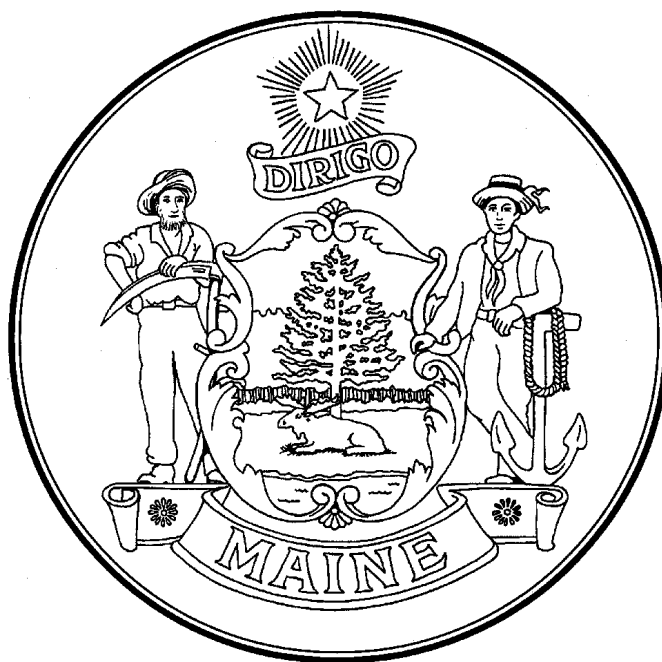


MAINE STATE LEGISLATURE

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

In Senate Chamber
Friday
June 23, 2023

Senate called to order by President Pro Tem Eloise A. Vitelli of Sagadahoc County.

Prayer by Senator Chip Curry of Waldo County.

SENATOR CURRY: Good morning, fellow colleagues. This morning's prayer is a prayer offered from -- written by Reverend Darcy Roake. There's too much hardship in this world to not find joy every day. There's too much injustice in this world to not right the balance every day. There is too much pain in this world to not heal every day. Each of us ministers to a weary world. Let us go forth now and do that which calls us to make this world more loving, more compassionate, and more filled with the grace of divine presence every day.

Pledge of Allegiance led by Senator David P. LaFountain of Kennebec County.

Reading of the Journal of Thursday, June 22, 2023.

Off Record Remarks

COMMUNICATIONS

The Following Communication: H.C. 221

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

June 22, 2023

Honorable Darek M. Grant
Secretary of the Senate
131st 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 Resolve, to Establish the Commission to Study the Constitution of Maine (S.P. 740) (L.D. 1824)

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

ORDERS

Joint Resolution

On motion by Senator **LIBBY** of Cumberland (Cosponsored by Representative PARRY of Arundel and Senator: STEWART of Aroostook), the following Joint Resolution:
S.P. 839

**JOINT RESOLUTION
RECOGNIZING MAINE'S MOTOR COACH INDUSTRY**

WHEREAS, the American Bus Association estimates that a coach with an average of 40 passengers traveling to Maine represents spending of \$10,000 to \$12,000 dollars for each night in the State, including lodging, meals and purchases at stores as well as tolls, taxes and fuel purchases; and

WHEREAS, Maine's 4 largest motor coach businesses, Cyr Bus Line, Custom Coach and Limousine, Northeast Charter and Tour Company and VIP Tour and Charter Bus Company, and other smaller operators employ over 400 residents as drivers, mechanics, dispatch personnel, facility and vehicle service personnel and guides; and

WHEREAS, all of Maine's charter bus companies are family owned and almost all New England carriers are family owned and operated; and

WHEREAS, the New England Bus Association's annual meeting, held in the City of Portland from June 25th to June 27th, will host between 40 and 50 motor coach industry owners from across New England; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize Maine's motor coach industry, the State's hosting of the New England Bus Association's annual meeting and the opportunity to showcase what Maine has to offer.

READ and ADOPTED.

Sent down for concurrence.

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Eliminate Senior Citizen Property Tax Stabilization and Expand the Homestead Property Tax Exemption"
S.P. 69 L.D. 130

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

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

LAVIGNE of Berwick
RUDNICKI of Fairfield

Reports **READ.**

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

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

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

The Senate was called to order by the President.

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

ORDERS

Joint Order

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:
S.P. 840

ORDERED, the House concurring, that when the House and Senate adjourn, that the Senate adjourn until the call of the President of the Senate, when there is a need to conduct legislative business; and that the House adjourn until 9 a.m. on Monday, June 26, 2023.

READ and PASSED.

Sent down for concurrence.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/20/23) matter:

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Ensure That Effective Dates of First Regular Session Direct Initiatives of Legislation Will Occur After the November 2023 Election" (EMERGENCY)
S.P. 323 L.D. 764

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-379)** (7 members)

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

Tabled - June 20, 2023 by Senator **STEWART** of Aroostook

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

(In Senate, June 20, 2023, Reports **READ.**)

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

Bill **READ ONCE.**

Committee Amendment "A" (S-379) **READ.**

On motion by Senator **STEWART** of Aroostook, Senate Amendment "B" (S-428) to Committee Amendment "A" (S-379) **READ** and **ADOPTED**.

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

Senator **BENNETT:** Thank you, Mr. President. A word or two about the purpose for this bill which I introduced to the Legislature, and it is -- had a -- part of a long and tortuous path for this Legislature's been on with everything else going on over the last several months. This -- as we all know under the Constitution, people have a right to petition their government when they feel like legislation isn't being properly dealt with that they want and believe is necessary, they have the right to collect signatures and put a measure before the Legislature and ask us to consider it and support it. If we don't, then it will go to the public. And we have actually four initiated bills that have come before this Legislature in that fashion, and it has grown to be a custom among some that these bills, because they're initiated by the people, ought to go out and -- right back to the people for their vote. But if you read the Constitution, the actual petitioning is to us. The petitioning is for the Legislature. And so, if people go out and get the requisite number of signatures, the bill will be put before the Legislature for our consideration. They're asking us to vote on these measures and occasionally in our history, we have chosen to enact legislation from that process. This bill does a simple thing, which is for any measures that come to this Legislature. If we enacted any of these four measures here in the Legislature that the effective date of them would be after January 1st of 2024. The rationale for this bill is that there's a measure which we may enact, a separate measure that I hope we enact, I see a piece of paper just landed on our desk relating to it, that if we do enact it, we would be -- we would make sure that it doesn't interfere with ongoing considerations that will be on the ballot this November, and it will push the effective date of that bill and any others that we enact, as I said, until after January 1st. I think this is wise. It will allow us to consider those other measures without the overhang of what will it -- may its impact be in the near term, but it would allow us to embrace long-term policy reforms that are important to the Legislature without the complications of the short-term impacts for measures being considered. So, it's with that spirit that this bill comes before us, so that we are given greater range to act on measures that should garner our support, and hopefully will, without the necessary complications -- unnecessary complications of the short-term political consideration. So, I appreciate your patience, and I would encourage your positive vote on this committee amendment and on engrossment and ultimate enactment of this legislation. Thank you.

Committee Amendment "A" (S-379) as Amended by Senate Amendment "B" (S-428) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "A" (S-379) AS AMENDED BY SENATE AMENDMENT "B" (S-428)** thereto.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/21/2023) matter:

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Relating to Energy Storage and the State's Energy Goals" S.P. 751 L.D. 1850

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-369)** (8 members)

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

Tabled - June 21, 2023 by Senator **VITELLI** of Sagadahoc

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, June 21, 2023, Reports **READ**.)

Senator **VITELLI** of Sagadahoc moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#449)

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

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

EXCUSED: Senators: HICKMAN, KEIM, POULIOT, RAFFERTY, TIMBERLAKE

20 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **VITELLI** of Sagadahoc to **ACCEPT** the

Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (S-369) **READ.**

On motion by Senator **VITELLI** of Sagadahoc, Senate Amendment "B" (S-430) to Committee Amendment "A" (S-369) **READ** and **ADOPTED.**

THE PRESIDENT: The Senator may proceed.

Senator **VITELLI:** Thank you, Mr. President. I rise today in support of LD 1850. I introduced this bill because storage is a vital tool in Maine's path to a renewable energy future and we need to do more to unlock the full potential that it has to stabilize energy infrastructure and lower cost to ratepayers and to move us closer to energy independence. Because of a 2019 legislative commission, we know what those action steps can be. This bill implements the final commission recommendations to get this job done. I became acquainted with energy storage technology and the role it must play in Maine's energy landscape during my service on the Commission to Study the Economic, Environmental, and Energy Benefits of Energy Storage to the Maine Electricity Industry - it was a very long title. I'm pleased to have chaired the commission, whose work culminated in a report that was published in December of 2019. The commission report unanimously agreed on four key concepts. One, energy storage has the potential to reduce costs and improve reliability, energy storage complements and supports renewable energy, energy storage technology is dynamic and evolving and presents cost effective options, and fourth, energy storage development may be inhibited by market barriers or a lack of clear regulatory signals. So, the commission report included the following recommendations to capture Maine's economic, environmental, and energy benefits as we shape policy that encourages energy storage. One, establish state targets for energy storage development. Two, encourage energy storage paired with renewable and distributed generation resources. Three, advance energy storage as an energy efficiency resource. Four, address electricity rate design issues relating to time variation and costs. Five, advocate for energy storage consideration in regional wholesale markets. And six, conduct an in-depth Maine-specific analysis of energy storage costs, benefits, and opportunities. And finally, clarify utility ownership of energy storage. Understanding we can reduce the inefficiencies that occur between the peaks and valleys in demand, the 130th Legislature -- during the 130th Legislature, we made headway on these recommendations when this body supported legislation, which I sponsored, LD 528, to implement some of these recommendations that the commission study made, and it led Maine to test a storage pilot program to support the operations of critical care facilities including hospitals during outages or emergencies in which the Efficiency Maine Trust chose the most cost effective proposals. And I'm happy to report that the pilot was successful. The bill today will move us even closer to Maine's energy storage targets. It sets an attainable goal for increased energy storage in our state, it modifies the state goal for energy storage system development to at least 300 megawatts by the end of 2025, and to at least 400 megawatts by the end of 2030. It also allows the

Governor's Energy Office to reevaluate and increase the state goal biannually starting next year. Storage technology increases the reliability of our power grid. This increase in reliability is especially important in that it complements many of Maine's other energy and environmental goals. Many renewable energy sources such as wind and solar generate electricity variably. Energy storage technology can capture the excess power generated when the wind is blowing or the sun is shining and allow us to discharge that stored energy when we need it at a later time. We know that if we lower the price at our peaks where energy prices are set, we lower costs. Through a pilot program, small-scale producers of energy can contribute that energy back at peak times. With this amendment we'll put the determination about utility ownership of storage back in the hands of the PUC. This will ensure that there is a public process to fully evaluate the advantages and disadvantages before any decisions on ownership are made and will ensure that this decision by the PUC commissioners and the public who they will invite into the conversation are the experts in the field. I believe that this process is important to determining what the ownership structure is that is in the best interests of ratepayers and our energy future in general. LD 1850 will keep Maine moving forward toward renewable energy goals while ensuring that our grid remains reliable, our ratepayers remain at the center of our considerations. Grid scale, that's broad scale, big scale energy storage is vital to achieving a fully renewable energy system and this bill will help make that storage reality. I urge you to support this bill and the amendment. Thank you, Mr. President.

Committee Amendment "A" (S-369) as Amended by Senate Amendment "B" (S-430) thereto, **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "A" (S-369) AS AMENDED BY SENATE AMENDMENT "B" (S-430)** thereto.

Sent down for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

ROLL CALL (#450)

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

REPORTS OF COMMITTEES

House

Divided Report

Six Members of the Committee on **TAXATION** on Bill "An Act to Reduce the Income Tax to 4.5 Percent on the Lowest Tax Bracket and Remove Low-income Families from Taxation" H.P. 1069 L.D. 1671

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-627)**

Signed:

Senator:
LIBBY of Cumberland

Representatives:
CARMICHAEL of Greenbush
LAVIGNE of Berwick
LIBBY of Auburn
QUINT of Hodgdon
RUDNICKI of Fairfield

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

Signed:

Senator:
GROHOSKI of Hancock

Representatives:
PERRY of Bangor
CROCKETT of Portland
HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor

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

Reports **READ**.

Senator **GROHOSKI** of Hancock moved the Senate **ACCEPT** Report "B", **OUGHT NOT TO PASS**, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

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

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY, ROTUNDO

18 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **GROHOSKI** of Hancock to **ACCEPT** Report "B", **OUGHT NOT TO PASS**, in concurrence, **PREVAILED**.

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

COMMUNICATIONS

The Following Communication: H.C. 222

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

June 23, 2023

Honorable Darek M. Grant
Secretary of the Senate
131st 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 State and Local Government on Bill "An Act to Clarify Licensing Jurisdiction for Manufactured Housing Communities" (S.P. 741) (L.D. 1825)

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act to Change How the Adult Use Cannabis Excise Tax Is Calculated
S.P. 559 L.D. 1392
(C "A" S-418)

In Senate, June 22, 2023, on motion by Senator **GROHOSKI** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-418)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-418)**.

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

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

Senator **STEWART** of Aroostook moved the Senate **RECEDE** and **CONCUR**.

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 (#451)

YEAS: Senators: BENNETT, BLACK, BRAKEY, CHIPMAN, FARRIN, HARRINGTON, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

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

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

12 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **STEWART** of Aroostook to **RECEDE** and **CONCUR** **FAILED**.

Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.

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 (#452)

YEAS: Senators: BENNETT, BLACK, BRAKEY, CHIPMAN, FARRIN, HARRINGTON, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE, PRESIDENT JACKSON

NAYS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, GROHOSKI, GUERIN, INGWERSEN, LAFOUNTAIN, LAWRENCE, LIBBY, NANGLE, PIERCE, RENY, ROTUNDO, TIPPING, VITELLI

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

12 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BRAKEY** of Androscoggin to **INSIST** **FAILED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Prohibit Early Termination Fees for Residential Electric Generation Service Contracts" H.P. 1298 L.D. 2012

Reported that the same **Ought to Pass**, pursuant to Resolve 2021, chapter 164, section 4.

Signed:

Senators:
LAWRENCE of York
GROHOSKI of Hancock

Representatives:
ZEIGLER of Montville
DUNPHY of Embden

KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought Not to Pass**, pursuant to Resolve 2021, chapter 164, section 4.

Signed:

Senator:
HARRINGTON of York

Representatives:
BABIN of Fort Fairfield
FOSTER of Dexter
PAUL of Winterport

Comes from the House with the Majority **OUGHT TO PASS**, pursuant to Resolve 2021, chapter 164, section 4, Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **LAWRENCE** of York, the Majority **OUGHT TO PASS**, pursuant to Resolve 2021, chapter 164, section 4, Report **ACCEPTED**, in concurrence

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Ensure Access for All Caregivers to Diaper Changing Stations in Public Restrooms" H.P. 61 L.D. 93

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-701)**.

Signed:

Senators:
CURRY of Waldo
RAFFERTY of York

Representatives:
ROBERTS of South Berwick
COLLAMORE of Pittsfield
CROCKETT of Portland
LANIGAN of Sanford
LaROCHELLE of Augusta
NESS of Fryeburg

SAYRE of Kennebunk
WALKER of Naples

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

Signed:

Senator:
GUERIN of Penobscot

Representatives:
SMITH of Palermo
WHITE of Waterville

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-701)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#453)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BENNETT, BRENNER, CARNEY, CHIPMAN, DAUGHTRY, FARRIN, GROHOSKI, INGWERSEN, LAFOUNTAIN, LAWRENCE, LIBBY, NANGLE, PIERCE, POULIOT, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BLACK, BRAKEY, CURRY, DUSON, GUERIN, HARRINGTON, LYFORD, MOORE, STEWART, TIMBERLAKE

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

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

Bill **READ ONCE**.

Committee Amendment "A" (H-701) **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 Remove Barriers to Becoming a Lawyer"
H.P. 866 L.D. 1352

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-705)**.

Signed:

Senators:

BAILEY of York
BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
LEE of Auburn
POIRIER of Skowhegan
RECKITT of South Portland

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

Signed:

Senator:

CARNEY of Cumberland

Representatives:

MOONEN of Portland
KUHN of Falmouth
MORIARTY of Cumberland
SHEEHAN of Biddeford

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-705)**.

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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

Senator BRAKEY: Thank you, Mr. President. I'm pleased to be on the bipartisan Majority Report on this bill, so I am rising in opposition to the pending motion. We have a shortage of lawyers in the state, I know it's hard to believe. If you're in Cumberland County, it may be hard to believe, there's more lawyers in Cumberland County than all the rest of the state put together, but in other parts of the state, we have a real shortage. And our one law school in the state does a wonderful job, but there's only one. And many other states have a process where individuals can apprentice under existing lawyers to study the law in an alternative pathway to taking the bar exam. Some have -- some have argued this lowers the bar, but that's literally not the case. You literally still have to pass the bar. Other states like Vermont have programs like these and we have -- there are very distinguished supreme court justices who have gone into the legal profession by reading the law. So, since I want this bill to pass, I'm not going to speak anymore, and I'm going to sit down.
Thank you, Mr. President.

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

Senator DAUGHTRY: Thank you, Mr. President, Ladies and Gentlemen of the Senate. May I pose a question through the Chair?

THE PRESIDENT: The Senator may proceed.

Senator DAUGHTRY: Do any other states allow this or is this something that we'd be going it alone?

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

Senator CARNEY: Other states do allow this, and, in fact, Maine has a -- already has an existing statute that allows someone to do this partially. I believe they have to go to one year of law school and then they can complete the remainder of their education using a similar process. But that law has actually never been utilized in our state. I understand why that requirement exists, the first year of law school gives you a really important foundation that gives you a breadth and understanding of the law that you build on with more specific subject matter. And my concern about the bill before us is that you never get that foundation and in addition -- I guess there's no other way to put this, but the committee really looked at it, those who voted for the Minority Report, as a consumer protection law. This legislation doesn't really build in good guidelines and checks and balances to ensure that somebody undertaking this process has an adequate legal education. And then finally, I would say that I agree wholeheartedly with my colleague from the Judiciary Committee, the Good Senator from Androscoggin, that we desperately need lawyers in rural parts of Maine. This bill, there's nothing in this bill that creates a mechanism that would inherently send lawyers to rural parts of Maine. And so, I would ask that you support the pending motion.

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

Senator BAILEY: Thank you, Mr. President. I rise to answer the question. Other states do have it. The one that I'm most familiar with is Vermont, and they've had this type of program for decades, for as long as I've been practicing law, and it has worked very well. It does give an alternative pathway. It is used in particular in situations where a lawyer is thinking about retiring, is starting to wind down their practice, and they will take on an apprentice as a paralegal in order to turn their practice over to them once they pass the bar. And that's why I think it will help in particular in rural areas of the State of Maine, as it does and has for many decades in Vermont.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#454)

YEAS: Senators: BALDACCI, BRENNER, CARNEY, CURRY, FARRIN, LAFOUNTAIN, LAWRENCE, LIBBY, NANGLE, PIERCE, ROTUNDO, STEWART, TIMBERLAKE, VITELLI

NAYS: Senators: BAILEY, BEEBE-CENTER, BENNETT, BLACK, BRAKEY, CHIPMAN, DAUGHTRY, DUSON, GROHOSKI, GUERIN, HARRINGTON, INGWERSEN, LYFORD, MOORE, POULIOT, RENY, TIPPING, PRESIDENT JACKSON

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

14 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, FAILED**.

On motion by Senator **BALDACCI** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE** of the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TAXATION** on Bill "An Act to Return to the Former Owner Any Excess Funds Remaining After the Sale of Foreclosed Property"
H.P. 69 L.D. 101

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-713)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-713)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-713) **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 Sustain the Medical Use of Cannabis Program"
H.P. 521 L.D. 832

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-706)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-706)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-706) **READ** and **ADOPTED**, in concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Enhance Legislative Participation in the Governor's Use of Emergency Powers" H.P. 1201 L.D. 1876

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

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
PAULHUS of Bath
RISEMAN of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-690)**.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#455)

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

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

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **NANGLE** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Make Technical Changes to the Maine Tax Laws" H.P. 181 L.D. 283

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-707)**.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
RANA of Bangor

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

Signed:

Representatives:

QUINT of Hodgdon
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-707)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-707) **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 **TAXATION** on Bill "An Act to Improve Economic Security for Maine Children by Establishing the Maine Dependent Tax Credit"
H.P. 996 L.D. 1544

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-712)**.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor

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

Signed:

Representatives:

LAVIGNE of Berwick
LIBBY of Auburn
QUINT of Hodgdon
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-712)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-712) **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 **TAXATION** on Bill "An Act to Eliminate the Personal Property Tax"
H.P. 1122 L.D. 1743

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

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
LIBBY of Auburn
MATLACK of St. George
RANA of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-704)**.

Signed:

Representatives:

QUINT of Hodgdon
RUDNICKI of Fairfield

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Establish 5 New Tax Brackets and a Surcharge for Higher Income Levels"
H.P. 1196 L.D. 1866

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-686)**.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor
CROCKETT of Portland
HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush
LAVIGNE of Berwick
LIBBY of Auburn
QUINT of Hodgdon
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-686)**.

Reports **READ**.

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

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

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Grohoski.

Senator GROHOSKI: Thank you, Mr. President. I thought it wouldn't be right to let all these tax bills go through without saying something about taxes tonight, so here I am, and good evening to everyone. I just wanted to let you all know what this bill does, because it is quite different than the title at this point. This is a bill that the Taxation Committee, some of the members put together in response to what is a really challenging question that we are often asked and face here, which is, you know, is our income tax policy as fair as it could be? Are there things that we could do differently? Could we be adjusting percent of tax? Could we be adjusting where the brackets are? Could there be more brackets, maybe fewer brackets? These are really actually pretty challenging questions to answer, and the reason for that is, in part, because of the way that the income tax is structured. A lot of folks have -- well, all of us -- well, it all depends on how you're filing, but many people have a lot of their

income shielded by the standard deduction and personal exemptions, and so just shifting the lowest tax bracket to a lower percent doesn't maybe achieve the full effect that we might be looking for to give lower- and middle-income people tax breaks, which is something that I think we all have an interest in doing. So, I wanted to let you know that this bill is now a study, and I'll just read to you the small section about the study, just so you know what we'd be looking at were we to do this study. And it says that the commission, it would be a legislative commission, shall study issues associated with the effects of income tax policy on the state's working families and small business and shall develop recommendations designed to ensure that the tax policy of the state is fair and equitable, improves the competitive position of the state, encourages more investment in new and existing small businesses in the state, and helps attract skilled and knowledgeable workers necessary for a sustainable, growing economy in all regions of the state. In examining the issues, the commission shall consider measures designed to level the playing field for small businesses and to aid entrepreneurs, shall consider the importance to working families and businesses of adequately funding important government services such as aid to local services, education, infrastructure maintenance, and affordable healthcare, and shall propose measures that ensure these services are adequately funded. The commission shall also evaluate the direct impact of any proposed tax changes on the after-tax income by income decile. So, I just wanted you all to know that. I think there is an opportunity, there could be an opportunity, to look at our tax code, but it really takes a lot more time and a lot more data than we have had access to in the Taxation Committee, in my opinion, this year. And so, I think that this resolve is -- could be an important opportunity for us to continue the conversation that happens both here and in the public around our current income tax structure. And so, I will conclude with that and be interested to see if you're interested in doing more work on this topic. Thank you.

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

Senator BRAKEY: Thank you, Mr. President. I'd just like to pose a question through the Chair.

THE PRESIDENT: The Senator may proceed.

Senator BRAKEY: Thank you. I appreciated hearing from the Good Senator from Hancock about the charge of the commission and looking at competitiveness with other states. Considering one of our neighboring states has no income tax, I wonder if there's any scenario which this commission might recommend lower tax rates overall on folks? Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Grohoski.

Senator GROHOSKI: Thank you, Mr. President. I think it's fair to say the commission, were it to exist, would look at everything equally. I don't have a presupposed outcome in presenting this to you all, I think with data, we might determine that that was a good idea, we might not. I mean, the question here is how do we balance all of our competing priorities. We have so many bills that have come through here, many of which have been

unanimous, that cost money. So that's something that we have to consider. On the other hand, maybe some of those things wouldn't be needed. I don't know the answer to that question, which is why I put -- our committee put this forward, and I wouldn't want to presuppose an outcome. I will let you know that there would be three members from the Senate, three members from the House - of course of both parties - and members appointed by the Governor, one representing business interests, one representing Maine heritage industry interests, a tax policy expert, an expert in tax accounting, somebody representing a nonprofit organization with expertise in taxation, a member representing the interests of small businesses, a public member representing the interests of working families, and the same - that would be appointed by the President - and the same, those last two, by the Speaker. So, I don't think there's any way to really know what would happen, but I do know, and I think we've all been experiencing that it is impossible to get all the work done that you want to get done in one session in this building, so the opportunity is here to look at this in the off session.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#456)

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

NAYS: Senators: BALDACCI, BENNETT, BLACK, FARRIN, GUERIN, HARRINGTON, LIBBY, MOORE, POULIOT, STEWART, TIMBERLAKE

EXCUSED: Senators: HICKMAN, KEIM, LAWRENCE, RAFFERTY

20 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **GROHOSKI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-686) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution" I.B. 1 L.D. 1610

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-688)**.

Signed:

Senators:
HICKMAN of Kennebec
BRENNER of Cumberland

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

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

Signed:

Senator:
TIMBERLAKE of Androscoggin

Representatives:
ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
RISEMAN of Harrison
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-688)**.

Reports **READ**.

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

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

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Grohoski.

Senator GROHOSKI: Thank you very much, Mr. President. This is the part of the evening in which I say and now for something completely different. I am really excited that this bill is here before us today. This bill is an initiated bill, you'll see it says I-B on our supplement. And the reason for that is that many, many citizens around the State of Maine, hundreds of them, in fact, spent a good deal of time gathering over 80,000 signatures to ask this Legislature one important question. And that is, do you support the prohibition of foreign governments and foreign government owned businesses from spending money to influence our citizens initiative referendum process? And I think this is a fundamental question, and I'll tell you how I feel. I do not feel that there is any circumstance in which a foreign government should be influencing our elections. And right now, they are prohibited from doing so when those elections are for candidates. That's a federal prohibition. But there's a loophole that allows foreign governments to spend money to tell us -- tell Maine people how we should think and how we should vote in our own referendum process. And I -- that's unacceptable to me, which is why I have worked with many people across the political spectrum to bring this question to this body today. An initiated bill, as you'll see and you heard from the Senator from Oxford, Senator Bennett, earlier today, is a request to the Legislature to act. It has been practice in recent years to just send that question along to voters, to not pick it up, to not do the work that they've asked us to do. But the Maine Constitution says first and foremost, this is a bill that the people brought to us, and so we should treat it like any other bill. Very rarely do we send a question to ballot. We may be doing that in a special circumstance related to the Maine flag, we'll see about that, but for the most part, we do the work here ourselves. And I want to thank the Veterans and Legal Affairs Committee for doing this work and for looking at this bill and recommending that we pass it right here, right now. And I don't know how I could go home to my constituents and say, you know, I'm -- I don't want to see foreign governments spending money in elections, and we know in the polling that 82% of you don't, but we should probably wait till November to be sure about that. I have an idea, why don't we do this now? Why don't we do this now, so that we don't have to see an ungodly amount of foreign government spending to influence the results of this question? If you don't want foreign governments to spend money in elections, vote now on this so that we don't see it about this very question in November. They are the only people that are interested in this, the people who come from foreign governments or who are working for corporations that are owned by foreign governments. Now is the moment to show the people of Maine that we have their interests in mind, that we want to hear their voices, not the voices of governments from away. All the governments are from away, let's be real. Anyhow, I just -- I think this is really important and I have worked on this very hard for many years, with many people, all of whom have said to me please do your jobs in the Legislature and get this on the books. We don't need to weigh in ourselves, we've already weighed in and told you to do this by signing the

petitions, getting them certified, it's a very tedious process. So, I hope you will heed the request that has come to us to act on this bill as if it were any other bill. If you support what the bill does, I hope you will vote yes on the motion. Thank you.

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

Senator BENNETT: Thank you, Mr. President, Fellow Members of the Senate. As the Good Senator from Hancock, Senator Grohoski, said, the voters of Maine who initiated this bill are respectfully asking us as a Legislature to pass LD 1610 outright. We in this Legislature have the right, we indeed have the responsibility to protect our elections from the foreign governments who seek to disrupt our democracy. As a citizens initiative, LD 1610 is sponsored by the voters of Maine. In 2022, November, the campaign submitted the signatures of over 80,000 Mainers to our Secretary of State, who subsequently certified the petitions. Now, this Legislature has the opportunity to pass the initiative outright or as a backstop to send it, as you've heard, to the ballot. Free and fair elections are the foundation of our country and our state, and we have the responsibility to ensure that they are conducted of, by, and for the people. Unfortunately, foreign government spending and dark money special interest groups threaten our core institutions. These factions are spending an unprecedented amount of money to influence our elections, and it gets worse and worse by the year. The voters I talk to and I've heard from have had enough. This measure will protect Maine's elections from foreign government interference and dark money special interest groups. While foreign governments are not permitted to contribute to candidate campaigns, the Federal Elections Commission recently ruled two years ago next month that it has no jurisdiction over this area of state and municipal referendum campaigns, which creates a dangerous loophole that allows foreign government spending in these campaigns unless explicitly prohibited by state law. Most states that have an initiative referendum process have closed this loophole already. This initiative before us gives Mainers the opportunity to make Maine one of this growing number of states and municipalities to close that loophole and ban foreign government spending in referendums. The bill also affirms Maine's support for an anti-corruption amendment to the United States Constitution. It directs Maine congressional delegation to advance such an amendment that would allow for reasonable campaign fundraising and spending limits in Maine and across the country. And it charges the Maine Ethics Commission to report annually on the progress made by Maine's delegation, an important accountability measure. Now, as you may recall, we had to ask for a solemn occasion of the supreme judicial court to get clarity on the question of whether or not hearings could even be held, and the Legislature could even act on this measure that the voters brought to us. Let's face the facts, opponents of this initiative are few, they're foreign, and they're financially unfettered. They have already managed to sew confusion into the very process by which Maine voters can affect our laws, requiring that solemn occasion, and we cannot let them succeed. It's worthy to note that in the two hours of public testimony before the Veterans and Legal Affairs Committee on this measure, dozens of Maine people spoke in favor, and the only opponents were businesses owned by foreign governments. There is significant and overwhelming public

support for this measure. In a February poll, 82% of Mainers - Maine voters answered yes to the question do you want to prohibit foreign governments and foreign government influenced entities from spending money to influence Maine elections? That number includes 91% of Republicans, 83% of Democrats, and 82% of Independents. Friends, it's time for us to respond with affirmation to the people of this great State of Maine to close this loophole, to rid our elections of foreign government interference and to fix our broken campaign finance system. This is our opportunity right here with this vote today this evening. I implore you to vote with the Majority Ought to Pass Report. Thank you.

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

Senator DAUGHTRY: Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd like to pose a question through the Chair.

THE PRESIDENT: The Senator from Cumberland may proceed.

Senator DAUGHTRY: I'm just wondering -- this is something that I'm still very much on the fence about and was wondering has this ever been done before? I'm wondering what the Legislature has chosen to do with ballot measures for the last decade. Would this be setting a new precedent or is this something that has happened with other measures as well?

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

Senator CHIPMAN: Thank you, Mr. President, Men and Women of the Senate. This has been done before. The last instance I'm aware of was the opportunity Maine tax credit that was submitted to the Legislature - the signatures were collected, and the Legislature liked the idea, it was very popular - and put it into law without putting it on the ballot. I believe that was in 2007.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#457)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BRAKEY, BRENNER, CARNEY, CHIPMAN, CURRY, DUSON, GROHOSKI, INGWERSEN, LAFOUNTAIN, MOORE, NANGLE, RENY, ROTUNDO, TIPPING, VITELLI

NAYS: Senators: BLACK, DAUGHTRY, FARRIN, GUERIN, HARRINGTON, LAWRENCE, LIBBY, LYFORD, PIERCE, POULIOT,

STEWART, TIMBERLAKE, PRESIDENT JACKSON

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BRENNER** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-688) **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

Eight members of the Committee on **JUDICIARY** on Bill "An Act to Require Parental Approval for Public School Employees to Use a Name or Pronoun Other than a Child's Given Name or Pronoun Corresponding to the Gender on the Child's Birth Certificate"

H.P. 447 L.D. 678

Reported in Report **"A"** that the same **Ought Not to Pass**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

Three members of the same Committee on the same subject reported in Report **"B"** that the same **Ought to Pass as Amended by Committee Amendment "A" (H-677)**.

Signed:

Representatives:

HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

One member of the same Committee on the same subject reported in Report **"C"** that the same **Ought to Pass as Amended by Committee Amendment "B" (H-678)**.

Signed:

Senator:

BRAKEY of Androscoggin

One member of the same Committee on the same subject reported in Report "D" that the same **Ought to Pass as Amended by Committee Amendment "C" (H-679).**

Signed:

Representative:

ANDREWS of Paris

(Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "A", **Ought Not To Pass.**)

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

Reports **READ.**

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** Report "A", **OUGHT NOT TO PASS**, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#458)

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

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

EXCUSED: Senators: HICKMAN, KEIM, RAFFERTY

20 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** Report "A", **OUGHT NOT TO PASS**, in concurrence, **PREVAILED.**

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

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

ENACTORS

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

Emergency Measure

An Act to Ban the Video Hosting Service TikTok on All State-owned Devices
H.P. 643 L.D. 1007
(H "A" H-647 to C "A" H-570)

The Chair noted the absence of the Senator from Somerset, Senator **FARRIN**, the Senator from Cumberland, Senator **CHIPMAN**, the Senator from Cumberland, Senator **NANGLE**, and the Senator from Androscoggin, Senator **TIMBERLAKE**, and further excused the same Senators from today's Roll Call votes.

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with no Senators having voted in the negative, and 28 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.

Senate at Ease.

The Senate was called to order by the President.

Acts

An Act to Ensure Efficiency in the Review of Petitions by the Secretary of State by Clarifying Deadlines Related to Those Petitions
H.P. 154 L.D. 233
(C "A" H-613)

An Act Regarding Dental Hygienists and Dental Therapists
H.P. 1026 L.D. 1581
(C "A" H-698)

An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine
H.P. 1038 L.D. 1613
(C "A" H-692)

An Act to Amend the Laws Regarding the Mi'kmaq Nation and to Provide Parity to the Wabanaki Nations
H.P. 1045 L.D. 1620
(C "A" H-699)

An Act to Require a Liability Automobile Insurance Policy to Cover the Costs of Towing and Storing Certain Vehicles
S.P. 666 L.D. 1661
(C "A" S-410)

An Act Regarding the Maine Indian Tribal-State Commission
H.P. 1078 L.D. 1679
(C "A" H-680)

An Act Regarding Surplus Lines Insurance Tax
H.P. 1272 L.D. 1979
(C "A" H-689)

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

An Act to Complete and Implement the Comprehensive Review of the Classification and Compensation System for Executive Branch Employees
H.P. 1184 L.D. 1854
(C "A" H-669)

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

An Act Regarding the Procurement of Energy from Offshore Wind Resources
S.P. 766 L.D. 1895
(C "A" S-420)

On motion by Senator **ROTUNDO** of Androscoggin, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

An Act to Create the Maine Paid Family and Medical Leave Benefits Program
S.P. 800 L.D. 1964
(C "A" S-385)

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

Resolve

Resolve, Establishing the Commission to Study the Liability of Parents and Legal Guardians for Damage by Minors
H.P. 85 L.D. 139
(C "A" H-693)

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

Off Record Remarks

RECESSED until the sound of the bell.

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws"
H.P. 1206 L.D. 1881

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-493)**.

Signed:

Senators:

INGWERSEN of York
BLACK of Franklin
HICKMAN of Kennebec

Representatives:

PLUECKER of Warren
COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
HEPLER of Woolwich
OSHER of Orono
SHAW of Auburn

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

Signed:

Representatives:

JACKSON of Oxford
JAUCH of Topsham

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-493) AS AMENDED BY HOUSE AMENDMENT "A" (H-711) thereto.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-493) **READ**.

House Amendment "A" (H-711) to Committee Amendment "A" (H-493) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-493) as Amended by House Amendment "A" (H-711) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-493) AS AMENDED BY HOUSE AMENDMENT "A" (H-711)** thereto, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Regarding a Discovery Rule for the Statute of Limitations for Cases of Medical Negligence"
H.P. 354 L.D. 549

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

Signed:

Senators:

CARNEY of Cumberland
BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HENDERSON of Rumford
KUHN of Falmouth
MORIARTY of Cumberland
POIRIER of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-656)**.

Signed:

Senator:

BAILEY of York

Representatives:

MOONEN of Portland
HAGGAN of Hampden
LEE of Auburn

RECKITT of South Portland
SHEEHAN of Biddeford

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

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Establish a Recall Process for Public School Board Members"
H.P. 939 L.D. 1443

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-562)**.

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
COPELAND of Saco
DHALAC of South Portland
PAULHUS of Bath
RISEMAN of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-563)**.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

Comes from the House with Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Reports **READ**.

On motion by Senator **NANGLE** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED**, in concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Timing of Judicial Review of the Determination of the Validity of Written Petitions H.P. 648 L.D. 1012

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-510)**.

Signed:

Senator:
HICKMAN of Kennebec

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

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

Signed:

Senator:
TIMBERLAKE of Androscoggin

Representatives:
BOYER of Poland
HYMES of Waldo
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-510) AND HOUSE AMENDMENT "B" (H-710)**.

Reports **READ**.

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

Resolution **READ ONCE**.

Committee Amendment "A" (H-510) **READ** and **ADOPTED**, in concurrence.

House Amendment "B" (H-710) **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-510) AND HOUSE AMENDMENT "B" (H-710)**, in concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act Regarding Incarcerated Individuals and Legislative Apportionment
H.P. 1093 L.D. 1704

In Senate, June 14, 2023, on motion by Senator **NANGLE** of Cumberland, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-446)**.

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

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#459)

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

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

Off Record Remarks

EXCUSED: Senators: BRENNER, DUSON, HICKMAN, KEIM,
LAWRENCE, RAFFERTY, ROTUNDO,
TIMBERLAKE

Senate at Ease.

The Senate was called to order by the President.

16 Senators having voted in the affirmative and 11 Senators
having voted in the negative, with 8 Senators being excused, the
motion by Senator **VITELLI** of Sagadahoc to **RECEDE** and
CONCUR PREVAILED.

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

ORDERS

Joint Order

On motion by Senator **DAUGHTRY** of Cumberland, the
following Joint Order:
S.P. 841

ORDERED, the House concurring, that Bill, "An Act to Protect
Employee Freedom of Speech," S.P. 702, L.D. 1756, and all its
accompanying papers, be recalled from the Governor's desk to
the Senate.

READ and **PASSED**.

Sent down for concurrence.

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

Off Record Remarks

Non-Concurrent Matter

An Act to Allow Maine Families to Increase Their Savings by
Changing the Asset Limits for Eligibility for the Temporary
Assistance for Needy Families Program
H.P. 592 L.D. 945
(C "A" H-299)

In Senate, June 12, 2023, **PASSED TO BE ENACTED**, in
concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (H-299) AS
AMENDED BY HOUSE AMENDMENT "A" (H-709)** thereto, in
NON-CONCURRENCE.

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

ORDERS OF THE DAY

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

An Act Regarding the Procurement of Energy from Offshore
Wind Resources
S.P. 766 L.D. 1895
(C "A" S-420)

Tabled - June 23, 2023, by Senator **ROTUNDO** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, June 22, 2023, **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (S-420)**.)

(In House, June 23, 2023, **PASSED TO BE ENACTED**.)

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

On motion by Senator **VITELLI** of Sagadahoc, the Senate
ADJOURNED, pursuant to the Joint Order, until the call of the
President of the Senate, when there is a need to conduct
legislative business; and that the House **ADJOURN** until 9:00 in
the morning on Monday, June 26, 2023.