

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

In Senate Chamber
Tuesday
January 16, 2024

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

Prayer by Pastor Ari Keller of Small Point Baptist Church in Phippsburg.

PASTOR ARI KELLER: Let us pray. Father God, we thank you for just this day and the safety to get here. And Lord, your bible tells us that we are to pray for one another, and so, Father, this morning - particularly our leaders - I lift up this body of leadership in this place this morning, and I pray that you would give them the wisdom, the knowledge, the discernment that is necessary as they deal with the issues of the state, the issues that deal with the people of the state, may you join their hearts and their minds together in making decisions, Lord, that would be honorable. And so, Father, we ask your blessing on every proceeding that takes place today. Thank you, Lord, for their sacrifice, for their willingness to serve in this capacity in our state. Lord, we ask now your blessing. In Your Name we pray, amen.

Pledge of Allegiance led by Senator Anne H. "Pinny" Beebe-Center of Knox County.

Reading of the Journal of Thursday, January 11, 2024.

Medical Provider of the Day, Dr. Marco Cornelio, MD of Kennebunk.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 792

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

January 11, 2024

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 2079 An Act to Strengthen Firefighters' Collective Bargaining Rights (EMERGENCY)

Sincerely,

S/Sen. Michael Tipping
Senate Chair

S/Rep. Amy Jean Roeder
House Chair

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

The Following Communication: S.C. 795

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

January 11, 2024

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 2016 An Act to Implement Recommendations of the Distributed Generation Stakeholder Group

This is notification of the Committee's action.

Sincerely,

S/Sen. Mark W. Lawrence
Senate Chair

S/Rep. S. Paige Zeigler
House Chair

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

The Following Communication: S.C. 793

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

January 09, 2024

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 360 An Act to Amend the Androscoggin County
Charter

This is notification of the Committee's action.

Sincerely,

S/Sen. Tim Nangle
Senate Chair

S/Rep. Holly B. Stover
House Chair

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator INGWERSEN for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Law Regarding the Land for Maine's Future Board to Allow for Proxy Designees"
S.P. 866 L.D. 2038

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

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

ORDERS

Joint Orders

Expression of Legislative Sentiment recognizing:

Claude Bonang, of Brunswick, who received the Paul Harris Fellow Award from the Rotary Foundation of Rotary International. The Paul Harris Fellow Award is presented in appreciation of tangible and significant assistance given for the furtherance of better understanding and friendly relations among peoples of the world. We extend our congratulations and best wishes;
SLS 1079

Sponsored by Senator DAUGHTRY of Cumberland.
Cosponsored by Representatives: ANKELES of Brunswick,
ARFORD of Brunswick, GOLEK of Harpswell.

The Joint Order was **READ**.

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

Senator **DAUGHTRY:** Mr. President, Ladies and Gentlemen of the Senate, it is my great honor and pleasure to welcome Claude Bonang of Brunswick to the Senate Chamber today. Claude is an author, a musician, and retired teacher who taught biology at Brunswick High School for 32 years. Last year, he received the Paul Harris Award from the Brunswick Rotary for his service and generosity. By receiving the Paul Harris Award, Claude joins many notable figures, including former U.S. President Jimmy Carter, U.S. astronaut James Lovell, and polio vaccine developer, Jonas Salk, who also received the award in their time. At 93 years young, Claude is a local legend, known for his ability to play rhythm bones. Rhythm bones are one of the oldest manmade instruments, likely going back to prehistoric times. Two slabs held between the fingers and clicks are made with the wrist and arm movement, which can be played one hand or two handed, and usually made from animal bones or other materials like wood shaped into bones, and each material can produce a different sound. From 2014 to 2019, Claude competed in the Brunswick Rotary Midcoast Maine's Got Talent Show, winning the 2014 competition for his performance of Sweet Georgia Brown on the rhythm bones. In 2015, he won the Judges Award for his performance of Darktown Strutter's Ball and Bill Bailey. He won the award again in a later show. He is also a YouTube sensation, with a video that has over 12,850 views. If you want to check it out, just type in Claude plays the spoons into the search bar. But this isn't just all for show. He was also the first performer at People Plus. He plays musical saws, spoons, and rhythm bones at nursing homes and fundraisers like the Gelato Fiasco scoop-a-thon that raises money for the Brunswick Area Teen Center. In

sharing his gift and talent with the broader community, Claude spreads joy and wonder and supports good causes. And at this time, I am delighted to present Claude with our legislative sentiment that celebrates and recognizes his contributions. He shows no signs of slowing down, and we are all lucky that he can continue to put on a good show. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish a Grant Program to Increase Postsecondary Educational Opportunities for Students with Intellectual or Developmental Disabilities or Autism Spectrum Disorder" (EMERGENCY)
H.P. 1386 L.D. 2166

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

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

Bill "An Act to Develop Maine's Economy and Strengthen Its Workforce by Establishing an Office of New Americans"
H.P. 1387 L.D. 2167

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Department of Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 355: Coastal Sand Dune Rules, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)
H.P. 1389 L.D. 2168

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)
H.P. 1385 L.D. 2165

Be **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.
Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:
H.P. 1388

**JOINT RESOLUTION
COMMEMORATING MARTIN LUTHER KING, JR. DAY**

WHEREAS, January 15, 2024 marks the national and state holiday in honor of Dr. Martin Luther King, Jr., commemorating his birth on January 15, 1929; and

WHEREAS, Dr. Martin Luther King, Jr. was a Baptist minister who advocated the furtherance of civil and human rights for all Americans through nonviolence; and

WHEREAS, this man of great spirit showed this country a dream of "an oasis of freedom and justice"; and

WHEREAS, Dr. King, a model of an American patriot, provided the nation with one of the most prophetic and influential voices in our history; and

WHEREAS, for his tireless work to ensure equality and justice, Dr. King was awarded the Nobel Peace Prize, a high and honorable distinction, in 1964; and

WHEREAS, his eloquence, his perseverance and his faith moved mountains and brought about landmark legal and social changes by appealing to the better instincts and consciences of his fellow human beings; and

WHEREAS, the life of Dr. Martin Luther King, Jr., which ended so tragically on April 4, 1968, is a shining example to Americans and citizens of the world at large of uncompromising dedication to the highest ideals; and

WHEREAS, the Honorable Gerald Talbot of Portland submitted legislation in 1975 to create a day commemorating Dr. Martin Luther King, Jr. prior to the federal legislation creating the holiday; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to acknowledge the extraordinary life and works of this teacher, reformer and humanitarian, Dr. Martin Luther King, Jr., and pause in our deliberations to recognize and commemorate the occasion of his birth.

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

The Joint Resolution was **READ**.

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

Senator **DUSON:** Thank you, Mr. President, Colleagues of the Senate. I rise to offer brief comments in reflection and celebration of the life and legacy of Rev. Dr. Martin Luther King, Jr., in

recognition of the recently observed MLK holiday. Over the years, I've come to observe this holiday as a day of reflection on my own effectiveness in service of my community. Am I being an effective leader? Am I supporting the leadership of others? Are there things that I'm not doing that I could be doing that I'm complaining about someone else not doing? In my first session as a member of this body, in my first year as the first black woman elected to the State Senate, I offered rather serious remarks to honor Martin Luther King, Jr., his life, and his legacy. This year I offer remarks in a more joyous vein. A joyous celebration of the birth of a great American hero. I offer for your consideration an abbreviated reading of lyrics from the song Happy Birthday, written and recorded by Stevie Wonder, to advocate for a national holiday recognizing the birth of Martin Luther King, Jr. I just never understood for a man -- how a man who died for good could not have a day that would be set aside for his recognition. Because it should never be just because some cannot see the dream as clear as he that they should make it become an illusion. And we all know everything that he stood for, time will bring. For in peace, our hearts will sing thanks to Martin Luther King. We know the key to unity of all people is in the dream that you had so long ago, lives in all the hearts of people that believe in unity. We'll make the dream become a reality, I know we will, because our hearts will tell us to. And now the words that many of you may be familiar with. Now, it doesn't make much sense there would be a law against anyone who takes offense at a day in your celebration because we all know in our minds that there ought to be a time that we can set aside to show just how much we love you. And I'm sure you would agree would could more perfectly be than to have a world party on the day you came to be. So, happy birthday to ya, happy birthday to ya, happy birthday, happy birthday to ya, happy birthday to ya, happy birthday. Thank you, Mr. President.

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

Senator **HICKMAN:** Thank you, Mr. President. It's hard to follow that, singing on the floor of the Senate. Mr. President, I would ask you to indulge me on the celebration of the good Rev. Martin Luther King, Jr.'s birth that we celebrate his life lived, and I would like to offer up in this observation, this celebration, this reflection, timeless words. They are at the end of one my favorite speeches of his that he delivered at the culmination of the Selma to Montgomery march on March 29th -- 25th, excuse me, of 1965, and this is what I would like to share with my colleagues here today. Today, I want to tell the city of Selma, today I want to say to the state of Alabama, today I want to say to the people of America and the nations of the world that we are not about to turn around. We are on the move now. Yes, we are on the move and no wave of racism can stop us. We are on the move now. The burning of our churches will not deter us. The bombing of our homes will not dissuade us. We are on the move now. The beating and killing of our clergymen and young people will not divert us. We are on the move now. Like an idea whose time has come, not even the marching of mighty armies can halt us. We are moving to the land of the freedom. Let us therefore continue our triumphant march to the realization of the American dream. Let us march on segregated schools until every vestige of segregation and inferior education becomes a thing of the past. Let us march on poverty until no American parent has to skip a meal so that their children may eat. Let us march on poverty until

no starved man walks the streets of our cities and towns in search of jobs that do not exist. Let us march on poverty until the wrinkled stomachs in Mississippi are filled and the idle industries of Appalachia are realized and revitalized and broken lives and sweltering ghettos are mended and remolded. Let us march on ballot boxes until race baiters disappear from the political arena. Let us march on ballot boxes until the salient misdeeds of bloodthirsty mobs will be transformed into the calculated deeds of orderly citizens. Let us march on ballot boxes until the George Wallaces of our nation tremble away in silence. Let us march on ballot boxes until we send to our city councils, state Legislatures, and the United States Congress men who will not fear to justly love mercy and walk humbly with thy God. Let us march on ballot boxes until brotherhood becomes more than a meaningless word in an opening prayer but the order of the day on every legislative agenda. The only normalcy that we will settle for is the normalcy that recognizes the dignity and worth of all God's children. The only normalcy that we will settle for is the normalcy that allows justice to run down like waters and righteousness like a mighty stream. The only normalcy that we will settle for is the normalcy of true peace, the normalcy of justice. And so, as we go away this afternoon, let us go away more than ever before committed to the struggle and committed to nonviolence. Our aim must never be to defeat or humiliate the white man, but to win his friendship and understanding. We must come to see that the end we seek is a society at peace with itself, a society that can live with its conscience. I know you are asking today how long will it take? Somebody's asking, how long will prejudice blind the visions of men, darken their understanding, and drive bright-eyed wisdom from her sacred throne? Somebody's asking, when will wounded justice lying prostrate on the streets of Selma and Birmingham and communities all over the south be lifted from the dust of shame to reign supreme among the children of men? Somebody's asking, when will the radiant star of hope be plunged against the nocturnal bosom of this lonely night, plucked from weary souls with chains of fear and the manacles of death? How long will justice be crucified and truth bear it? I come to say to you this afternoon, however difficult the moment, however frustrating the hour, it will not be long, because truth crushed to earth will rise again. How long? Not long, because no lie can live forever. How long? Not long, because you shall reap what you sow. How long? Not long, because the arc of the moral universe is long, but it bends towards justice. How long? Not long, because mine eyes have seen the glory of the coming of the Lord. He is trampling out the vintage where the grapes of wrath are stored. He has loosed the faithful lightning of his terrible swift sword. His truth is marching on. Glory, hallelujah! Glory, hallelujah! Glory, hallelujah! His truth is marching on. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**, in concurrence.

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

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

Senator **BENNETT:** Thank you, Mr. President. I want to commend the Attorney General of the State of Maine today. On Friday, the Attorney General, along with Assistant Attorney General Jonathan Bolton and Assistant Attorney General Paul Suttter, filed a brief in response to the litigation against what was in this body last year, LD 1610, and went to the people as question two on the ballot. As we know, LD 1610 was supported overwhelmingly in this body. As we know, question two was supported overwhelmingly by the public, receiving an historic and unprecedented 86% support. But sadly, foreign governments and those relying on the cash flows from them have sued the people of Maine. This includes a group of citizens sadly led by a sitting member of the other body, whose suit is being actually filed, as I understand it, by a foreign government. And so, the Attorney General had to file a motion - 74 pages of brilliant legal argument. I highly recommend it to you, and I want to express my personal thanks for the assiduity and the talent and the perspectives that the Attorney General has brought to this important issue in defense of the people of Maine. Thank you, Mr. President.

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**, until Thursday, January 18, 2024 at 10:00 in the morning.