything, but we certainly agree that this session, there is a need to do something to address the childcare crisis that is out there across our state and is certainly impacting our economy, certainly impacting Maine families, and something that we ought to be looking at as state legislators. I would also agree that there needs to be a comprehensive approach in what we do, and I think that this bill is one of those pieces of that comprehensive approach. I'd like to note here, too, that both reports are Ought to Pass reports. That there's some, you know, different feelings around the numbers here, but the reality is that both Republicans and Democrats are coming together on this bill, and this proposal, and this part of this comprehensive approach, recognizing that we need to be putting our money where our mouth is, that this can't just be something that we, you know, talk about on the campaign trails but then don't actually do something about when it comes time for budget season and our work down in the Appropriations Committee. And so, I want to commend the entire Health and Human Services Committee for the work that they've done this session on this issue of childcare and certainly note, too, that, you know, the Senate President is spot on, when you've got all these different stakeholders coming together, all these different viewpoints, I think it really underscores that this is not a partisan issue, this is a people issue, this is a family issue, and we need to be able to access the care that's important and the right fit, the right fit for your family. And whether that's, you know, some type of larger facility or something smaller based, and I think we passed a good piece of legislation here earlier today around making reforms on the regulatory side, and that's another part of the solution. And we've got another part of the solution coming in the form of tax

credits that are through collaborations with the private sector. And this is another piece of that, Madame Chair, that I think is really important here. And I know certainly given the size of the fiscal note here, we're far from over with this conversation, we've got a lot of work to do down in the Appropriations Committee, that's the next stop and my hat's off to those folks down there for the work that they're going to do to try to find a way to make this work, to find a way to bring this all together in the end and have a product that we can leave the 131<sup>st</sup> Legislature with and say this isn't a talking point on a campaign flyer, we actually did something, and we did so in a bipartisan way, and I'm happy to support that effort. And thank you, again, to all those who have come together to put this in front of us here today. So, thank you, Madame Chair.

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

Senator **BENNETT:** Thank you, Madame President. Fellow members of the Senate, many of you know that I have the privilege of serving as the Senate Chair of Maine's Children Caucus, a position I've held for the past three years. By design, the Maine Children's Caucus is bipartisan and bicameral, with a mission to improve the effectiveness and reach of policy designed to positively impact children from birth to age eight, their families, and the communities in which they live in order to give every Maine child the right start in life, a safe and healthy environment, nurture their early learning, and enhance their wellbeing. L.D. 1726 takes important steps to make those missions a reality. I would like to focus my remarks today on the provisions of the bill that support the childcare workforce, which, as we all know, is the workforce behind the Maine's workforce. I came to the position as Chair of the Legislature's Children's Caucus with very little background in early childhood other than being a father of two children. They're not in early childhood any longer, but it's a fascinating and very timely issue area to dive into, regardless of your age and the status of your family. Earlier this year, the Children's Caucus hosted a panel of presentations of childcare workers who shared with us their challenges, both during the pandemic and since. The caucus hosted a similar panel three years ago. And my major takeaway from these two sessions is that we, as policymakers, have failed this critical sector of Maine's economy. During the pandemic, childcare workers were deemed essential, and they are, just like first responders and medical professionals. After all, first responders and medical professionals and so many other Maine workers needed childcare workers to care for their children so that they could do their own essential jobs. When schools closed and parents needed to go to work, it was assumed that children could just go to childcare. No one asked about the program's capacity, staffing, availability of needs. It was an assumption because the programs have always been there. And I have to say, the childcare industry answered the call. They adjusted to the new world of COVID, with often changing and sometimes conflicting guidance, additional pressures, and even longer workdays. Initially, there were no new resources to support them, many went into debt, some went unpaid, yet they were there to care for our children because that's what they do and that's what they love. They felt an obligation to the children in their care and an obligation to those children's parents, their families, their neighbors, their communities. Recently, as we all know - actually, last year, the Maine Legislature took a solid first step to address the issue when we

approved the \$200 per month wage stipend for childcare providers. Let's put that in perspective. That moved their average hourly wage from \$14.90 to \$16.05. As I said, it was a good first step. But more needs to be done to help make childcare providers' wages competitive. Think about how \$16.05 per hour stacks up against pay for current entry-level jobs in retail or restaurants. There's an important provision here which doubles the monthly wage supplement to \$400 a month, which will then move the average hourly wage to \$17.20. On this point, I'll just add that according to a September 2021 report by the U.S. Treasury, childcare as a sector is the second lowest paid in our nation. Imagine that. Without question, these past few years have made it undeniably clear how important childcare is to the functioning of our economy. Parents have had to try to juggle childrearing and work simultaneously, while businesses came face to face with the reality that without reliable childcare, parents can't work. That connection between childcare and our economy makes addressing parents' barriers to high-quality childcare a priority issue for business leaders. That's why they're on board. And it should be a priority for us as policymakers as well. If every family were able to access the quality childcare they need, regardless of where they live in Maine, we could increase workforce participation across the state and unleash great potential for economic growth. That's how important this investment is to children, families, the economy, and workforce attraction. Greater support for the fragile childcare industry is the beginning of a strategic, targeted investment in quality early care and education for Maine's youngest children that will shore up the foundation of our economy and pay dividends for years and for generations to come. Thank you, Madame President.

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.

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

#### ROLL CALL (#311)

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

**NAYS:** Senator: BRAKEY

**EXCUSED:** Senator: KEIM

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-266)** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-266) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-266)**.

Sent down for concurrence.

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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 Sagadahoc, Senator **VITELLI**, to her seat on the Floor.

The Senate was called to order by the President.

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

#### REPORTS OF COMMITTEES

##### House

##### Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Advance the National HIV/AIDS Strategy in Maine by Broadening HIV Testing"

H.P. 1115 L.D. 1736

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-417)**.

Signed:

Senators:

BAILEY of York  
BRAKEY of Androscoggin  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
MORRIS of Turner

NUTTING of Oakland  
PRINGLE of Windham

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

Signed:

Representatives:

CYRWAY of Albion  
SWALLOW of Houlton

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-417)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-417) **READ** and **ADOPTED**, in concurrence.

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

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#### Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Resolve, to Study the Establishment of a MaineCare Public Health Plan  
H.P. 1186 L.D. 1856

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-401)**.

Signed:

Senators:

BAILEY of York  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
PRINGLE of Windham

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion

MORRIS of Turner

NUTTING of Oakland

SWALLOW of Houlton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-401)**.

Reports **READ**.

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

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

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the pending motion. This legislation seeks to move our state in the direction toward a single-payer, MaineCare-for-all system, paying the healthcare expenses of all people in Maine, citizens and noncitizens alike. To begin, I'd just like to say that I agree with proponents of this legislation on one matter, that our healthcare system is broken, and it needs to be addressed. Where we disagree, however, is the answer. While proponents say the answer is to move in the direction of a socialized healthcare system, I say the answer is to run in the opposite direction, towards a personalized healthcare system. Ultimately, it makes little difference whether our healthcare is controlled by corporate bureaucrats or government bureaucrats, so long as the system is controlled by third-party payers, particularly over matters of routine and plannable health events, consumers can expect to pay inflated prices through taxes or premiums for the privilege of being bossed around by a bureaucracy that has no economic incentive to minimize costs or maximize quality. And when you look at the history of healthcare laws in our country going back as far as World War II, you will see one law after another adding layers of bureaucracy to the system, each one attempting to make healthcare more affordable and instead making healthcare more expensive. How do we deal with the rising prices of healthcare resulting from the last government solution? Of course, by throwing a new government solution on the pile, coming with more problems worse than we had before, necessitating another solution after that. Mr. President, when I was five years old, my kindergarten teacher taught us the story of the old lady who swallowed the fly. Perhaps members of this Chamber know this nursery rhyme. There was an old lady who swallowed fly, why oh why, we think she'll die. She began with a fly problem and solved it by swallowing a spider, then she solved the spider problem by swallowing a bird, then she solved the bird problem by swallowing a cat, then a dog, then a goat, and

eventually, she swallowed a horse, and at that point, she died. She would've been better off vomiting up the fly and all the so-called solutions which only came with problems worse than she began with. I share this parable to illustrate a point. This is our healthcare system. We have swallowed bureaucratic solution after bureaucratic solution, each coming with problems worse than we had before. It would be better to repeal this entire tangled web of third-party bureaucracy, get the bureaucrats off our backs, and restore direct relationships between doctors and patients. There are alternative models that would increase access, affordability, and accountability in healthcare. We could look at the lessons of the Singapore model, for example, which utilizes health savings accounts to great effect, ensuring consumers have direct relationships with their physicians in routine and plannable health events. That being the case, I oppose this legislation. The move towards a monopoly payer system under government control is the horse we are now looking to swallow on the road to socialized healthcare. Instead, let's endeavor to move toward freedom by personalizing it, not socializing it. Thank you, Mr. President.

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#312)

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

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

**EXCUSED:** Senator: KEIM

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BAILEY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Resolve **READ ONCE**.

Committee Amendment "A" (H-401) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System" H.P. 954 L.D. 1499

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-397)**.

Signed:

Senator:  
TIPPING of Penobscot

Representatives:  
ROEDER of Bangor  
GEIGER of Rockland  
GERE of Kennebunkport  
MALON of Biddeford  
RUSSELL of Verona Island  
SKOLD of Portland

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

Signed:

Senator:  
POULIOT of Kennebec

Representatives:  
BRADSTREET of Vassalboro  
DRINKWATER of Milford  
SOBOLESKI of Phillips

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-397)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-397) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

Nine members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Ban the Drug Tianeptine" (EMERGENCY)

H.P. 517 L.D. 828

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-421)**.

Signed:

Senators:  
BEEBE-CENTER of Knox  
HARRINGTON of York  
LaFOUNTAIN of Kennebec

Representatives:  
SALISBURY of Westbrook  
ARDELL of Monticello  
LAJOIE of Lewiston  
NEWMAN of Belgrade  
NUTTING of Oakland  
PERKINS of Dover-Foxcroft

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

Signed:

Representatives:  
LOOKNER of Portland  
MATHIESON of Kittery  
MILLIKEN of Blue Hill

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-422)**.

Signed:

Representative:  
HASENFUS of Readfield

Comes from the House with Report "B", **OUGHT NOT TO PASS, READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **BEEBE-CENTER** of Knox, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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**Divided Report**

Ten members of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding Insurance Coverage for Diagnostic and Supplemental Breast Examinations"

H.P. 1168 L.D. 1836

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-418)**.

Signed:

Senators:

BAILEY of York  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
CYRWAY of Albion  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
NUTTING of Oakland  
PRINGLE of Windham

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

Signed:

Senator:

BRAKEY of Androscoggin

Representative:

SWALLOW of Houlton

One member of the same Committee on the same subject reported in Report "**C**" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-419)**.

Signed:

Representative:

MORRIS of Turner

Comes from the House with Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418)**.

Reports **READ**.

On motion by Senator **BAILEY** of York, Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418)**, **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-418) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418)**, in concurrence.

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Balance Renewable Energy Development with Natural and Working Lands Conservation" H.P. 775 L.D. 1227

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-437)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-437)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-437) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Allow Death by Suicide to Be Considered a Death While in the Line of Duty" H.P. 272 L.D. 439

H.P. 272 L.D. 439

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-455)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-455)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-455) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Provide Reimbursement for Health Care Expenses of Retired State Police Law Enforcement Dogs" H.P. 782 L.D. 1234

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-454)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-454) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Establish a Substance Use Disorder Hotline and Consultation and Clinical Supervision Program" H.P. 103 L.D. 162

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-428)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-428)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-428) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding Investigations of Out-of-home Child Abuse and Neglect" H.P. 312 L.D. 495

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-459)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-459)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-459) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Improve Conditions for People Living in Recovery Residences by Requiring Approved Discharge and Transfer Policies" H.P. 374 L.D. 597

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-460)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-460)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-460) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, to Fund Treatment Services and Certain Transportation Costs for Individuals with Substance Use Disorder H.P. 626 L.D. 979

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-458)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-458)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-458) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Support Peer Mentors for Parents Involved in the Child Protective Services System"

H.P. 777 L.D. 1229

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-469)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-469)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-469) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, to Design and Implement a Community-based Model of Care for Adolescent Mental Health

H.P. 830 L.D. 1305

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-457)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-457)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-457) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Improve the Convenience of Public Restrooms"

H.P. 444 L.D. 675

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-474)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-474)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-474) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Ensure Consumer Protection from Resale Ticket Vendors"

H.P. 446 L.D. 677

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-452)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-452) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Resolve, Directing the Department of Economic and Community Development to Convene a Working Group to Improve the State's 10-year Economic Development Strategy

H.P. 758 L.D. 1198

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-451)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-451)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-451) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding the Composition of the Budget Advisory Committee and the Finality of the Budget in the Franklin County Budget Process"

H.P. 864 L.D. 1350

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-432)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-432)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-432) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Require Direct Wine Shippers to Comply with Maine Beverage Container Laws"

H.P. 535 L.D. 846

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-430)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-430)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-430) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Allow School Budget Referenda on the Same Day as Primary Elections"

H.P. 658 L.D. 1022

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-456)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-456)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-456) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Impose an Expanded Prohibition on Lobbying for Former Executive Branch Employees"

H.P. 871 L.D. 1357

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-429)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-429)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-429) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Amend Limits on the Direct Shipment of Wine"

H.P. 885 L.D. 1371

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-431)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-431)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-431) **READ** and **ADOPTED**, in concurrence.

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

**Senate**

**Ought to Pass As Amended**

Senator CHIPMAN for the Committee on **TRANSPORTATION** on Bill "An Act to Amend the Specialty License Plate Laws and Extend the Moratorium on Approval of Specialty License Plates and Remove the Authority of Municipalities to Issue Driver's Licenses" (EMERGENCY)

S.P. 738 L.D. 1822

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-288)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-288) **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:

**PAPERS FROM THE HOUSE**

**Joint Order**

The following Joint Order:

H.P. 1290

ORDERED, the Senate concurring, that Bill, "An Act to Protect Workers from Employer Surveillance," H.P. 596, L.D. 949, 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:

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services to Expedite Reimbursement of Nursing Facilities  
S.P. 593 L.D. 1474

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-292)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-292) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator PIERCE for the Joint Select Committee on **HOUSING** on Bill "An Act to Prevent Student Homelessness"  
S.P. 641 L.D. 1609

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-290)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-290) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

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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 Protect Minors from Exploitation by Adults for Violation of Privacy  
S.P. 54 L.D. 115  
(C "A" S-223)

An Act to Clarify and Correct Inland Fisheries and Wildlife Laws  
S.P. 70 L.D. 131  
(C "A" S-216)

An Act to Require Private Insurance Coverage for Donor Breast Milk

S.P. 126 L.D. 267  
(C "A" S-226)

An Act to Require Standard Procedures to Protect Stalking Victims and Access to Certain Criminal Complaints

H.P. 934 L.D. 1438  
(C "A" H-394)

An Act to Amend the Net Energy Billing Laws to Direct Expiring Net Energy Billing Credits to Provide Low-income Assistance

S.P. 226 L.D. 509  
(C "A" S-202)

An Act to Require Proper Storage of Forensic Exam Evidence

S.P. 649 L.D. 1632  
(C "A" S-218)

An Act to Provide Uniform Protections from Retaliation for Maine Workers in Connection with the Exercise of Rights Protected Under the Laws Governing Employment Practices

S.P. 326 L.D. 767  
(C "A" S-149)

An Act to Require and Encourage Safe and Interconnected Transportation

H.P. 1072 L.D. 1674  
(C "A" H-412)

An Act to Expand Protections to Maine's Loons from Lead Poisoning by Prohibiting the Sale and Use of Certain Painted Lead Jigs

H.P. 605 L.D. 958

An Act to Clarify the MaineCare Rate Determination Requirements

H.P. 1132 L.D. 1768  
(C "A" H-406)

An Act to Support Lower Home Energy Costs by Establishing a Home Energy Scoring System

H.P. 696 L.D. 1101  
(C "A" H-370)

An Act to Align Laws Governing Crossbow Hunting with Those Governing Archery Hunting

H.P. 1204 L.D. 1879  
(C "A" H-409)

An Act to Reestablish Annual Reporting on Solid Waste in Maine

H.P. 744 L.D. 1172  
(C "A" H-199)

An Act to Allow Bargaining Agents for Public Sector Unions to Merge

S.P. 784 L.D. 1922  
(C "A" S-197)

An Act to Define Undisputed Health Insurance Claims

H.P. 792 L.D. 1244  
(C "A" H-398)

An Act to Clarify and Improve the Laws Relating to the Background Check Center and the Maine Certified Nursing Assistant and Direct Care Worker Registry

H.P. 1230 L.D. 1925  
(C "A" H-404)

An Act to Provide Alternative Methods of Payment to Health Care Providers

H.P. 815 L.D. 1267  
(C "A" H-420)

An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River

H.P. 1231 L.D. 1926  
(C "A" H-385)

An Act to Require the Technical Building Codes and Standards Board to Adopt the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems as an Alternative Standard Under the Maine Uniform Building and Energy Code

H.P. 867 L.D. 1353  
(C "A" H-350)

An Act to Allow Certified Nurse Practitioners to Provide In-home Care Without a Home Health Care Provider License

H.P. 1244 L.D. 1936  
(C "A" H-399)

An Act to Ensure Fairness in Unemployment Benefits by Clarifying Laws Regarding Labor Organizations

H.P. 882 L.D. 1368  
(C "A" H-378)

An Act Regarding Marine Finfish Aquaculture

S.P. 794 L.D. 1951  
(C "A" S-219)

An Act to Enhance Reporting by Certain Agencies Regarding Greenhouse Gas Emissions

H.P. 907 L.D. 1411  
(C "A" H-198)

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

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An Act to Restore the Former State of Maine Flag

H.P. 54 L.D. 86  
(C "A" H-232; S "A" S-146)

An Act to Inform Fair Minimum Rates of Wages and Benefits in Bids for Public Contracts Using State and Federal Data

H.P. 915 L.D. 1419

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

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An Act to Reduce the Benefit Penalty Imposed on Teachers Who Retire After 35 Years of Service

S.P. 89 L.D. 185  
(C "A" S-201)

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

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An Act to Require MaineCare Assessments for Children

H.P. 129 L.D. 208  
(C "A" H-427)

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

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An Act Regarding False Public Alarms or Reports and Aggravated False Public Alarms or Reports

S.P. 186 L.D. 405  
(C "A" S-220)

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

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An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of Chief Medical Examiner

H.P. 387 L.D. 610  
(C "A" H-379)

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

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An Act to Prohibit Certain Training Repayment Agreements by Employers

S.P. 299 L.D. 741  
(C "A" S-200)

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

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An Act Requiring Water Bottle Filling Stations in New and Renovated Public Schools

H.P. 604 L.D. 957  
(C "A" H-410)

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

---

An Act to Provide Rural Recovery Residences for Families

H.P. 712 L.D. 1116  
(C "A" H-374)

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

---

An Act to Create a Presumption Under the Maine Workers' Compensation Act of 1992 That a Cardiovascular Injury or Disease or Pulmonary Disease Suffered by Certain Law Enforcement Officers Is in the Course of Employment

S.P. 457 L.D. 1123  
(C "A" S-205)

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

---

An Act to Increase Funding for the Maine School of Science and Mathematics

S.P. 576 L.D. 1458  
(C "A" S-193)

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

---

An Act to Provide Public Sector Labor Unions Reasonable Access to Information Regarding Employees

H.P. 1033 L.D. 1588  
(C "A" H-377)

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

---

An Act to Provide Staffing for Ongoing Study Commissions During Legislative Sessions and to Support the Work of the Legislature

H.P. 1066 L.D. 1668  
(C "A" H-361)

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

---

An Act to Include Certain Crisis Outreach and Crisis Services Workers Under the 1998 Special Plan for Retirement  
S.P. 707 L.D. 1760  
(C "A" S-199)

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

---

An Act to Include Certain Mental Health Workers Under the 1998 Special Plan for Retirement

S.P. 708 L.D. 1761  
(C "A" S-198)

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

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An Act to Ensure Access to Newly Born Male Infant Circumcision by Requiring MaineCare Coverage

H.P. 1188 L.D. 1858  
(C "A" H-405)

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

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An Act to Promote Workforce Development by Establishing a Workforce Development Program

H.P. 1243 L.D. 1935  
(C "A" H-375)

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

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### Resolves

Resolve, Directing the Department of Labor to Submit a Report on the Employment of Minors

S.P. 137 L.D. 316  
(C "A" S-217)

Resolve, to Review the Resource Parent Bill of Rights  
S.P. 262 L.D. 594  
(C "A" S-228)

Resolve, to Direct the Department of Transportation to Examine Improving Highway Connections from Interstate 95 to the St. John Valley

H.P. 384 L.D. 607  
(C "A" H-411)

Resolve, to Review Telemonitoring and Certain Telehealth Services Reimbursed under MaineCare

S.P. 315 L.D. 757  
(C "A" S-213)

Resolve, to Provide Legislative Approval of the Transmission Project Selected by the Public Utilities Commission Pursuant to the Northern Maine Renewable Energy Development Program

S.P. 395 L.D. 924  
(C "A" S-203)

Resolve, to Create a 21st-Century Electric Grid

H.P. 599 L.D. 952  
(C "A" H-369)

Resolve, to Name a Bridge in the Town of Bremen the Kitty Breskin Memorial Bridge

H.P. 1175 L.D. 1843

Resolve, to Remove the Prohibition Against Live Plants in State-owned Buildings

S.P. 829 L.D. 2008

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

---

Resolve, Directing the Department of Inland Fisheries and Wildlife to Develop a Hunting and Fishing Software Application

S.P. 482 L.D. 1186  
(C "A" S-214)

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

---

Resolve, to Study Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and Study Additional Requirements for Law Enforcement Officers and Candidates

H.P. 795 L.D. 1247  
(C "A" H-231)

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

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Senate at Ease.

The Senate was called to order by the President.

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Off Record Remarks

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act to Fund the Recommendations of the Mountain Division Rail Use Advisory Council"

S.P. 568 L.D. 1450

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-289)**.

Signed:

Senators:

CHIPMAN of Cumberland  
FARRIN of Somerset

Representatives:

ALBERT of Madawaska  
ANKELES of Brunswick  
O'CONNELL of Brewer  
PARRY of Arundel  
THERIAULT of Fort Kent  
WHITE of Waterville  
WHITE of Guilford

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

Signed:

Senator:

NANGLE of Cumberland

Representative:

WILLIAMS of Bar Harbor

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-289) **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:

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Ensure the Collection of Complete Information by Adding a 3rd Option for Gender on State Forms"

H.P. 589 L.D. 942

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-196)**.

Signed:

Senators:

CARNEY of Cumberland  
BAILEY of York  
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland  
KUHN of Falmouth  
LEE of Auburn  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:

Representatives:

ANDREWS of Paris  
HAGGAN of Hampden  
HENDERSON of Rumford  
POIRIER of Skowhegan

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-196)**.

Reports **READ**.

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

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

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

Senator **MOORE**: Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill requires already short-staffed state agencies to expend human capital to identify every form and database where gender markers are collected. Computer systems may not be able to process nonbinary gender markers even if paper forms are updated. When the State integrates with other systems, these markers may cause data errors. In the Judiciary Branch, these data incompatibilities may result in errors in protection orders, warrants, and other databases which directly impact human safety. Some testimony did point out during the public hearing how our State integrates with federal agencies that require only male or female be designated. We cannot amend our forms until the federal government amends theirs. State forms should be fact-based. People are free to identify however they choose, but in our state records, we should be collecting fact-based information because these records should not be subjective. Thank you, Mr. President.

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

Senator **CARNEY**: Thank you, Mr. President. I rise just briefly to talk a little bit about the amended version of the bill, the Majority Report that we are voting on. The bill was turned into a resolve, and what the resolve does is it gathers information from the Department of Administrative and Financial Services, from the State Court Administrator, and from the Executive Director of the Legislative Council. It requires them to each compile a list of printed and electronic forms and documents that require someone to designate their gender, look and see if there's even any reason to be collecting that information on many of these forms, and then estimate the time and cost that it would take to update the forms to include X as a gender marker. Now, this is all done in service of reporting back to the Judiciary Committee to determine whether - so that the committee can determine whether as a policy matter, we should report out legislation that would require that change. So, this - what you're being asked to vote on this afternoon is simply an information-gathering process and not a change to all of that information. Thank you.

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#313)**

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

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

**EXCUSED:** Senators: KEIM, POULIOT

24 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

**Bill READ ONCE.**

Committee Amendment "A" (H-196) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Amend the Maine Human Rights Act Regarding Right-to-sue Letters"

H.P. 637 L.D. 1001

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-195).**

Signed:

Senators:  
CARNEY of Cumberland  
BAILEY of York

Representatives:  
MOONEN of Portland  
KUHN of Falmouth  
MORIARTY of Cumberland  
POIRIER of Skowhegan  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:  
Senator:  
BRAKEY of Androscoggin

Representatives:  
ANDREWS of Paris  
HAGGAN of Hampden  
HENDERSON of Rumford  
LEE of Auburn

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

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

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-195) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

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

Sent down for concurrence.

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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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Repeal the Law Regarding the Northern Maine Renewable Energy Development Program" H.P. 227 L.D. 376

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

Signed:

Senators:  
LAWRENCE of York  
GROHOSKI of Hancock  
HARRINGTON of York

Representatives:  
ZEIGLER of Montville

BABIN of Fort Fairfield  
BOYLE of Gorham  
KESSLER of South Portland  
RUNTE of York  
WARREN of Scarborough

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

Signed:

Representatives:  
DUNPHY of Embden  
FOSTER of Dexter  
PAUL of Winterport

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

Reports **READ**.

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

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#### Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Renewable Energy Projects"

H.P. 275 L.D. 442

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

Signed:

Senators:  
LAWRENCE of York  
GROHOSKI of Hancock

Representatives:  
ZEIGLER of Montville  
BABIN of Fort Fairfield  
BOYLE of Gorham  
GEIGER of Rockland  
KESSLER of South Portland  
RUNTE of York  
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-123)**.

Signed:

Representatives:  
DUNPHY of Embden  
FOSTER of Dexter  
PAUL of Winterport

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Requiring the Installation of Electric Vehicle Charging Stations in New Commercial and Multifamily Parking Lot Construction"

H.P. 329 L.D. 524

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

Signed:

Senators:

GROHOSKI of Hancock  
HARRINGTON of York

Representatives:

BABIN of Fort Fairfield  
DUNPHY of Embden  
FOSTER of Dexter  
PAUL of Winterport  
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-122)**.

Signed:

Senator:

LAWRENCE of York

Representatives:

ZEIGLER of Montville  
BOYLE of Gorham  
KESSLER of South Portland  
RUNTE of York

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

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#314)**

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BENNETT, BRENNER, CARNEY, CHIPMAN, DAUGHTRY, DUSON, INGWERSEN, LAFOUNTAIN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, ROTUNDO, TIPPING, VITELLI

NAYS: Senators: BLACK, BRAKEY, CURRY, FARRIN, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, LIBBY, LYFORD, MOORE, RENEY, POULIOT, STEWART, TIMBERLAKE, PRESIDENT JACKSON

EXCUSED: Senators: KEIM, POULIOT

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE, PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-122) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, 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 **LABOR AND HOUSING** on Bill "An Act to Remove the Cost-of-living Adjustment from the Minimum Wage Laws"

H.P. 634 L.D. 998

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

Signed:

Senators:

TIPPING of Penobscot  
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor  
GEIGER of Rockland  
GERE of Kennebunkport  
MALON of Biddeford  
RUSSELL of Verona Island  
SKOLD of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-166)**.

Signed:

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
SOBOLESKI of Phillips

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#315)**

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

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

EXCUSED: Senators: KEIM, POULIOT

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

---

**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Strengthen Work Equity Regarding Employment of Minors and Unemployment Benefits"

H.P. 846 L.D. 1332

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

Signed:

Senators:

TIPPING of Penobscot  
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor  
GEIGER of Rockland  
GERE of Kennebunkport  
MALON of Biddeford  
RUSSELL of Verona Island  
SKOLD of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-172)**.

Signed:

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
SOBOLESKI of Phillips

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#316)**

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

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

EXCUSED: Senators: KEIM, POULIOT

23 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

---

**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Create a Livable Wage by Increasing the Minimum Hourly Wage"

H.P. 890 L.D. 1376

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-178)**.

Signed:

Senators:

TIPPING of Penobscot  
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor  
GEIGER of Rockland  
GERE of Kennebunkport  
MALON of Biddeford  
RUSSELL of Verona Island  
SKOLD of Portland

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

Signed:

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
SOBOLESKI of Phillips

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-178)**.

Reports **READ**.

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

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

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

Senator **TIPPING:** Thank you, Mr. President. I just wanted to say quickly that this is a compromise bill, a lot of work went into this, and I want to thank all those that participated. The original version of this had us going to \$25, which is a bit more of an actual living wage. This gets us to \$15 next year, which isn't quite that, but it is about a 40-cent increase on what we would likely be otherwise, and it will help a lot of people. There are some contradictory arguments that you may have heard, we heard a lot about this in committee, the idea that raising the minimum wage would both harm businesses and also the argument that all businesses are already paying more than the minimum wage right now. We also heard that young people don't want to work and at the same time that young people do want to work but we need to pay them less in order so that there's more opportunity to hire them. Luckily, on this, we have some real facts to look at. We have a natural experiment where we raised the minimum wage in Maine from 2017 to 2020, outside of inflation, and there were predictions about terrible things happening to Maine's businesses. Instead, we saw the longest, lowest level of unemployment in our state's history. We saw growth in retail, hospitality, and restaurant jobs. We saw prices stay level and we saw recently what actually drives price increases, it's not the salaries of the lowest-paid workers, it's fuel costs and other things like that. So, there may be some questions here on who would benefit from a small increase next year, and I'll say that it's folks in my district, people that would see a 40-cent increase as making a difference in their lives. There's about 127,000 Mainers that this increase would affect, and I had an interesting experience right after our committee considered it where I went down to the Circle K on Armory Drive on my way out of town to grab some snacks, and they were talking about their wages. And if you talk to the folks behind the counter there, and they wanted me to let you know this, they have not had any increase in their raises beyond what they get that we have given them as an increase in the minimum wage. So, it makes a difference to a lot of people, and I hope we support this Majority Report. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#317)**

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

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

**EXCUSED:** Senators: KEIM, POULIOT

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-178) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Promote Minimum Wage Consistency by Limiting the Authority of Municipalities Regarding Minimum Hourly Pay" H.P. 899 L.D. 1403

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

Signed:

Senators:

TIPPING of Penobscot  
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor  
GEIGER of Rockland  
GERE of Kennebunkport  
MALON of Biddeford  
RUSSELL of Verona Island  
SKOLD of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-167)**.

Signed:

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
SOBOLESKI of Phillips

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

Reports **READ**.

On motion by Senator **TIPPING** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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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 Treatment for MaineCare Recipients with Serious Mental Illness by Prohibiting the Requirements for Prior Authorization and Step Therapy for Medications (EMERGENCY) H.P. 924 L.D. 1428

In Senate, June 12, 2023, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-383)** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

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

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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 Amend the Laws Governing Political Action Committees Relating to Union, Business and Nonprofit Organizations S.P. 284 L.D. 726 (S "A" S-227 to C "A" S-186)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with 3 Senators having voted in the negative, and 30 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.

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**Emergency Measure**

An Act to Exempt Certain Boat Operators from Having to Become Maine Guides

S.P. 538 L.D. 1319  
(C "A" S-215)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 1 Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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**Emergency Resolve**

Resolve, to Establish the Blue Ribbon Commission to Study the Organization of and Service Delivery by the Department of Health and Human Services

H.P. 571 L.D. 915  
(C "A" H-408)

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

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**Emergency Resolve**

Resolve, to Develop a So-called No Eject, No Reject Policy to Support Children Receiving Behavioral Health Services and Individuals with Intellectual Disabilities or Autism

H.P. 639 L.D. 1003  
(C "A" H-407)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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**Emergency Resolve**

Resolve, to Establish the Blue Ribbon Commission to Design a Plan for Sustained Investment in Preventing Disease and Improving the Health of Maine Communities

S.P. 685 L.D. 1722  
(C "A" S-229)

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

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**Emergency Resolve**

Resolve, to Increase Transparency and Evaluate Emergency Response Through a COVID-19 Review Commission

S.P. 726 L.D. 1801  
(C "A" S-230)

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

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Support School Choice by Establishing Empowerment Scholarship Accounts" S.P. 723 L.D. 1798

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

Signed:

Senators:

RAFFERTY of York  
PIERCE of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-294)**.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

Reports **READ**.

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

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

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, Mr. President, I've got kind of a rhetorical question for you, you don't have to answer it.

**THE PRESIDENT:** The Senator may proceed.

Senator **LIBBY**: All right. Let's say that I was going to, you know, talk to half a dozen students from my Senate District and they're all going to the Maine School of Science and Mathematics in Limestone. That school, and I was on - I voted for that school back in 1993, that school is a specialized school with some incredible strengths in STEM. I think it'd be a great option for my own two children to send them there. And it's a perfect example of school choice, which is what you're being asked not to vote for in the pending motion. You see, Mr. President, some students have different strengths, they have different goals. Some schools have different strengths. If the child is able, through in this case following of - following the current model in Arizona, if the child is able to use public funds and have that fund follow the child and they can choose the school that they want to go to, they're going to be better off. They're going to better off. In Arizona, they started in 2012 with a program for children with special needs. Let the money follow that child, send that child to where they really can get the help, because of the specific programmatic offerings at those locations. And then, after that experiment came out to be an incredible success, they were having trouble with their own K-12 dynamics and their own K-12 performance and so they opened up the entire state to school choice where the money follows the child. Now, in some - most people here already know the debate here, Mr. President, but you know, some of the things that I saw in the Education Committee really startled me. So, for example, did you know that there were four Greater Boston schools that are accepting Maine dollars and that students are being sent to those schools, did you know that? So, I guess I'm just going to assume that the person who's sending their son or daughter to a Boston school must live in like Arundel, where they get school choice, where I didn't want to move, and so \$12,000 goes toward that school in Greater Boston. Whereas everybody else that wants to send their child to a private school because it's not working where they're sending them, everybody else pays the full freight. My parents used to call that a harebrained scheme. I don't know if you remember that term, the harebrainers, that was - that came from the - I think the 17<sup>th</sup> century or so because rabbits just kind of jumped around wherever and they didn't look there was any rhyme or reason to what they were doing. That's the way I feel about our education system. It's not fair that parents in Arundel and some other communities can send their kids to any school anywhere, including in Boston. And it's not fair that my children go to a school that is underperforming on almost every single measure or metric. And I have a right to be upset about it, and so do you. I ask you to join me. We're not doing a good job educating children in this state. We've got some schools that have incredible music facilities, and I've talked about this in committee. And then we've got schools in my rural district, some of the largest schools in the state that really have a rundown, shoddy situation and the superintendent doesn't even bother putting that school on the school construction list because they know how long they're going to wait. It isn't working. I mean, I also recently went up to Hebron Academy and I've also been to some other privates around here in Maine, and I see how we're, you know, basically - they're just, they're withering on the vine, a couple schools, because they can't compete. But if you open it up to school choice, not only will they compete, but then your school will elevate its performance. It's a fact. How do I know? Because that's the way markets work. You have to compete for the business and so you raise your standards, and you innovate. This bill will - someday, this bill will come to Maine. I don't know when, obviously not this year, so I'm not going to

take any more of your time. But I truly believe that what is happening to me and what is happening to a lot of other parents throughout this state is just absolutely unfair, especially the part where some towns get it, and some towns don't. Why can't we build fairness into the system? Why can't we? Well, we can; just have the money follow the student. It's simple. And most students are going to stay right where they are, and there's nothing wrong with that, and the ones that can and want to will go to schools that appeal to them. I know it's not going to pass here today, but I am going to follow closely what's happening in Arizona. They've experienced a lot of problems with their education system and - and, you know, nationalized test scores reflect that, and so they finally decided - and I don't think that's a far-left community, either - they finally decided this is the right way to go. And I think that it's a wonderful opportunity for Maine, and I hope that in the future, you'll consider it. Some people are suffering for what we're doing here. So, I ask you all to follow my light and oppose the pending motion. Thank you very much.

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

Senator **RAFFERTY**: Thank you, Mr. President. And admittedly, Senator Libby brings up and makes some great points. There are certainly some needs in our public schools throughout Maine. But our schools are not failing. There are certainly areas and issues that need to be addressed and we, as a committee, he included, are trying to do so. But many of these bills that, you know, we continue to hear contain some form of a voucher program. They may have titles like empowerment scholarships or Hope and Inclusion or educational opportunity account. The impact is all the same for the public schools - less resources. All these programs in one way or another attempt to divert resources from public education systems that, as you have heard already, many times this session, is - is under-resourced and over-stretched. Hence, some of the problems that are created. Our students are bringing new challenges that require new approaches and supports. We have heard districts are struggling to recruit and retain teachers, ed techs, and other professional school staff. Salaries and wages are not keeping up with jobs and professions. The Senator mentioned Arundel. Arundel does have school choice. They're in the district in which I taught in for over 40 years. And they have school choice because at one point when we went to the regionalization, they joined up with our community. And mistakenly or not, I don't know, the superintendent at that time promised the people from Arundel that should they join our RSU, they would continue to have school choice. Kennebunk, Kennebunkport, the rest of that school district, we've been to the court a number of times and lost. So, the school choice continues. We've done a lot to bring that community into the regional school district. When they came in, I was on the negotiating team, and we made sure that every teacher in that district was brought up to the same level of pay as we were as Kennebunk/Kennebunkport teachers. That year, many of them averaged between \$6,000 and \$9,000 pay raise. I got none. I took one for the team. Took one for the team. Since then, we've done multiple renovations to every school, and that's what the regionalization did. And again, it is a team. So, we do the best we can with what we've got, and we will continue to do so. Your local tax dollars contribute to the public school system whether you utilize it or not. Okay? The success of your schools plays huge in the overall view of your community. Everyone in your

town, regardless of location, benefits from the success of those schools in one form or another. I believe that we need to work to make schools a centerpiece, a magnet, in every community. I urge you to take pride in your school and get involved. If you think it's broken, jump in, help out, there are a lot of different ways to get involved. Be part of the solution. Pulling tax dollars because you're unhappy with what's going on locally is not the answer. Is not the answer. Hang in there, work together, be part of the solution. There's plenty you can do to support your schools and every student in it. And I urge you to vote Ought Not to Pass on L.D. 1798. Thank you.

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

Senator **DAUGHTRY:** Thank you, Mr. President, ladies and gentlemen. I rise in support of the pending motion, and I rise as a graduate of both public and private schools. I have seen the best and the worst of each. I have seen failures in both public and private. And I want to be clear and on the record that any educational institution, just like all of us, is not perfect. All of us, just like our schools, whether they're public or private, are striving every single day to improve themselves. I do have to say that this bill gives me an immense amount of pause and heartburn. Having been in the Legislature when we had divided control, I saw bills like this fail again and again, even when our friends across the aisle actually had the majority in some of the Chambers. What really makes me nervous about this bill is that the language would shift 90% of essential programs and services into individual savings accounts, leaving just 10% of the state's 55% share that goes to our municipalities to go to our schools. This bill would completely and utterly gut our school systems. It would render them completely helpless and, the way I see it, would raise an absolute - I can't even calculate how much more our municipalities would have to raise property taxes to make up for a 90% drop in school fundings. Our districts that have school choice don't do this to give their students an unfair advantage, they're not doing this to pit districts against each other. They're doing this because they do not have schools of their own. It's to enable their students within their communities to be able to go to a school of their choice. The good Senator did mention the students going to Boston, and I have to say this is an excellent example of numbers without context. Now, I haven't seen the data that was cited, but I do know from having served many years on the Education Committee, that those students that we have from Maine going to Boston are students with various disabilities, with special needs, who are going to very specific schools for needs that they cannot have met here in Maine, and I just needed that to be made clear. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the pending motion and in support of funding students instead of systems. A few points I would like to make on this bill. First of all, you don't need to go as far away as Arizona to find robust school choice through this model of education savings accounts, you only have to go to the wild west of New Hampshire, right next door, where they have - they call them education freedom accounts. And I think we're going to be seeing over the course of the next couple years while presumably our own constituents are

stuck in this monopoly education model, we're going to see some very interesting - a very interesting experiment go on in other states that are embracing school choice and innovation, funding students instead of systems. And I will say, you know, I think we hear a lot of arguments being made that this would take funds away from public schools. And I guess I wonder if our public schools are truly as wonderful in providing the best possible education that we are often told that they are, then they wouldn't lose a single dollar. They would only lose money if families felt that there was a better option out there that another school could provide that better suit the needs of their child. In fact, some public schools under this probably would get more money, you know, maybe in Auburn, where we have a big, new high school coming in and we've got great programs, people might want to send their kids from other districts to Auburn. Maybe some school systems would see more funds coming in, public school systems. So, there's that point to make. But also, you know, two other points to make. First, I think that one of the problems of our kind of zip code monopoly education system is that it creates a system where every school district is trying to aspire to the same ideals of what it looks like to be a good school. But the truth is, of course, and I think we all know this, that, you know, one size doesn't fit all, different kids have different learning styles and different talents and different things that they might benefit from being able to specialize in. If we had an actual marketplace for education, you would see - over time, you would see schools that specialize more. You would see schools that specialize in having the best art programs or the best technical education programs or the best science programs. You would see a lot more of that, rather than every school district trying to be the best general idea of a school, you would see schools aspiring to be the best - many different ideas or varieties of what the best schools can look like, and families would be able to choose based on what the individual needs of their students are.

And one final point I think just has to be noted on, with all of these bills that have been coming out of the Education and Cultural Affairs Committee around what, you know, we could call, perhaps, a culture war that's taking place in our schools, it certainly is - it certainly is hard to see, you know, so much fighting over these cultural issues taking place in our schools. I would just note that if we have school choice, it would solve a lot of these cultural fights. If families could send their students to the schools that aligned with their values and what they thought was best for their student's education, they wouldn't be feeling bullied, like they're being put into a one-size-fits-all model that doesn't accord with them and their family. So, funding students, not systems. Wouldn't necessarily take money away from public schools. In fact, the best public schools would probably see some more funds. One size doesn't fit all, and this helps solve a lot of the culture war fights taking place in our schools. For all those reasons, I will be voting against the pending Ought Not to Pass Report and voting in favor of funding students instead of systems. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#318)**

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

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

EXCUSED: Senators: KEIM, POULIOT

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Parental Rights in Education" S.P. 725 L.D. 1800

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

Signed:

Senators:  
RAFFERTY of York  
PIERCE of Cumberland

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-293)**.

Signed:

Senator:  
LIBBY of Cumberland

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

Reports **READ**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Require the Commissioners of the Public Utilities Commission to Be Popularly Elected" S.P. 570 L.D. 1452

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

Signed:

Senators:  
LAWRENCE of York  
HARRINGTON of York

Representatives:  
ZEIGLER of Montville  
BABIN of Fort Fairfield  
BOYLE of Gorham  
DUNPHY of Embden  
FOSTER of Dexter  
GEIGER of Rockland  
KESSLER of South Portland  
PAUL of Winterport  
RUNTE of York

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-295)**.

Signed:

Senator:  
GROHOSKI of Hancock

Representative:  
WARREN of Scarborough

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

Senator **BENNETT:** Thank you, Mr. President. I should've been a little faster on my feet. I rise, Mr. President, fellow members of the Senate, to ask that you consider not voting for the Majority Report, instead vote for the Minority Report. This bill which I submitted started out to require that the commissioners of the Public Utilities Commission be popularly elected, all three. I want

to thank the good Senator from Hancock, Senator Grohoski, for working to improve the legislation, and to - in so doing, I think, having really the best of both worlds here. I know I'm not the only member of this Body who shares concern about the accountability of Maine's PUC. There are benefits, certainly, to the current system of nomination and confirmation of members of this very important Body that not only deals with our electric future but also broadband and our communications infrastructure. It's a critical role and increasing it is - the PUC is relied upon to speak for the people about truly epic parts of our future together as a people. It has been generally populated by technocrats, lawyers, some engineers. Many, you know, from southern Maine, not so many on - if you look at the history, particularly in recent years, from northern and rural parts of Maine. The proposal before you as amended, which we will get to if you reject the pending report, would have - add two members to the PUC in addition to the three appointed, there would be two who would be elected, one from each congressional district, to ensure that there would be some - a voice, not a majority voice, but 40% of the PUC would be - constitute from people elected who are from different parts of Maine. I think it's an improvement, I think we need to ensure greater accountability of the PUC, and this is one modest step forward in order to achieve it, so I encourage you to vote against the pending motion and, as a consequence, Mr. President, I request 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 Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you, Mr. President. Men and women of the Senate, I appreciate the comments by my seatmate, the Senator from Oxford, Senator Bennett, and perhaps he will one day seek to become a PUC commissioner, so we get someone from western, rural Maine. I think that would be a great choice for any governor for a PUC commissioner. My concern about this bill is two reasons. First of all, I like the - I like the fact that we're considering in the bill creating a five-member commission. I've often floated that in the past as a possibility to improve the commission and spread them out over gubernatorial appointments to have a more - a commission that changes less from governor to governor. However, the election part really concerns me, and what concerns me, even though it's publicly financed, we all know even with the Clean Elections system, a tremendous amount of money is spent outside of that system on elections. And this is one of the - the EUT committee is one of the most heavily lobbied committees. There are tremendous amount of financial interest in energy policy, and I think you'd see a huge amount of quiet money, dark money, whatever you want to call it, go towards election, like you saw on the corridor referendum and different things like that. And the other story I'll leave you with is one of the first - when I got appointed as Chair of the EUT Committee several legislatures ago, one of the first people we heard from was a commissioner from Nevada - or, excuse me, Nebraska, where they have a publicly elected commission. And she spoke to us, and she told us about publicly elected commissions, the focus of the people who are elected was on rate reduction only, not on building up the infrastructure of the utility system. And what happened in Nebraska was they had

essentially a system that was nuclear power in Nebraska, and they put off and put off and put off setting aside any money for decommissioning the nuclear power plants because they wanted to get reelected by keeping rates low. What happened is when the decommissioning came, the rates skyrocketed, all the commissioners got ousted from office, and they had a huge problem trying to deal with decommissioning. I just don't think election is a way to address any issues with the Public Utilities Commission. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#319)

**YEAS:** Senators: BEEBE-CENTER, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, HARRINGTON, INGWERSEN, LAFOUNTAIN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, ROTUNDO, STEWART, TIMBERLAKE, TIPPING, VITELLI, PRESIDENT JACKSON

**NAYS:** Senators: BAILEY, BALDACCI, BENNETT, BLACK, BRAKEY, CHIPMAN, FARRIN, GROHOSKI, GUERIN, HICKMAN, LIBBY, LYFORD, MOORE, RENY

**EXCUSED:** Senators: KEIM, POULIOT

19 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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### Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Resolve, to Establish the Blue Economy Task Force to Support Maine's Emergence as a Center for Blue Economy Innovation and Opportunity in the 21st Century (EMERGENCY)

S.P. 523 L.D. 1286

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-296)**.

Signed:

Senators:  
CURRY of Waldo  
RAFFERTY of York

Representatives:

ROBERTS of South Berwick  
CROCKETT of Portland  
LaROCHELLE of Augusta  
SAYRE of Kennebunk  
WHITE of Waterville

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

COLLAMORE of Pittsfield  
LANIGAN of Sanford  
NESS of Fryeburg  
SMITH of Palermo  
WALKER of Naples

Reports **READ**.

Senator **CURRY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **DUSON:** Good evening. Thank you, Mr. President. I am excited to stand and offer a few words in support of the motion. In my first couple of weeks in the Senate, I had the opportunity to work pretty hard to gain bipartisan co-sponsorship of this item amongst my Senate colleagues. So, one of the questions people ask is what the heck is the blue economy? Well, the blue economy, it's about the sustainable use of ocean resources for economic health, improved livelihoods and jobs, and ecosystem health, and it is one of the fastest growing global economic sectors. And Maine is having a moment on the international stage. Maine is attracting the interest of blue economy entrepreneurs and investors due to the state's clean and cold waters, high quality, sustainable harvested seafood industry, marine research institutions and deep reservoir of maritime expertise. And the work of the blue economy taskforce will be to engage stakeholders, identify barriers, and propose policies to attract and support the responsible and efficient growth of the blue economy in Maine. If passed, the Department of Economic and Community Development will convene the taskforce to support Maine's emergence as a center for blue economy innovation and opportunity in the 21<sup>st</sup> century. Blue economy means sectors that rely on the sustainable use of ocean resources for economic health, improved livelihoods, jobs, jobs, and ecosystem health. The taskforce shall write - if passed, the taskforce will write a report to the Governor and the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, sharing its findings and recommendations no later than February 1, 2024. I hope that the

Body will vote in support of this item, and we can move forward with this exciting area of innovation in our state.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#320)**

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

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

EXCUSED: Senators: KEIM, POULIOT

24 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **CURRY** of Waldo to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Resolve **READ ONCE**.

Committee Amendment "A" (S-296) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

**ORDERS OF THE DAY**

Senator **ROTUNDO** of Androscoggin moved the Senate remove from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act to Modify the Visual Impact Standards for Offshore Wind Port Development and Establish Labor Standards for Wind Power Projects

S.P. 748 L.D. 1847  
(S "A" S-211 to C "A" S-183)

Placed on Special Appropriations Table - June 12, 2023, by Senator **ROTUNDO** of Androscoggin

Pending - **ENACTMENT**, in concurrence.

(In Senate, June 12, 2023, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-183) AS AMENDED BY SENATE AMENDMENT "A" (S-211)** thereto, in concurrence.)

(In House, June 12, 2023, **PASSED TO BE ENACTED**).

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Senate at Ease.

The Senate was called to order by the President.

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On motion by Senator **ROTUNDO** of Androscoggin, the Bill was removed from the Special Appropriations Table.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#321)**

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

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

EXCUSED: Senators: KEIM, POULIOT

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being excused, **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

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Off Record Remarks

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On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Wednesday, June 14, 2023 at 2:30 in the afternoon.