

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

In Senate Chamber
Tuesday
April 12, 2022

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

Prayer by Pastor Brad Eidson of First Lutheran Church in Portland.

PASTOR EIDSON: It seems brevity was the only request of my prayer this morning, so take heart, I am an adherent of Martin Luther's advice on prayer, that the fewer the words the better the prayer. Let us pray.

Gracious God, align the hearts of these elected representatives, that they make decisions based on the needs of the poor and the oppressed in our midst. Open the minds and hearts of our leaders, that where there is pride instill humility, where there is anger show patience, where there is division bring reconciliation. Ignite in this session a passion for the welfare of those who are most vulnerable, that they reflect Your love revealed in Jesus Christ, our Savior and Lord. Amen.

Pledge of Allegiance led by Senator Paul T. Davis, Sr. of Piscataquis County.

Reading of the Journal of Monday, April 11, 2022.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act Relating to the Valuation of Improved Real Property
H.P. 807 L.D. 1129
(C "A" H-788)

In Senate, March 29, 2022, **PASSED TO BE ENACTED**, in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1523.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-788) AS AMENDED BY HOUSE AMENDMENT "A" (H-934)** thereto, in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: S.C. 1250

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

April 6, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Ryan Hafener of Hampden, for appointment to the State Board of Education.

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	3	Rafferty, J. of York, Daughtry, M. of Cumberland, Woodsome, D. of York
	Representatives	7	Brennan, M. of Portland, Dodge, J. of Belfast, McCrea, D. of Fort Fairfield, Millett, R. of Cape Elizabeth, Roche, T. of Wells, Salisbury, S. of Westbrook, Stearns, P. of Guilford

NAYS 0

ABSENT	3	Rep. Crockett, E. of Portland, Rep. Lyman, S. of Livermore Falls, Rep. Sampson, H. of Alfred
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Ten 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 Ryan Hafener of Hampden, for appointment to the State Board of Education be confirmed.

Signed,

S/Joseph E. Rafferty
Senate Chair

S/Michael F. Brennan
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I am happy to welcome Ryan to our Chamber today and am so thankful for a young person who is willing to step up and take this kind of responsibility. I think it shows he has a bright future.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#732)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, LIBBY, WOODSOME

No Senator having voted in the affirmative and 31 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ryan Hafener** of Hampden for appointment to the State Board of Education was **CONFIRMED**.

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

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Ryan Hafener and his parents, proud parents, Eric and Trisha Hafener. They're all from the town of Hampden. They are the guests today of the Senator from Penobscot, Senator Guerin. Would they please rise and accept the greetings of the Maine State Senate.

The Following Communication: S.C. 1254

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

April 8, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Thomas E. Humphrey of Sanford, for appointment as an Active Retired Justice of the Supreme Judicial 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	9	Harnett, T. of Gardiner, Babbidge, C. of Kennebunk, Evangelos, J. of Friendship, Libby, L. of Auburn, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan, Reckitt, L. of South Portland, Sheehan, E. of Biddeford, Thorne, J. of Carmel
NAYS		0	
ABSENT		3	Sen. Keim, L. of Oxford, Sen. Sanborn, H. of Cumberland, Rep. Haggan, D. of Hampden

Rep. Newell of Passamaquoddy Tribe was absent.

Ten 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 Thomas E. Humphrey of Sanford, for appointment as an Active Retired Justice of the Supreme Judicial Court be confirmed.

Signed,

S/Anne Carney
Senate Chair

S/Thom Harnett
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 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#733)

YEAS: Senators: None

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

EXCUSED: Senator: LIBBY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator 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 **Thomas E. Humphrey** of Sanford for appointment as an Active Retired Justice of the Supreme Judicial Court was **CONFIRMED**.

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

The Following Communication: S.C. 1255

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

April 8, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Rick E. Lawrence of Portland, for appointment as an Associate Justice of the Maine Supreme Judicial 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	9	Harnett, T. of Gardiner, Babbidge, C. of Kennebunk, Evangelos, J. of Friendship, Libby, L. of Auburn, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan, Reckitt, L. of South Portland, Sheehan, E. of Biddeford, Thorne, J. of Carmel
NAYS		0	
ABSENT		3	Sen. Keim, L. of Oxford, Sen. Sanborn, H. of Cumberland, Rep. Haggan, D. of Hampden

Rep. Newell of Passamaquoddy Tribe was absent.

Ten 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 Rick E. Lawrence of Portland, for appointment as a Associate Justice of the Maine Supreme Judicial Court be confirmed.

Signed,

S/Anne Carney
Senate Chair

S/Thom Harnett
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **CARNEY:** Thank you, Mr. President. Colleagues of the Senate, I'm honored this morning to speak in support of the confirmation of Judge Rick E. Lawrence as an Associate Justice of the Maine Supreme Judicial Court. Judge Lawrence served on the Maine District Court bench for 22 years and 1 week. He brought to judicial service remarkable and diverse legal experience. He's also shared with us at his confirmation hearing his life experiences that shaped who he is as a person. As a child during the 1960 Civil Rights era, he was especially drawn to the role of the courts in implementing and enforcing Civil Rights. As a young man in high school, his teacher advised him to pursue a technical education, advice he disregarded, instead following his parents' affirmation that he could pursue any career he wanted and should not let others limit him. He grew up in the same hometown as W.E.B. DuBois. Judge Lawrence was educated at Yale University and Harvard Law School. He's provided excellent leadership in the Judicial Branch, especially with regard to family law matters. He's also known to be the favorite among the judicial court clerks. Judge Lawrence shared his kindness, intelligence, and wisdom with Mainers during some of the most difficult experiences of their lives during his distinguished career as a District Court Judge. Judge Lawrence will serve Maine with excellence on our Supreme Judicial Court as he has on District

Court. I ask my colleagues to join me in supporting his confirmation.

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 today, too, in support of Judge Lawrence's confirmation. My capacity in knowing him is that of a student. He actually was a professor during a course I had, a one credit course called District Courts, which he certainly is an expert here in Maine, and I learned a lot and I, in fact, did pass that class. It was pass/fail but, nonetheless, I passed it. I certainly learned a lot from Judge Lawrence in that capacity and I know that he's incredibly well regarded in the Maine Bar and on the bench and I look forward to seeing the incredible things he's going to do in his continued service to the people of Maine on Maine's highest court and I'm pleased to support his confirmation.

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

Senator **HICKMAN:** Thank you, Mr. President. I rise with profound joy today. I want to read into the record this excellent letter as an example of how one can advocate for one's self in any situation. 'Dear Governor Mills, it has been my privilege to serve as District Court Judge for nearly 22 years. During that time, I have presided primarily at courts located in Androscoggin, Oxford, and Franklin Counties. The position has been incredibly fulfilling and rewarding and immensely challenging. As you may recall, I was appointed, reappointed, to the District Court for another seven year term on February 26, 2021. In 2020, I pursued a leadership role in the Maine Judicial Branch and, effective April 6, 2020, I was designated as Deputy Chief Judge of the District Courts. Clearly, my timing was less than ideal but in that role I have been part of the Judicial Branch team responsible for ensuring that the courts were open, safe, and available to those citizens who needed them most during the COVID-19 pandemic. As you know, at the start of the pandemic the Judicial Branch lost our long-serving Chief Justice, so those of us in leadership, including an Acting Chief Justice, were called upon to persevere over 14 months to meet the challenges posed by the pandemic. Since June of 2021, when the new Chief Justice began her term, Chief Justice Mullen, Chief Justice French, and I have been thoroughly engaged in helping her to get up to speed as rapidly as possible. During this same period, the Judicial Branch dealt with staffing shortages caused by the departure of a significant number of jurists, clerks, and Judicial Marshalls, including the Director of State Judicial Marshalls. The Judicial Branch also just experienced the retirement of its long tenured State Court Administrator. In short, since the start of my role in leadership, there has been an unprecedented amount of change for the Maine Judicial Branch to weather and yet more change to come. Associate Justice Ellen Gorman has announced her intention to retire from the Supreme Judicial Court at the end of March of 2022. As I am sure you know, Justice Gorman has served as the SJC liaison to the Family Division of the District Court. In that role, she has demonstrated a tremendous interest in and attentive to the Family Division and the functioning of the District Court. Upon her retirement, the Family Division and the District Court will lose a dependable resource, guide, and advocate. Because Child Protective and Family Matters cases from the District Court comprise nearly 40% of the cases currently appealed to the law court, Justice Gorman's departure will leave a

void that will not easily be filled by remaining law court jurists due to the combination of a variety of factors. Similarly, some candidates for a seat on the Supreme Judicial Court likely will be even years removed from direct experience in the District Court or have interest in areas of law outside the District Court's purview. To ensure that the vitality - vitally important work of the District Court, especially the Child Protective, Family Matters, Juvenile, and Protection from Abuse and Harassment cases, continues to be given the attention it deserves from the highest court in the state of Maine, I respectfully seek appointment as an Associate Justice of the Supreme Judicial Court. I am mindful that I am not the typical candidate seeking consideration for the Supreme Judicial Court simply because I have never served on the Superior Court, however I do not believe that that is disqualifying for several reasons. First, I have presided over Grand Jury proceedings, suppression hearings, competency determinations, jury trials, probation revocation hearings, and post-conviction reviews as a District Court Judge assigned to work in a unified criminal docket. Further, prior to attending law school, I was employed in the business sector as a manufacturer sales representative for Proctor and Gamble; and Insurance Claims Administrator for Prudential Insurance, managing its regional claims operations for New England and upstate New York; and group insurance sales representative for Prudential Insurance. Also, my legal work before going on the bench included large firm transactional and litigation practices, insurance defense work as an UNUM in-house counsel, and nationwide regulatory compliance work for individual and group insurance products as an UNUM in-house counsel. While my District Court work has not involved civil jury trials, I have conducted an extensive number of non-jury civil trials on a routine basis. I am confident that this wide breadth of experience will benefit me in addressing the broad range of issues that come before the law court. Thank you for your time and consideration and I will be happy to provide additional information. Sincerely, Rick E. Lawrence, Deputy Chief Judge, Maine District Court.'

Mr. President, ask and you shall receive. Judge Lawrence has experience in a part of law that is near and dear to my heart as an adoptee who was in the system. I understand what it means to look at family matters and juvenile issues in court. Some of you may know that I was a schoolmate, a housemate, who lived in the same dorm and, therefore, ate at the same dining hall as the recently confirmed Katanji Brown Jackson to the United States Supreme Court. While I just met Judge Lawrence today, I would be remiss if I didn't stand here and say that I am particularly honored to be a member of this Body who gets to vote to confirm the first Black Justice to the Maine Supreme Judicial Court. In this role, I'm honored to be the first Black law maker to be here in a generation and so, Mr. President, I could go on forever about this day. It brings joy to my heart to know that Governor Mills heard the appeal, chose an excellent candidate that we are about to vote on, and my parents are smiling down from heaven. Thank you, Mr. President.

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

Senator **BALDACCI:** Thank you, Mr. President. I just want to add my brief comments in support of Judge Lawrence's nomination. I have had the pleasure of practicing before him on several cases in the past and I can tell you with first-hand assurance of his hard work, his thoughtfulness, his compassion for people on all sides of legal issues. His appointment today, and I thank the Governor for her leadership and wisdom, his

appointment today is a blessing for the state of Maine and it is a good day for all of us to celebrate and I wish him well. Thank you.

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 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#734)

YEAS: Senators: None

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

EXCUSED: Senator: LIBBY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator 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 **Rick E. Lawrence** of Portland for appointment as a Associate Justice of the Maine Supreme Judicial Court was **CONFIRMED**.

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

THE PRESIDENT: So, we jumped the gun just a little bit, but the Chair wanted to recognize in the rear of the Chamber the Honorable Rick Lawrence. He's from the town of Portland and he's the guest today of the Senator from Cumberland, Senator Chipman, and Senator Sanborn, but also the entire Maine State Senate. He's obviously joined by the Chief Executive. I want you to remember that, Chief Executive in this Chamber, Governor Mills and her staff. Again, congratulations. Thank you so much, Governor Mills, Chief Executive Mills, and Justice Lawrence for what I'm sure you're going to do, make us all proud.

The Following Communication: S.C. 1256

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

April 8, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Bruce L. Noddin of Auburn, for appointment to the State Workforce Board.

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 Daughtry, M. of Cumberland
Representatives 6 Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor, Warren, S. of Scarborough

NAYS 0

ABSENT 6 Sen. Guerin, S. of Penobscot, Sen. Hickman, C. of Kennebec, Rep. Cuddy, S. of Winterport, Rep. Drinkwater, G. of Milford, Rep. Gere, T. of Kennebunkport, Rep. Prescott, D. of Waterboro

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 Bruce L. Noddin of Auburn, for appointment to the State Workforce Board be confirmed.
Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#735)

YEAS: Senators: None

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

EXCUSED: Senator: LIBBY

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 1 Senator 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 **Bruce L. Noddin** of Auburn for appointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: H.C. 401

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

April 11, 2022

Honorable Darek M. Grant
Secretary of the Senate
130th Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

The House voted today to recede and concur whereby Bill "An Act To Implement the Recommendations of the Motor Vehicle Inspection Working Group" (S.P. 742) (L.D. 2032) was Indefinitely Postponed.

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: H.C. 402

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

April 11, 2022

Honorable Darek M. Grant
Secretary of the Senate
130th Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Judiciary on Bill "An Act To Require Telecommunications Companies To Divulge Location Information to Law Enforcement When Necessary To Respond to a 9-1-1 Call or Locate a Person in Danger" (S.P. 492) (L.D. 1581)

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

The Central Maine Community College Women's Basketball Team, of Auburn, which won the United States Collegiate Athletic Association Division II National Championship, the team's third national championship in five years. We extend our congratulations and best wishes;

SLS 937

Sponsored by Senator CLAXTON of Androscoggin. Cosponsored by Representatives: BICKFORD of Auburn, LIBBY of Auburn, MELARAGNO of Auburn, ORDDWAY of Standish.

The Joint Order was **READ**.

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

Senator **CLAXTON:** Thank you, Mr. President and colleagues of the Senate. I'm thrilled to recognize with us here today the Central Maine Community College Women's Basketball Team, Division 2 National Champions. It's getting sort of boring for them because they've done this twice in the last - two other times in the last five years and, for those of you who don't know, that obvious success is continued with this. This is their fifth year in a row in the National Championship game, winning it twice prior to this year. They have an impressive past but they did face adversity this year in the form of the University of Maine at Augusta, who beat them twice. But then, on the way to the championship, they

beat UMA. So, they have been able to work through some of these challenges. They came together and rallied this last time to beat UMA 45-39. The win served to boost the team's confidence and they went on to win the rest of the tournament with more comfortable victories. They finished in the championship with a 63-35 victory over a Penn State team. The Mustangs have continually put Maine, put Auburn, on the map, and Maine, on a national scale in recent years and I couldn't be prouder to welcome them today. I'm glad to have them here with us today to celebrate their success. We've included a sentiment for them and their trophy cabinet, which needs to be enlarged, and I hope you will join me in congratulating them, at the request of the President, after I read all the names. So, we're joined by: Ja' Naia Moran, Jamyah Nicolas, Myah Nicolas, Raven Thomas. Myah and Jamyah are from Lewiston. They are joined by Eliza Bro; Luna Love, a Captain; Kali Thompson; Safena Te Nana-Williams, who is a Captain; Jade Smedberg; Kierstyn Lyons; Avery Herrick; Harata Coleman; Leata Tey Nana-Williams; Emily Strawn; Destiny Mora Lopez; Sarah Poli; and Kayla Moore. They're also here with their coaches: Andrew Morong, Cagney O'Brien, Kristina Blais, Natalie Thurber. This is an international team that also includes eight residents of Maine as well as folks from Netherlands and New Zealand. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize up in the Gallery the Central Maine Community College Mustangs Women's Basketball Team. They the U.S.C.A.A. Division 2 National Champions. They are the guests today of the Senator from Androscoggin, Senator Claxton, and certainly the whole Maine Senate. Would they please rise and accept the greetings of the Maine Senate.

The Lisbon High School Cheering Team, which won the 2021-2022 Class C State Championship. We extend our congratulations and best wishes;

SLS 939

Sponsored by Senator **TIMBERLAKE** of Androscoggin. Cosponsored by Representative: **MASON** of Lisbon.

The Joint Order was **READ**.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. It's really hard to come from a district that has such greatness as our district has in the State Championships and today, Mr. President and ladies and gentlemen of the Senate, I take this opportunity to welcome the Lisbon High School Cheerleaders who won the 2021 and 2022 Class C State Championship. Now, I can stand here and tell you stories about their exceptional athletic abilities, their season of cheering and competition highs and lows, which is certainly good stuff. These girls, these cheerleaders, are tremendous athletes. But I'd like to commend them more for their cheering championship - for more than just their cheering championship and their nice jackets. I'd like to recognize them for their perseverance in battling through the last couple of years without a normal season. In fact, their first in-person competition

in two years they went out and won the Class C South title. Being a good athlete is not only about athletic ability, it's also about never giving up, never quitting, and always striving to do better, even when the challenges seem too much. I would like to congratulate the Lady Greyhounds and I'm sure you will continue with much success. It's a great team. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize up in the Gallery the Lisbon High School Cheerleaders and Coach Nichole Adams. They're all from the town of Lisbon and they are the guests today of the Senator from Androscoggin, Senator Timberlake, and the entire Maine Senate. Would they please rise and accept the greetings of the Maine State Senate.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Facilitate a Grade 9 to 16 School Project" H.P. 129 L.D. 176

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-969)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-969)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-969) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Implement the Crisis Response Services Recommendations Identified Pursuant to Resolve 2021, Chapter 29" H.P. 1498 L.D. 2016

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-973)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-973)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-973) **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 Codify MaineCare Rate System Reform"
H.P. 1377 L.D. 1867

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-968)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-968)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-968) **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 Increase Maine's Veterinary Workforce"
H.P. 1395 L.D. 1885

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-963)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-963)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-963) **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 **JUDICIARY** on Bill "An Act To Ensure Constitutionally Adequate Contact with Counsel"
H.P. 1451 L.D. 1946

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-975)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-975)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-975) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **MARINE RESOURCES** on Bill "An Act To Create a Commercial Halibut Fishing License"
H.P. 1321 L.D. 1770

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-979)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-979)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-979) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Exempt Permanently Disabled Veterans from Payment of Property Tax"
H.P. 1472 L.D. 1986

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-964)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-964)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-964) **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 the State's Adult Use Marijuana Tracking System To Track Plants and Products by Group" H.P. 1350 L.D. 1817

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-966)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-966)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-966) **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 Update and Clarify the Maine Medical Use of Marijuana Act and Provide for Greater Transparency" (EMERGENCY) H.P. 1435 L.D. 1928

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-960)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-960)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-960) **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 Enhance the Prevention of and Response to Sexual Assault and Sexual Harassment in the Maine National Guard" H.P. 1511 L.D. 2029

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-974)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-974)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-974) **READ** and **ADOPTED**, in concurrence.

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

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish That the Provision of Emergency Medical Services by an Ambulance Service Is an Essential Service and To Establish the Blue Ribbon Commission To Study Emergency Medical Services in the State" (EMERGENCY) H.P. 1474 L.D. 1988

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-956)**.

Signed:

Senator:
DESCHAMBAULT of York

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

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

Signed:

Senator:
CYRWAY of Kennebec

Representatives:
COSTAIN of Plymouth
PICKETT of Dixfield
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-956)**.

Reports **READ**.

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

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

Senator **CLAXTON:** A question to the Chair, Sir. I can wait until we get done with consideration of this bill if that would be better.

THE PRESIDENT: The Chair was in error. Thank you, Senator Claxton, for deferring until we finish 5-11.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-956) **READ** and **ADOPTED**, in concurrence.

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

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

Samuel Jonas Johnson, of Lewiston. Mr. Johnson, who worked as a cook and was well-known in his community, having many friends and acquaintances, suffered from a mental health disorder and addiction. He successfully completed the Androscoggin County Drug Court program, an accomplishment that allowed him to begin anew a relationship with his son, Milo Quentin, but he passed away from an accidental overdose in his home on Union Street in the week of August 22, 2021 after his lifelong battle with addiction. Mr. Johnson will be long remembered and sadly missed by his family and friends;

SLS 940

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

Senator **CLAXTON:** Thank you, Mr. President. My question was whether we had touched on item 4-7 in my absence while I was congratulating some national champions?

THE PRESIDENT: The Chair would answer in the affirmative that we did take up 4-7 but if the Senator would like to speak to it at this time by all means.

Senator **CLAXTON:** I would, sir, and thank you very much for the indulgence of the Chair. Men and women of the Senate, on a different note entirely, we're losing two Mainers every day to accidental overdose, and I read this for Senator Libby, who couldn't be here today and for the effort to honor these lives. This is a call to action to create public policy that is grounded in reality. Today I rise to honor a life lost to overdose in Maine, in particular the life of Sam Johnson. Sam was born in 1987 in Lewiston and died suddenly at his home in August of 2021 after a lifelong battle with addiction. He lived his entire life in Lewiston and was widely known in the community. He had numerous friends and acquaintances. Sam was passionate, always leading with how he felt. He had a sharp mind and a quick wit. He was deeply curious and loved discovering new ideas. He loved art,

particularly music, poetry, and cinema, and was incredibly well versed in all three. He was fun and engaging to spend time with most of the time. He was also deeply troubled by mental health issues and substance use disorder. He was complicated and often difficult to be close to. Nevertheless, he was deeply loved by those who knew him. Sam joined a diversion program to address chronic criminal activity arising from addiction. He graduated after a year and a half of discipline, some support, significant support, and rigorous work. During that time, he fought incredibly hard to overcome the debilitating disease and build meaningful new relationships along the way, many of whom are grieving his loss still. Sam's recovery opened the door for him to begin a relationship with the most important person in his life, his son, Milo Quentin. The last three years with Sam were a gift to himself, his son, his parents, his family, and his friends alike, having the opportunity to spend more time with him and get to know him again. Sam was proud of the work he did in recovery and to getting to that place. He leaves behind his son, Milo Quentin Horrigan Dumaine, and his mother, Hannah Elizabeth Horrigan; his parents, Karen Lynn Hodgkiss Johnson and Christopher Isaiah Dumaine; his brothers and sisters, grandparents, aunts, uncles, cousins, nieces and nephews, and many, many friends. I thank the President for the indulgence of the opportunity to recognize an individual lost to a horrific disease. Thank you.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide Textbook Cost Assistance for High School Students Enrolled in Early College Courses" H.P. 1390 L.D. 1880

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-972)**.

Signed:

Senators:

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

Representatives:

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

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

Signed:

Representatives:

- LYMAN of Livermore Falls
- SAMPSON of Alfred

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-972).

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-972) **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 **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Ensure That Municipalities and Multimunicipal Regions of Every Size and Capacity Have Guidance on Climate Adaptation and Resilience Strategies for Policy, Implementation and Investment Decision Support"

H.P. 1205 L.D. 1616

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-917).

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
BOYLE of Gorham
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:

Senator:

BENNETT of Oxford

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
TUELL of East Machias

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-917).

Reports **READ**.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Trust for a Healthy Maine"

H.P. 1127 L.D. 1523

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-945).

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

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

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

Signed:

Senator:

MOORE of Washington

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-945).

Reports **READ**.

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

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

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

Senator **POULIOT:** Thank you, Mr. President. For a long time I've said that the Fund for a Healthy Maine should not be raided. This was initially established as a way for us to help educate individuals on the perils of smoking and other things and also a way for us to help with cessation from use of tobacco products. So, over the years, obviously, the Legislature, really the Appropriations Committee, has, you know, needed resources. We haven't always been flush with cash like we are this year and subsequently has taken money from this fund. So, I am 100% in support of making sure that every dollar in this fund goes to helping Mainers either not smoke at all or quit smoking. What I'm not in favor of with this legislation is the creation of another oversight review board and more bureaucracy, if you will, that only adds to the length of time to utilize these funds and makes them more difficult, or potentially more difficult, to access. So, I'd prefer us to do an amendment to this bill where we just say don't touch the Healthy Maine, you know, Fund. That's not what this bill does. It's got a lot more to it than that and so, for those reasons, I can't support it but I am very much in favor of us making sure that we do what we can to protect these resources, help educate all Mainers on why this is bad and what they can do to either not smoke or quit smoking. Thank you, Mr. President.

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

Senator **MOORE:** Thank you, Mr. President. I stand before you because I have always been very supportive of the Fund for a Healthy Maine. When I moved here from Texas I was so proud of Maine and the fact that they were taking all the tobacco settlement money and using it for exactly what it was designed to serve. In Texas they used it in the General Fund and they took care of the welfare and all of the other different bills that they had. So, I've always been a very strong supporter of the Fund for a Healthy Maine and in my 21 years that I've been here in Maine I have seen, and in my time in the Senate, I have seen the drifting of the monies being used for other programs that are not part of the mission that was set forth with the Fund for a Healthy Maine. This bill, while initially when we looked at it, I was in total support of, as what Senator Pouliot said, in making sure that those monies were set aside to only be used for what was designated for the Fund for a Healthy Maine. However, this bill, I'm finding it to have begun to drift and we're starting to see a mission drift. When we read through the bill summary, it does say that this will be used to fund tobacco use prevention and control. However, it also says to ensure adequate resources for other disease prevention efforts; to promote public health; plan and deliver public health and prevention programs and services; support accreditation of the Department of Health and Human Services, Maine Center for Disease Control and Prevention; and to support public health workforce development. So, it's becoming a trust for a healthy Maine, not using the Fund for a Healthy Maine as it was designated to do. So, I am going to vote in opposition of the motion that is on the Floor. Thank you, Mr. President.

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

Senator **CLAXTON:** Thank you, Mr. President, and I share some of the same concerns as Senators Pouliot and Moore expressed along the way here. But I see this as a way to make those funds better protected and more available for what they were intended and our receipts from the Tobacco Cessation money, the companies, is going down and our need for addressing vaping and tobacco use is going up and this is too easily accessible to be diverted into other activities. The current balance in the Fund for a Healthy Maine would go into the General Fund this year and subsequent monies from the master settlement agreement would go into the trust. The trust has to have trustees and the trustees include some Legislators and it has the advantage that the trustees would be meeting on a monthly basis and therefore more flexible about dispensing the money when it was needed. So, we're actually building in some flexibility. We're building in another layer of protection for these dollars so that they go to their intended use in the master settlement agreement and we retain the ability to unwind that if the Legislature's no longer satisfied that that's helpful and we retain the ability to get lots more people around the table making decisions about where that money can best be spent. So, it's for those reasons and the fact that the CDC recommends we spend about \$16 million a year in terms of tobacco cessation, education, and efforts and the fund would be getting \$30 million, that we have some additional funds in there to do additional good works at the discretion of the trustees. So, for those reasons I'll be supporting it. Thank you, Mr. President and colleagues.

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, we had a pretty robust conversation about this in caucus this morning and I think, frankly, that we're all on the same page here in terms of what we want the desired outcome to be, which is that this fund is insulated from the Legislature being able to utilize it for other purposes, and, thankfully, the fund amount is going down, which means that people are buying less tobacco products as a result of some of the efforts made from this fund and others. But we still have this lingering problem, which is that the Legislature - one Legislature cannot bind a future Legislature to whatever its endeavors are and, so, really the only way to implement a substantive in change in that regard is to enshrine something into the Constitution that would require a more robust process in order to make any sort of changes to whatever direction we decide to go in. To that end, I looked into, you know, adding a Floor Amendment to this bill today and, unfortunately, I was denied that request because it has to come out of committee, per the rules, which I didn't learn until this morning and maybe some of you are learning as I am about this. But, so I can't offer that as a Floor Amendment. What I can do is make a motion to recommit this bill and all its accompanying papers to the committee of jurisdiction for the purposes of offering that amendment and then, hopefully, we can bring back a more robust version here at a future date. So, with that, Mr. President, I would move that we recommit this bill and all its accompanying papers to the Committee on Health and Human Services for that reason. Thank you.

Senator **STEWART** of Aroostook moved the Bill and accompanying papers be **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#736)

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

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

EXCUSED: Senator: LIBBY

13 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **STEWART** of Aroostook to **COMMIT** the Bill and accompanying papers to the Committee on **HEALTH AND HUMAN SERVICES FAILED**.

Senate at Ease.

The Senate was called to order by the President.

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

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. A roll call has been ordered. The Chair recognizes the Senator from Kennebec, Senator Hickman.

Senator **HICKMAN:** Thank you, Mr. President. I just want to rise briefly to say I support the Majority Report. As a former public health professional that specialized in prevention and education, I can say that public health infrastructure is one of the things that undergirds a great society. The COVID pandemic proved to us that we need to have it in every community. Majority or Minority, it doesn't matter. Public health infrastructure is what keeps us safe and sound and so, with that, I would urge my colleagues to join me in voting for this report. Thank you, Mr. President.

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

Senator **BALDACCI:** Thank you, Mr. President. I also rise in support of this bill. I just want - I don't like to bring up distasteful memories but I do want to remind my Republican colleagues that

it was the prior Administration that sought to raid the Fund for a Healthy Maine. This Administration sought to expand health insurance, expand coverage, rebuild the public health network which was largely decimated when she came to office. I think that it should be clear that we're trying to fight for public health and public safety and this bill only furthers that. This bill is really a lightning rod because it really tries to insulate the fund from political influences. I am intrigued by the Senator from Aroostook's idea and I'd be interested in more conversation on that but this bill's at least a step forward.

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

Senator **SANBORN:** Thank you, Mr. President. I just rise really briefly to say that the Efficiency Maine Trust is a good example, although that is not a Constitutional Amendment either. Because we call it a trust and we treat it like a trust, we're more likely to treat it like a trust and so I think that this is an excellent step forward in making Legislators and Chief Executives alike think about this money as if it were in trust and we can accomplish that here today and that mindset is important come budget time, as we've seen with Efficiency Maine Trust. So, let's give it a go and then we could always come back and put even stricter protections around the money in the future if we needed to. Thank you.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, I'm a little disappointed in hearing partisan characterization of the question about the Fund for a Healthy Maine. It has benefited from a long bi-partisan level of support since it was first created. I was serving in the Legislature, members of both parties faithfully allocated those funds to smoking cessation and other programs, and I have to say that it wasn't just the previous Administration that's raided the fund and used it for other purposes. It's been Legislators and Administrations of all political stripes that have done that. We have an opportunity here to reconsider that and I hope we do. 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, as the daughter of someone who died of the effects of smoking addiction, I have concern with the pending motion that my father's, what I would say, legacy would not be protected and that the pending motion does not narrow this down to issues that relate to cigarette smoking and cessation of addiction to cigarettes and vaping but it leaves it open to a wide variety of health issues and I think really the intent of the fund is to help Mainers not face the very horrible death that my father had from the effects of smoking and, when we look at our young people and their addiction to tobacco through vaping, I think we really need to narrow this down and the Constitutional Amendment that was mentioned earlier, I think, would do that and protect that money and keep it in a place where the families who suffered from tobacco addiction with no recourse in suing the tobacco companies out of business, that this money should be preserved for that use. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#737)

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

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

EXCUSED: Senator: LIBBY

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

Bill **READ ONCE**.

Committee Amendment "A" (H-945) **READ** and **ADOPTED**, in concurrence.

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

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure the Continuation of Services to Maine Children and Families through the Alternative Response Program"

H.P. 1371 L.D. 1850

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-970)**.

Signed:

Senators:
CLAXTON of Androscoggin
BALDACCI of Penobscot
MOORE of Washington

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

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

Signed:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-970)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-970) **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 **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Create the Maine Redevelopment Land Bank Authority"

H.P. 1259 L.D. 1694

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-957)**.

Signed:

Senators:
CURRY of Waldo
CYRWAY of Kennebec
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield
DUCHARME of Madison
GEIGER of Rockland
HASENFUS of Readfield
LaROCHELLE of Augusta
PEBWORTH of Blue Hill

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

Signed:

Representative:

ANDREWS of Paris

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-957).**

Reports **READ.**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-957) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Secretary of State Regarding Notarial Acts"

H.P. 1503 L.D. 2023

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-983).**

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

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

Signed:

Representatives:

HAGGAN of Hampden
LIBBY of Auburn
POIRIER of Skowhegan

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-983).**

Reports **READ.**

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Authorize Certain Off-premises Sales of Adult Use Marijuana"

H.P. 1434 L.D. 1927

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-965).**

Signed:

Senators:

HICKMAN of Kennebec
FARRIN of Somerset
MIRAMANT of Knox

Representatives:

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

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

Signed:

Representative:
DOLLOFF of Milton Township

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-965)**.

Reports **READ**.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I would request a roll call and I will be voting Ought Not to Pass on this motion only because I feel that it shouldn't be in fairgrounds at all. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#738)

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

NAYS: Senators: CYRWAY, DAVIS, GUERIN

EXCUSED: Senator: LIBBY

30 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-965) **READ** and **ADOPTED**, in concurrence.

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

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Promote Equity and Increase Opportunities in the Cannabis Industry by Removing Restrictions Related to Convictions for Drug Offenses and To Replace the Term 'Marijuana' with the Term 'Cannabis' in the Maine Revised Statutes"

H.P. 1457 L.D. 1957

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-980)**.

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

CAIAZZO of Scarborough
COREY of Windham
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
WOOD of Portland

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

Signed:

Senator:

FARRIN of Somerset

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-980)**.

Reports **READ**.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I feel this is reducing sentences from ten years to five years and that's a very serious change and I think this should be left up to the judicial and I think that this is a serious bill and that it should not be just up to us to just say we'll just vote and say okay. This is a Schedule 1 drug, federally illegal, and here we are making decisions on just weakening our laws. So, I'm going to vote Ought Not to Pass on this. Thank you, Mr. President.

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

Senator **HICKMAN:** Thank you, Mr. President. Just to clarify for the Senate and anyone listening, this bill does not change any way that anyone is sentenced for any crime under the criminal code. What this bill does is reduces the look-back of a

Divided Report

disqualifying drug offense for the purposes of applying to the Department for a potential license. Right now it's ten years and this bill simply reduces it to five, but it doesn't change how anyone is penalized under the criminal code for any conduct outside of the operation of the law. Thank you, Mr. President.

At the request of Senator **BENNETT** of Oxford a Division was had. 20 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-980) **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

Six Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Update the Comprehensive State Energy Plan To Achieve the State Energy Vision" H.P. 1497 L.D. 2015

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-967)**

Signed:

Senator:
VITELLI of Sagadahoc

Representatives:
BERRY of Bowdoinham
GROHOSKI of Ellsworth
KESSLER of South Portland
SACHS of Freeport
ZEIGLER of Montville

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

Signed:

Senators:
LAWRENCE of York
STEWART of Aroostook

Representatives:
CARLOW of Buxton
FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

Comes from the House with Report "**A**", **OUGHT TO PASS AS AMENDED, READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-967)**.

Reports **READ**.

On motion by Senator **LAWRENCE** of York, Report "**B**", **OUGHT NOT TO PASS, ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

Ten members of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Prohibit the Contamination of Clean Soils with So-called Forever Chemicals" H.P. 1417 L.D. 1911

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-958)**.

Signed:

Senators:
BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:
TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
BOYLE of Gorham
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

Two members of the same Committee on the same subject reported in Report "**B**" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-959)**.

Signed:

Representatives:
HANLEY of Pittston
O'CONNOR of Berwick

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

Signed:

Representative:
TUELL of East Machias

Comes from the House with Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-958), READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-958)**.

Reports **READ**.

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

Divided Report

Seven members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Permit Limited Delivery of Adult Use Marijuana"

H.P. 1360 L.D. 1827

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-961)**.

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

HARRINGTON of Sanford
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
WOOD of Portland

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-962)**.

Signed:

Senator:

FARRIN of Somerset

Representatives:

CAIAZZO of Scarborough
COREY of Windham
KINNEY of Knox

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

Signed:

Representative:

DOLLOFF of Milton Township

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-961)**, READ and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-961)**.

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-961)**, in concurrence.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this is changing - quite considerable when we have deliveries of marijuana into the households and it doesn't restrict, you know, kids being in the home, as young adults. As we know, vaping is a serious situation. The young adults today have increased by four times with high THC levels of marijuana use and also the edibles and also now this, I mean, this is a Schedule 1 drug. It's illegal on the federal level and now we're going to allow drug dealing in the home and that's basically what it is when they exchange money, they deliver it. That's drug dealing in the home, federally. Illegal. So, we also, the Medical Association and the Cancer Association are against this bill. This is a serious step and so I'm just asking the Body here to reconsider what they're doing when it comes to drug use. When we look at tobacco use and how serious it is but yet we're looking at a mind-altering drug and I've talked to this doctor, actually Gerry Collins from Kennebunk, who used to deal with many, many juveniles and young adults in his career and he said that most of the ones that have committed suicides, about 85% to 90% of them had marijuana in their system that committed suicide. We're going to go and put drugs into the home. What are we doing? Please, Mr. President, I hope you listen to this and I hope that this Body does. We've got to start thinking serious about this drug use. It is mind-altering. In Canada they even have on their labels that it causes - that it's a psychotic drug that can cause psychosis. That's a warning label. We won't do that here. I tried putting that through and nobody wants to do it. Everybody wants to ignore that the marijuana thing and then they talk about how we can use the tax money to help for counseling, medical use for the jails, for all the help on the mental health, and I'm on Criminal Justice and we had 18.5 positions, just for example, and eight of them were for counselors and we're not even using that money to pay for the counselors. We have to pay it through the taxpayers. So, I don't understand why we're promoting this when we can't even use the tax dollars because it's federally illegal. Please, Mr. President, please in this Body kill this bill. I am Ought Not to Pass and thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (H-961), in concurrence. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#739)

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

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

EXCUSED: Senator: LIBBY

19 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-961)**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-961) **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-961)**, in concurrence.

Senate

Ought to Pass As Amended

Senator **RAFFERTY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase Learning Potential by Providing High-impact Tutoring Grants"
S.P. 700 L.D. 1962

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-532)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-532) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator **LAWRENCE** for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Ensure the Viability of the Northern Maine Electric Transmission Grid"
S.P. 270 L.D. 682

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-531)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-531) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator **CLAXTON** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding the So-called Leveraging Investments so Families Can Thrive Report Produced by the Department of Health and Human Services"
S.P. 604 L.D. 1748

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-533)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-533) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator **CARNEY** for the Committee on **JUDICIARY** on Bill "An Act To Amend the Judicial Districts and Divisions for York County"
S.P. 733 L.D. 2022

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-535)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-535) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator **DAUGHTRY** for the Committee on **LABOR AND HOUSING** on Bill "An Act To Address Employee Retention at the Maine State Police Crime Laboratory and the Computer Crimes Unit in the Department of Public Safety" (EMERGENCY)
S.P. 635 L.D. 1808

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-536)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-536) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator CHIPMAN for the Committee on **TAXATION** on Bill "An Act To Change Maine's Tax Laws"

S.P. 190 L.D. 484

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-537)**.

Report **READ**.

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

Senator **CHIPMAN:** Thank you, Mr. President. I just want to briefly mention that this is a very important housing bill. The result of some great bi-partisan work that we did on the Committee on Taxation. It simply takes the money that we get from the Real Estate Transfer Tax, half of that goes into the General Fund and half of it goes into the Home Fund, and this would have all that money going into the Home Fund and it also further specifies that a certain percentage of all the money in the Home Fund be used to build or create new units of affordable housing. So, I hope you will all join me in supporting this and request a roll call. Thank you.

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

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

Senator **POULIOT:** Thank you, Mr. President. I wasn't planning to speak on this because I didn't know we were going to roll call it, but I do think it's a great bill that we, Senator Chipman and I, worked really closely over a number of meetings with Maine Housing and the Department to try to come up with an amendment that I think really has some teeth in it to ensure that these funds will really be used, you know, for housing because, you know, the fund that exists within Maine Housing, good fund, but essentially, like, could go to a lot of different things and we wanted to make sure that it was going towards creating more units for people. That's just vital. So, I want to thank Senator Chipman and the rest of the committee for the great work on this bill and hopefully get a unanimous vote. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#740)

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

NAYS: Senators: None

EXCUSED: Senator: LIBBY

33 Senators having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-537) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator CHIPMAN for the Committee on **TAXATION** on Bill "An Act To Implement the Recommendations of the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature"

S.P. 721 L.D. 2009

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-538)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-538) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator DIAMOND for the Committee on **TRANSPORTATION** on Bill "An Act To Restrict Sales of Catalytic Converters Removed from Motor Vehicles"

S.P. 61 L.D. 796

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-539)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-539) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Cap the Value of Contracts for Renewable Resources and Distributed Generation Resources" S.P. 248 L.D. 634

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-528)**.

Signed:

Senators:

- LAWRENCE of York
- STEWART of Aroostook
- VITELLI of Sagadahoc

Representatives:

- CARLOW of Buxton
- CUDDY of Winterport
- FOSTER of Dexter
- GRIGNON of Athens
- WADSWORTH of Hiram
- ZEIGLER of Montville

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

Signed:

Representatives:

- BERRY of Bowdoinham
- GROHOSKI of Ellsworth
- KESSLER of South Portland
- SACHS of Freeport

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Review Strategies for Improving Utility Rate Affordability and To Provide Utility Relief" S.P. 674 L.D. 1913

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-529)**.

Signed:

Senators:

- STEWART of Aroostook
- VITELLI of Sagadahoc

Representatives:

- BERRY of Bowdoinham
- CARLOW of Buxton
- CUDDY of Winterport
- GRIGNON of Athens
- GROHOSKI of Ellsworth
- KESSLER of South Portland
- SACHS of Freeport
- WADSWORTH of Hiram
- ZEIGLER of Montville

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

Signed:

Representative:

- FOSTER of Dexter

Reports **READ**.

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

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

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, I rise today to speak in support of L.D. 1913, An Act to Create the Electric Rate Payer Advisory Council. Many Mainers saw their electric bills nearly double this winter, hitting working and retired Mainers, their families, and small businesses hard. I know I was not alone in hearing from constituents who were suddenly facing the hard choice between keeping the lights on and putting food on the table or buying a new coat for a growing kid. I heard from one resident in Topsham who newly retired and was living on a fixed income whose energy bill jumped from \$250 to an astounding \$400 a month, stretching his new budget very thin. Instead of being able to enjoy his new retirement, he was stressing about how to afford something so basic as electricity and heat. We, in Augusta, have worked hard over the past several years to modernize Maine's energy grid and increase our energy independence. As we move closer to achieving these goals we must keep the wellbeing of Maine people in mind in both the short term and the long term. This bill is designed to give Mainers a louder voice in the conversation about energy rates to make sure we're considering any and all options that help people keep the lights on. It would create the Electric Rate Payer Advisory Council, a group of utility customers, small business owners, large employers, economic experts,

advocates for seniors, housing professionals, utilities representatives, tribal members, and more. Assembled by the public advocate, this group will represent the most important interests and perspectives on energy in Maine. The council will be responsible for reviewing relief programs that help seniors and other struggling Mainers pay for their energy bills and identify other strategies to make electricity more affordable. The council will look at short-term answers and will strategize about we can avoid such shocking sky-high increases in the future. Mainers can't wait for relief, so this emergency measure will allow the council to begin their work as quickly as possible. Mainers are asking for help now. I ask that you follow my light so that we can answer their calls. Thank you. So, I would request a roll call.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#741)

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

NAYS: Senators: None

EXCUSED: Senator: LIBBY

33 Senators having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**. Bill **READ ONCE**.

Committee Amendment "A" (S-529) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Protect the Reproductive Rights and Freedoms of Maine People"

S.P. 156 L.D. 811

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-534)**.

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

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

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

Signed:

Senator:

MOORE of Washington

Representatives:

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

Reports **READ**.

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

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

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

Senator **MOORE:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise before you today in complete opposition of L.D. 811 but before I get to why this particular bill is not good legislation let me first remind this Chamber what transpired to get this bill to the floor. First introduced in March of 2021, this bill had no language except for its title. It went through the Legislative Council process too soon and was too soon being referred to the Judiciary Committee. At the end of March 2021, it was carried over to a subsequent session. Still no language, still a shell of nothingness. Again in July 2021, it was carried over to any special or regular session. Still no language, still a shell of nothingness. Then the Judiciary Committee held a public hearing and subsequent work sessions on March 8 of this year. Despite there still being no language and nothing to even have a hearing about, it was voted as Ought Not to Pass/Referred. It was the right call and it should have been dead at that point. Then, on March 24, this Chamber made a motion to send it back to a committee, this time the Health and Human Services Committee and still with no language. Guess some bills just never die. Then a rare opportunity to slip a bill past the public, a public hearing with no notice to the public, no

substantial testimony from stakeholders, and then quickly moved into work sessions in just a half an hour. If that's not fleecing the public I don't what it is. Let's get to the main issue with this bill. Through the language of reimbursing MaineCare for not only services but also 100% of their operating expense, it would seem the State of Maine is going into the reproductive care business. I didn't know we were in the business of providing direct healthcare services to state residents. Since when did that happen? Will there be a revenue analysis on all of our new business units? Will we calculate returns on our investments or RLI? Will we be bringing on all of their employees as State employees? This is essentially what we are doing here. Maine taxpayers are footing 100% of the cost to run reproductive care centers across the state. Thank you, Mr. President.

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

Senator **BREEN:** Thank you, Mr. President. I just, as the lead sponsor on this bill, I just want to remind folks that Family Planning Services have been reimbursed through MaineCare and provided through the Department of Health and Human Services by contract for decades. Like many other healthcare providers, they have not seen a substantial increase in their rate and they were hoping to get that done recently. It didn't happen. If you look at the Department's overall analysis of rate studies and their plan to do those rate evaluations, you'll see that Family Planning rates have not been examined in a decade. So, this bill proposes to increase those rates. It also recognizes what became evidently much more clear in the pandemic, which is there are a lot of Mainers who are accessing multiple services for healthcare through their Family Planning providers. If you're familiar with behavioral health homes or opioid health homes, this is not uncommon that folks go into one provider for one service and then wind up getting services through that provider, under that roof, for other health needs, whether the physical or behavioral health. So, like behavioral health homes and opioid health homes, Family Planning is now doing many services for people who walk in the door. They are doing substance use disorder work. They're doing mental health. They're often helping people with food insecurity and so this rate proposal is to help them recoup some of the money that they're spending on those additional services and that's what this bill is about. Thank you so much.

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

Senator **CLAXTON:** Thank you, Mr. President. Just to speak to the content of the bill. I think that of this mostly as a primary care bill since a significant portion of our community, our state, gets care for their primary care through these facilities and most of the people who access them aren't as well heeled as others. They're - over 50% of them are at 200% of the federal poverty level or lower, so this is a primary care access bill and the access, we were being assured, is being protected by mandating a reconsideration of the rates which haven't been touched in ten years. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#742)

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

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

EXCUSED: Senator: LIBBY

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

Bill **READ ONCE**.

Committee Amendment "A" (S-534) **READ** and **ADOPTED**.

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

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2022-23
H.P. 1473 L.D. 1987
(C "A" H-941)

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

Acts

An Act To Prohibit Excessive Telephone Charges in Maine Jails and Prisons

H.P. 853 L.D. 1175
(C "A" H-936)

An Act To Protect the Health and Welfare of Maine Communities and Reduce Harmful Solid Waste

S.P. 523 L.D. 1639
(S "B" S-525 to C "A" S-494)

An Act To Clarify and Recodify Maine's Protection from Abuse Statutes

S.P. 551 L.D. 1696
(C "A" S-516)

An Act To Make Changes to the Laws Regarding Licensure of Certain Individuals from Other Jurisdictions

H.P. 1517 L.D. 2035
(H "B" H-953 to C "A" H-938)

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

An Act To Establish the Perfluoroalkyl and Polyfluoroalkyl Substances Testing Reimbursement Fund for the Purpose of Testing Residential Property Wells

H.P. 339 L.D. 463
(C "A" H-954)

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

An Act To Expand the Statewide Voluntary Early Childhood Consultation Program

S.P. 220 L.D. 533
(C "A" S-510)

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

An Act To Transition State and Local Motor Vehicle Fleets to Plug-in Hybrid Vehicles and Zero-emission Vehicles

S.P. 456 L.D. 1579
(C "A" S-484)

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

An Act To Establish Fair Housing Goals in Certain Communities in Maine

H.P. 1244 L.D. 1673
(C "A" H-939)

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

An Act To Improve the Child and Family Court Process
S.P. 648 L.D. 1831
(C "A" S-514)

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

An Act To Amend the Laws Governing Retirement Benefit Reductions for Certain Employees Currently Included in the 1998 Special Plan

S.P. 658 L.D. 1840
(C "A" S-517)

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

An Act To Establish a Progressive Treatment Program Liaison
H.P. 1479 L.D. 1993
(C "A" H-946)

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

An Act To Establish a Fund for Farmers Adversely Affected by Drought Conditions

S.P. 717 L.D. 1998
(C "A" S-504)

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

Resolves

Resolve, Directing Maine Revenue Services To Review and Report Regarding Worldwide Combined Reporting of Certain Corporations for Income Tax Purposes

H.P. 308 L.D. 428
(C "A" H-943)

Resolve, Regarding Monitoring of and Reporting on Energy Use Data Standards and Online Energy Data Platforms

H.P. 1499 L.D. 2017
(C "A" H-942)

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

Off Record Remarks

HELD MATTER

HOUSE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Require the Registration of Adjuvants in the State and To Regulate the Distribution of Pesticides with Perfluoroalkyl and Polyfluoroalkyl Substances"

H.P. 1501 L.D. 2019

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-930)** (4 members)

(In Senate, April 11, 2022, the Majority **OUGHT NOT TO PASS** Report **FAILED**, Subsequently 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-930)**, in **NON-CONCURRENCE**.)

(In House, 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-930) AS AMENDED BY HOUSE AMENDMENT "A" (H-950)** thereto.)

On motion by Senator **DAUGHTRY** of Cumberland, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-930)**, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-930), in concurrence.

House Amendment "A" (H-950) to Committee Amendment "A" (H-930) **READ**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#743)

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

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

EXCUSED: Senator: LIBBY

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, House Amendment "A" (H-950) to Committee Amendment "A" (H-930) **ADOPTED**, in concurrence.

Committee Amendment "A" (H-930) as Amended by House Amendment "A" (H-950) thereto, **ADOPTED**, in concurrence.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-930) AS AMENDED BY HOUSE AMENDMENT "A" (H-950) thereto, in concurrence.

HELD MATTER

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Encourage Job Growth in the Forest Products Sector through Tax Incentives"

H.P. 1425 L.D. 1919

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-944)** (7 members)

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

(In Senate, April 11, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **FAILED**. Subsequently, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

(In House, 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-944)**.)

On motion by Senator **DAUGHTRY** of Cumberland, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ACCEPTANCE** of the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

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

Off Record Remarks

RECESSED until 3:30 in the afternoon.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **JUDICIARY** on Resolve, Directing the Department of Health and Human Services to Contract for Assessments for Involuntary Hospitalizations
H.P. 629 L.D. 861

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-986)**.

Signed:

Senators:

- CARNEY of Cumberland
- KEIM of Oxford
- SANBORN of Cumberland

Representatives:

- HARNETT of Gardiner
- BABBIDGE of Kennebunk
- EVANGELOS of Friendship
- LIBBY of Auburn
- 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:

Representatives:

- HAGGAN of Hampden
- THORNE of Carmel

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-986)** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-986)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-986) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Amend the Remote Meeting Law in Maine's Freedom of Access Act"

H.P. 1323 L.D. 1772

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-987)**.

Signed:

Senators:

- CARNEY of Cumberland
- SANBORN of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-988)**.

Signed:

Senator:

- KEIM of Oxford

Representatives:

- BABBIDGE of Kennebunk
- HAGGAN of Hampden
- LIBBY of Auburn
- POIRIER of Skowhegan
- THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (H-987)** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987)**.

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987)** Report, in concurrence.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#744)

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

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

EXCUSED: Senators: BREEN, DAVIS, LIBBY

19 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-987)** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-987) **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-987)**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Facilitate Communication between Prosecutors and Unrepresented Defendants While Protecting the Rights of Those Defendants"

H.P. 1412 L.D. 1905

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-989)**.

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
HAGGAN of Hampden
LIBBY 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:

BABBIDGE of Kennebunk
EVANGELOS of Friendship
POIRIER of Skowhegan
THORNE of Carmel

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-989)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-989)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-989) **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

Six members of the Committee on **JUDICIARY** on Bill "An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water" (EMERGENCY)

H.P. 662 L.D. 906

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A" (H-984)**.

Signed:

Senator:

CARNEY of Cumberland

Representatives:

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

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

Signed:

Senator:

KEIM of Oxford

Representatives:

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

Two members of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-985)**.

Signed:

Senator:

SANBORN of Cumberland

Representative:

MORIARTY of Cumberland

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports Report "A", **Ought To Pass as Amended by Committee Amendment "A" (H-984)**.)

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-984)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-984)**.

Reports **READ**.

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

Senate

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Expand the Address Confidentiality Program to Victims of Certain Human Trafficking Crimes" (EMERGENCY)

S.P. 684 L.D. 1943

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-541)**.

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-542)**.

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden
LIBBY of Auburn
POIRIER of Skowhegan

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (S-541)** Report.)

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-541)** Report.

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

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

Senator **CARNEY:** Thank you, Mr. President. I just rise briefly just to describe what this bill accomplishes. So, Maine currently has an address confidentiality program that protects certain crime victims. This legislation simply adds three categories to the people who are eligible to participate in the address confidentiality program. They are victims of stalking, victims of human trafficking, and minor victims of kidnaping. The Majority Report also adds funding for one position within the Secretary of State's Office to help administer this important and protective program.

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

On motion by Senator **CARNEY** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-541)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-541) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-541)**.

Sent down for concurrence.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-544)**.

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

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **LAWRENCE** of York to **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-544)**. (Roll Call Ordered)

Divided Report

Five members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Expand Maine's Clean Energy Economy"

S.P. 432 L.D. 1350

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A" (S-544)**.

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

CUDDY of Winterport
SACHS of Freeport
ZEIGLER of Montville

Five members of the same Committee on the same subject reported in Report **"B"** that the same **Ought to Pass as Amended by Committee Amendment "B" (S-545)**.

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

Three members of the same Committee on the same subject reported in Report **"C"** that the same **Ought to Pass as Amended by Committee Amendment "C" (S-546)**.

Signed:

Representatives:

BERRY of Bowdoinham
GROHOSKI of Ellsworth
KESSLER of South Portland

Reports **READ**.

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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Stabilize State Funding for County Corrections" (EMERGENCY)

H.P. 1225 L.D. 1654

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-994)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-994)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-994) **READ** and **ADOPTED**, in concurrence.

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

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

ENACTORS

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

Emergency Measure

An Act To Improve the Low-income Home Energy Assistance Program

H.P. 1492 L.D. 2006
(C "A" H-900; S "A" S-530)

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

Emergency Measure

An Act To Allow the Assessor of the Cyr Plantation Board of Assessors To Facilitate the Election of Vacant Assessor Seats
S.P. 747 L.D. 2037

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

Mandate

An Act To Allow the Annexation of Certain Lands by Columbia Falls
S.P. 725 L.D. 2011
(C "A" S-465)

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

Senator **MOORE:** Thank you, Mr. President. I just want to briefly remind everyone what this bill is actually involving. Most of you saw all the press releases about the flagpole of Freedom Park in Columbia that is going to be one of the most exciting things that we've seen not only Washington County but in Maine itself. This bill is actually just simply taking two pieces of property that are already owned by the Worcesters and taking it out of the unorganized territory and putting it into the Town of Columbia for the intention of being able to do permitting and getting everything that needs to be done. Total 100% support of the towns, the county commissioners, everyone that's been involved with it. It is a mandate only because it's a referendum, that the citizens of Columbia do need to vote on that. Since there are no citizens that are registered voters in the unorganized territory, it's only in Columbia that it has to occur. The planning - it's not going to be a cost to the town because they are planning on doing in conjunction with the primary in June. So, I personally do not like to vote on non-funded Mandates but this is one I think is a very, very, very good project for the state of Maine. Thank you.

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

Acts

An Act Regarding Access to Telehealth Behavioral Health Services during Public Health Emergencies
H.P. 1309 L.D. 1758
(H "A" H-949)

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

An Act To Create a Logging Dispute Resolution Board and To Require Proof of Ownership Documents To Be Available within 14 Days of Request

S.P. 568 L.D. 1724
(C "A" S-527)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#745)

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

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

EXCUSED: Senators: BREEN, DAVIS, LIBBY

17 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 3 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolve

Resolve, To Implement Certain Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security

H.P. 1484 L.D. 1997
(H "A" H-951 to C "A" H-877)

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

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/8/21) matter:

Bill "An Act To Clarify the Maine Food Sovereignty Act"
H.P. 419 L.D. 574

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-402)** (5 members)

Tabled - June 14, 2021 by Senator **VITELLI** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In House, June 7, 2021, 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-402).**)

(In Senate, June 8, 2021, on motion by Senator **DILL** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby Minority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-402).**)

On motion by Senator **HICKMAN** of Kennebec, the Senate **RECEDED** from whereby it **ACCEPTED** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

The Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-402) **READ**.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "C" (S-543) to Committee Amendment "A" (H-402) **READ**.

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

Senator **HICKMAN:** Thank you, Mr. President. This amendment changes the title of the bill to 'An Act to Amend the Maine Food Sovereignty Act and to Recognize the Maine Food Sovereignty Act in the Plantations and Unorganized Territories.' It basically reverts the bill back to a position that the Committee of Agriculture, Conservation and Forestry voted on unanimously last session and it only changes the definition of food and food products to make sure that fruits and vegetables are included and, with that, I would urge the Senate to accept the report - the amendment. Thank you.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "C" (S-543) to Committee Amendment "A" (H-402) **ADOPTED**.

Committee Amendment "A" (H-402) as Amended by Senate Amendment "C" (S-543) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-402) AS AMENDED BY SENATE AMENDMENT "C" (S-543) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/31/22) matter:

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish Limits on the Number of Hours Worked by and Workloads of Child Protective Services Caseworkers in the Department of Health and Human Services"

H.P. 1358 L.D. 1825

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-847)** (8 members)

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

Tabled - March 31, 2022 by Senator **CLAXTON** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, March 29, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-847).**)

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

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

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill is, I think, one we should take a close look at. The intent is to limit the amount of hours that caseworkers in the Department of Health and Human Services work. It's a valid effort. I think we all know that it's been documented that caseworkers often times get heavy loads, become tired, and that's not the kind of condition we want to be working with children. However, passing a law saying that, or thinking, that's going to solve the problem, that there's some magic pill. That isn't going to solve the problem, I don't think. Does that mean that if we don't pass the law they won't address it? Isn't this a management problem? Isn't this a problem that we would think that if we don't pass it they're not going to deal with it anyways? We've already added a lot more staff, a lot more caseworkers, to OCFS. Not only this Legislature but previous ones. So, this really is a management issue because whether we pass a law or not they really have to address the problem that might appear before them and that's a tired caseworker. So, that's the first issue. But maybe more importantly is the fact that within this law there is an escape clause that will say if someone has reached their maximum number of hours allowed by this law but they still need to work with that child, or those children, then a supervisor, or somebody in the management team, can override, escape, from that law, that part of the law. Now what we're doing if we pass that, what we're saying is an area that OCFS has struggled with, that is making good decisions when it comes to child safety, we're going to add another one knowing full well that OPEGA reports, the ombudsman, repeatedly, year after year, has said they struggle with these decisions when it comes to child safety. The Child Fatality and Serious Injury Review Panel, if you read there 2017 through 2020 you'll see that there were serious issues with decision making when it comes to child safety. This most recent OPEGA report that was issued March 25th, when it comes to investigations relating to child safety, assessments when it comes to child safety, and placement the highest rank they get when they're compared with the federal regulations is 36.8%. They go as low as 14%. This, ladies and gentlemen, is an area that needs help. We all need to be part of repairing that system but we don't want to endorse, I don't think, adding another level after all this evidence that says they're struggling with those decisions now. So, I would ask us to think carefully about this. I think these issues will be addressed. They have to be. Passing a law is not going to make them do it if they're not going to do it. But, again, the most critical piece is that we have all this evidence over four years and now we're being asked to add another area in the same area where they've been failing for all these years. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, the good Senator from Cumberland, Senator Diamond, couldn't have said it any better. I have great respect for him when it comes to this issue. I've learned a lot from him in the last couple of years but, you know, this is no different than if you're a firefighter or you're working on a farm or in your own business anywhere. If there's a job to be done it has to be done and because you get to the number of hours of maximum work you can't just leave this child and go home. I think it's already, the Department is working. The DHHS

Committee is working hard on trying to find solutions to the problems that are happening in DHHS or OCFS. I think that this law is not going to make that situation better. I see this law making that situation worse at this time and I think we need to work on the communications. This needs to be happening. I think lack of communication is a big problem that's falling within that department and I think that the Government Oversight Committee and DHHS Committee are working on this diligently and we're still working on it. I don't think we need to add this to that pile at this point in time. So, I'd rather have you think about that before you vote for this law. Thank you.

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

Senator **CLAXTON:** Thank you, Mr. President. I have a very different perspective on this, a much narrower one. It says that having made the decision to take a child out of a home for safety protection, if the caseworker has worked 60 hours in the last seven days or 70 hours over the last eight days they're probably not the best person to be driving hours to pick up a kid, get them in the car, and get them to where they're going, potentially hours. I see this as having nothing to do with decision making. The decision would have been made at that point and then you're talking about what's the best way to transport the child. Either you have the caseworker who's assigned to that family, who's worked a whole lot of hours already, do the driving. That would be a judgment. Or you find a different caseworker. This is not about, to my understanding, the decision to make a decision about whether a child is safe in the setting. That decision gets made and then transportation issue gets addressed and this came up with concerns of caseworkers, who were working overtime and driving, and that was an unsafe environment. So, I see it as a much more narrowly defined bill than has been spoken to so far. Thank you, Mr. President.

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

Senator **HICKMAN:** Thank you, Mr. President. Mr. President, women and men of the Senate, I support the Majority Report because I read the testimony from the caseworkers who testified in favor of the bill in front of the HHS Committee and I also watched the work session. I'm not going to read their testimony but I just want to make it clear that the two or three people who testified in favor of the bill, one speaks of a harrowing situation where she got into a car accident because she was tired and the other speaks about pretty much losing her family because she's only been able to take six business days off from work in an entire year. I urge the Senate to support the report. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#746)

YEAS: Senators: BAILEY, BRENNER, CARNEY, CHIPMAN, CLAXTON, DESCHAMBAULT, HICKMAN, LAWRENCE, MAXMIN, MIRAMANT, RAFFERTY, SANBORN

NAYS: Senators: BALDACCI, BENNETT, BLACK, CURRY, CYRWAY, DAUGHTRY, DIAMOND, DILL, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: BREEN, DAVIS, LIBBY

12 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CLAXTON** of Androscoggin 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.

The Chair laid before the Senate the following Tabled and Later Assigned (4/5/22) matter:

Bill "An Act To Improve the Safety of Prisoners and Jail Staff by Limiting Work Hours of Jail Employees" (EMERGENCY)
H.P. 832 L.D. 1154

Tabled - April 5, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In House, March 31, 2022, that Body **INSISTED** on its former action whereby 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-809)**.)

(In Senate, April 5, 2022, the motion by Senator **VITELLI** of Sagadahoc to **RECEDE** and **CONCUR FAILED**)

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

On motion by Senator **MAXMIN** of Lincoln, 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 (#747)

YEAS: Senators: BALDACCI, BENNETT, BLACK, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, KEIM, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BAILEY, BRENNER, CARNEY, HICKMAN, LAWRENCE, MAXMIN, SANBORN

EXCUSED: Senators: BREEN, DAVIS, LIBBY

24 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **VITELLI** of Sagadahoc to **INSIST**, **PREVAILED**.

The Chair laid before the Senate the following Tabled and Later Assigned (4/5/22) matter:

Bill "An Act To Address Staffing Shortages in Critical Public Safety Jobs through Economic Incentives"
S.P. 623 L.D. 1785
(C "B" S-467)

Tabled - April 5, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In Senate, March 29, 2022, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-467)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-467)**.)

(In House, March 31, 2022, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-466)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-466)**, in **NON-CONCURRENCE**.)

On motion by Senator **CURRY** of Waldo, the Senate **RECEDED** and **CONCURRED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/5/22) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Prohibit Solitary Confinement in Maine's Corrections System"
H.P. 508 L.D. 696

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-846)** (7 members)

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

Tabled - April 5, 2022 by Senator **BENNETT** of Oxford

Pending - **ACCEPTANCE** of Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence (Roll Call Ordered)

(In House, March 29, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-846)**.)

(In Senate, April 5, 2022, motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **FAILED**.)

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

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-846) **READ**.

On motion by Senator **DESCHAMBAULT** of York, Senate Amendment "A" (S-540) to Committee Amendment "A" (H-846) **READ**.

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

Senator **DESCHAMBAULT:** Yes, I'm just starting to understand the amendment on the amendment. There was a Committee Amendment and this is another amendment to remove that amendment but my amendment, how many times have I said this, is simply to remove the title of solitary confinement from the statute. It's only recorded once and it's not being done and so we're just going to remove it. So, that's what this motion is.

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

Senator **LAWRENCE:** Thank you, Mr. President. I'd encourage you to support this amendment. This seems to resolve the issue that was with the bill originally. Thank you.

On motion by Senator **DESCHAMBAULT** of York, Senate Amendment "A" (S-540) to Committee Amendment "A" (H-846) **ADOPTED**.

Committee Amendment "A" (H-846) as Amended by Senate Amendment "A" (S-540) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-846) AS AMENDED BY SENATE AMENDMENT "A" (S-540)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/7/22) matter:

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Pertaining to Transmission Lines Not Needed for Reliability or Local Generation"

H.P. 123 L.D. 170

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (H-931)** (5 members)

Report "**B**" - **Ought Not to Pass** (5 members)

Tabled - April 7, 2022 by Senator **LAWRENCE** of York

Pending - motion by same Senator to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED**, in concurrence

(In House, April 4, 2022, Report "**A**", **OUGHT TO PASS AS AMENDED, READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-931)**.)

On motion by Senator **LAWRENCE** of York, Report "**A**", **OUGHT TO PASS AS AMENDED, ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-931) **READ** and **ADOPTED**, in concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/11/22) matter:

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance the Energy Security of Maine Residents"

H.P. 509 L.D. 697

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-935)** (7 members)

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

Tabled - April 11, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **ACCEPTANCE OF EITHER REPORT** (In House, April 7, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935)**.)

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#748)

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

NAYS: Senator: BENNETT

EXCUSED: Senators: BREEN, DAVIS, LIBBY

30 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 3 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/11/22) matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Enact the Uniform Foreign-country Money Judgments Recognition Act"

H.P. 659 L.D. 903

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-948)** (9 members)

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

Tabled - April 11, 2022 by Senator **CARNEY** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, April 7, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-948).**)

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

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

Senator **CARNEY:** Thank you very much. This is an important piece of legislation. It enacts the Uniform Foreign-country Money Judgments Recognition Act and the Uniform Registration of

Canadian Money Judgment Act. Both acts take effect the beginning of 2023 and they allow registration in Maine courts of a Canadian money judgement or another process for money judgements from other courts that will allow a resident of Maine who has a judgement that was established by litigation in a different country to enforce that judgement here in Maine. There are safeguards in place to be recognized. A foreign country money judgement has to meet standards similar to those that are present in our own court system. The judgement has to be conclusive, final, and enforceable in the country of origin. The court system has to be impartial and honor due process and the foreign court has to have had personal and subject matter jurisdiction over the defendant in the prior action. This legislation, if enacted, will really smooth the process for those who conduct business in Maine and will - it recognizes that Mainers and Maine businesses operate across international borders and gives a less expensive and less cumbersome way to enforce judgements entered by courts that use due process and other safeguards equal to those of the Maine courts and I ask that you support the needs of Maine businesses and vote in favor of the pending motion.

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

Bill **READ ONCE.**

Committee Amendment "A" (H-948) **READ** and **ADOPTED**, in concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/11/22) matter:

An Act Concerning Nondisclosure Agreements in Employment
H.P. 711 L.D. 965
(C "B" H-906)

Tabled - April 11, 2022 by Senator **DAUGHTRY** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In Senate, April 11, 2022, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-906)**, in concurrence.)

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

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

Senate at Ease.

The Senate was called to order by the President.

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

HOUSE REPORTS - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Ensure That Municipalities and Multimunicipal Regions of Every Size and Capacity Have Guidance on Climate Adaptation and Resilience Strategies for Policy, Implementation and Investment Decision Support"

H.P. 1205 L.D. 1616

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-917)** (9 members)

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

Tabled - April 12, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, April 11, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-917)**.)

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

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

Senator **BENNETT** of Oxford moved to **INDEFINITELY POSTPONED** the Bill and accompanying papers, in **NON-CONCURRENCE**.

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

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, I want to say at the first, at the outset here, that this bill, despite its title, is not a bill that's part of the robust package of legislation that is part of the Governor's climate change initiatives. This bill came to the Environment and Natural Resources Committee as a concept draft. Was well intentioned but it goes a bit farther than I think is wise with several of its provisions. I want to - let me tell you at the outset that the Majority Report, which would accept the Committee Amendment which replaces the bill, would allow municipalities the option of using taxpayer money to repair road crossings, road, bridges on private roads. The Maine Municipal Association you think might want that optionality. Testified clearly against this bill. I would like to read a little bit of their testimony. It says, 'This legislation comes at a time when a much larger discussion surrounding the municipal authority to maintain and repair private roads with public funds is already underway. Earlier this month,' this was in February, 'the committee on State and Local Government voted on L.D. 1513, An Act to Require the Maintenance of Discontinued Public Roads, with an Ought to Pass Amendment and that bill has already generated a substantial amount of public comment, consensus,

and progress. That bill, which is now, I want to add, is on the Appropriations Table, would convene a broad stakeholder group to generate solutions that should address, I'm reading now again from Maine Municipal's testimony, 'That generates solutions it should address that concerns raised in L.D. 16. Rather than create competing proposals to very similar matters, the specific aspects of road maintenance presented by the L.D. before us right now, L.D. 1616, would benefit from being included in the broader discussion occurring on the other bill.' Here's a brief preview, according to the Maine Municipal Association, of questions and concerns raised in previous discussions which focuses on roads that share many of the same attributes as the private roads identified in this legislation. Number one: does Maine's Constitution permit use of public funds to make improvements on private property? This is especially pertinent because the roads in question are frequently closed to public access. Number two, Maine Municipal writes: once a municipality services a private road, will it be committed to maintaining the road in perpetuity? For some communities this could add up to 40% more miles of historically ill-maintained roads to finance. Three: to what extent or standard must a private road be maintained? And four: who assumes liability on private roads maintained with public funds? These are the questions Maine Municipal raises and they are legitimate questions. Very legitimate questions. As I said, this legislation is well-intentioned. You may be aware that there is already a provision in the law that allows municipalities to do work on roads that access Great Ponds. In exchange for that, public has access to the Great Ponds. This bill would actually allow access, or would provide funding for marshland, streams, a whole host of potential roads and it does raise a lot of questions. I think the Legislature's dealing with this in another instrument. We're dealing with it in L.D. 1513. When that passes, which I think it will because I think the fiscal note is modest, it will convene that stakeholder group to take into account all of this. So, I would just encourage you to go with the Indefinite Postponement motion with respect to the intentions of, the good intentions, of this bill and consider this matter in the broader context. Thank you very much.

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

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

Senator **BENNETT:** Sorry, I just wanted to make sure about what the motion was. Thank you.

THE PRESIDENT: Me to. The motion is Indefinite Postponement of the Bill and accompanying papers. A roll call has not been ordered.

On motion by Senator **BENNETT** of Oxford, Bill and accompanying papers **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/13/13) matter:

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

H.P. 1503 L.D. 2023

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

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

Tabled - April 12, 2022 by Senator **CARNEY** of Cumberland

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

(In House, April 11, 2022, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-983).**)

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

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

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

Senator **CARNEY:** Thank you, Mr. President. I rise with some trepidation to speak about this because the word 'notarial' is notoriously hard to pronounce but I'm going to plow ahead. I'd like to explain to my colleagues what this bill does. It adopts part of the Revised Uniform Law on Notarial Acts, which clarifies that the law regarding notaries public, their responsibilities and duties, and provides an effective framework for performing acts with respect to electronic records so electronic notarization that was used during the pandemic and has become widely recognized and valued by many industries. This legislation was drafted and supported by a comprehensive group of Maine organizations, including the Maine Registers of Deeds Association, the Maine Bankers' Association, Legal Services for the Elderly, Maine Probate and Trust Law Advisory Commission, the Maine State Bar Association, the Uniform Law Commission, the Maine Association of Realtors, the Maine Association of Mortgage Professionals, the Maine Credit Union League, Informed Notaries of Maine, Maine Real Estate and Development Association, the American Bar Association, Disability Rights Maine, and the Department of the Secretary of State. This bill is important because it gives Mainers a secure, convenient, and modern way to execute important personal and business documents. This bill would benefit Mainers and their families because seniors, people with disabilities, and people in rural communities who currently would have difficulty accessing a notary public and would benefit from the use of technology to assist in executing notarial acts. It will also benefit Maine's economy by allowing remote notarization for purchase and sale of real estate and other important business and financial transactions. Ultimately, this bill ensures that Maine notaries keep pace with technology, technological advances, by bringing Maine into conformity with 18 other states who have adopted some version of this law. I would just also note that several members of the committee are notaries and we benefited very much from their insight and contributions in passing this out

with the Majority Ought to Pass Report from committee. I urge my colleagues to support the pending motion. Thank you.

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

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, much of this bill is good. We do, in fact, need remote notarization, as we saw during the pandemic to be necessary. The bill, as it stands before you now, however, is a major fee increase on the people of Maine and there's no reason for it. There is zero evidence brought to us that there was a problem with notaries in general or specifically in any way. So, right now the people of Maine, and many of my neighbors are notaries, and they do this service for free, generally. It costs \$50 for seven years for someone to be a notary. After this bill passes to do that same exact service it's going to cost them \$100 every four years, for no reason. It doesn't provide any more security to the people of Maine. They have to buy a notary stamp, which is basically a fancy widget, for \$25 every four years. What does that little widget do? It simply says when their - the expiration of their commission is and that's something they have to write down anyway when they notarize something. So, why would we charge them \$25 for this every five years? I could order one from Zazzle right now, whether or not I was a notary. At this time do we really need to be increasing fees by 2-1/2 times so that someone who just wants to do a service for their neighbors has to pay \$100 every four years to do the same thing they can do right now for \$50 every seven years? This is a fee increase and as much as we need to have remote notarization we do not need it at this expense to the Maine people and I'll be voting in opposition to this bill for that reason.

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

Senator **SANBORN:** Thank you, Mr. President. Mr. President, as a member of the Judiciary Committee, we were, I guess I would say, puzzled by the concerns raised that you just heard. This is a common sense bill developed by a group of 26 stakeholders who met eight times over the last year to gather input and to put together this bill that's based on a uniform act that has been enacted in 18 states, states that are the reddest of the red and the bluest of the blue. The fee to be a notary public under this bill does not change. The fees are actually set in a part of statute that this bill doesn't touch. But we do change the length of term for the notary public commission from seven years to four years and this is something that will help ensure that notaries public are up to date on any law changes and any technology requirements. Remember, we're adding remote notarization so technology requirements need to be kept up to date. Thirty-one states have four year terms for notaries public. Seems like it may be time for us to get with that program. With regards to the notary stamp, the notary stamp is required for any documents that are being transmitted internationally and for most documents that are going to be presented in other states because most states require a stamp. A stamp is another tool kit - another tool in the tool kit of notaries public to prevent fraud and to ensure transparent notarization of transactions. I guess I'd like to close by just reminding the Chamber that this bill is supported by the Notaries Public Association, Informs Notaries Maine, as well as diverse stakeholders from Legal Services for the Elderly to the Maine Realtor's Association. The pandemic showed us that we need different ways of doing business. Remote, online, notarization is

one of them and when a stakeholder process has brought us a consensus bill like this one I don't think that it makes sense to go in and upset those - that package that has been brought to us. Instead we should just proceed with the bill in front of us. This is a very, very simple, straight forward bill that brings us in line with the practice in the rest of the country. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** Mr. President, ladies and gentlemen of the Senate, it seems it wasn't too long ago, I'm a licensed inspection station, when we talked about raising the price of inspection stickers for the local garage to get \$20 and pay for some new modernization and I think that's gone away now because there was an uproar. This is a fee increase. No other way to phrase it, no other thing. I think remote notarization is very important. I think it ought to happen. I personally think this bill had ought to be taken back and an amendment put on it that says that remote notarization is right and the fees removed because there's no reason to create this fee increase. We can also - I'm one of the few people I think I've run into in this State House that's not a notary but my daughter is and I know for a fact that she works at the hardware store there in town and people come in all the time and she notarizes papers for them or she goes somewhere and she signs it and she puts her name and her number and all that stuff and I think there's big problem of fraud and things going on. So, I think the stamp requirement could be removed because she's going to be at the store some day and some lady's going to come in and want her paper notarized because about half the people in town I think knows she does it and she doesn't charge them a penny, she doesn't make a nickel. She signs their paper and goes on their way and she'd not going to have it and they're going to run around and have to go somewhere else. So, I would like to see us take this back and maybe make the things that are good in it good, make the things that are bad in it go away, and fix this because if you're not willing to do that I'm going to vote against it for the same reason that we removed the inspection sticker law. You can't have it both ways and this bill is asking you guys to have it both ways. So, ladies and gentlemen of the Senate, I'm going to make a motion that we table this bill and that we go back and fix this and do the right thing. So, Mr. President, I ask to table this motion.

Senator **TIMBERLAKE** of Androscoggin moved to **TABLE** until Later in Today's Session, pending the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

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

On motion by Senator **TIMBERLAKE** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence. (Roll Call Ordered)

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

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Wednesday, April 13, 2022 at 10:00 in the morning.