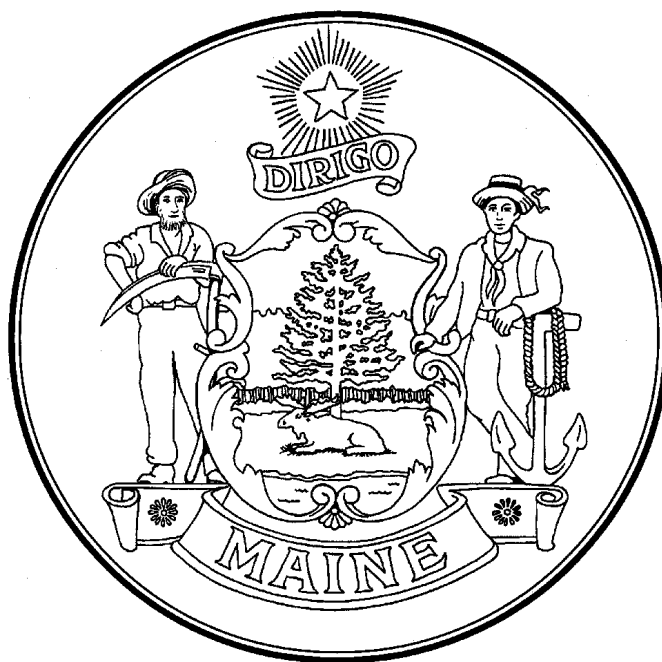


MAINE STATE LEGISLATURE

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

In Senate Chamber
Tuesday
January 23, 2024

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

Prayer by Reverend Jay Noll of Corliss Street Baptist Church in Bath.

REVEREND JAY NOLL: Good morning. Would you bow with me as I offer this prayer? God in Heaven, you are the creator and the sustainer of all things. Your presence knows no limits, and you are here right now in this place. Thank you for the precious gift of freedom that you've given to us. Many have sacrificed so we could be here today. Many around the world would sacrifice greatly to take part in what will take place in this room today. Thank you personally for the gift of being here. God, we could've been born in any place or time in history, but you've chosen to put us here, right now. God, it is an honor to pray for these men and women. Each one of them is precious to you and you have a plan and a purpose for them, the highest being to know you. God, we face challenging times, a variety of threats from within and without, and yet it's a time filled with opportunities to do good. Your light shines brightest in the darkest places. God, we desperately need you. You hold all power and are in complete control. Your eyes see everything and though we don't understand, you are still there. You are faithful, just, and good. Your perfect love, mercy, and grace are the hope of all nations. Without you, we can do nothing. Forgive us for the ways that we've turned from you as individuals and as a state. May we have clean hands and pure hearts to serve you in the way that you call us. God, downstairs I saw a plaque about the history of this building and on the plaque, it said unless the Lord builds the house, they labor in vain who build it. God, would you build the work here? I pray for each person on a personal level. Would you reveal yourself to them in the quietness of their heart? Would you fulfill your plan and purpose in and through them? Protect them from temptation and guide them during intense pressures. Watch over their families, provide and protect them, and in their work, equip them as they draft, debate, and vote legislation. May your spirit guide them into your purposes. Give them wisdom, knowledge, discernment, and understanding in the challenges that lie before them. Give them Godly conviction, courage, and strength to do right before your eyes for the good of the citizens. May they seek your ways and kingdom above all else. In closing, I echo the words of Heaven, saying holy, holy, holy are you Lord, God, Almighty, who was and is and is to come. To you belong all power and glory forever. It is in your precious name I pray these things. Amen.

Pledge of Allegiance led by Senator Russell J. Black of Franklin County.

Reading of the Journal of Thursday, January 18, 2024.

Medical Provider of the Day, Kevin Fickenschier, MD of Kittery.

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:
H.P. 1390

**JOINT RESOLUTION
AFFIRMING THE LEGISLATURE'S ONGOING COMMITMENT
TO THE GOALS OF THE PARIS CLIMATE AGREEMENT
AND SUPPORT OF THE FOSSIL FUEL NON-PROLIFERATION
TREATY**

WHEREAS, the scientific consensus is clear that human activities are primarily responsible for accelerating global climate change and that the climate crisis now represents one of the preeminent threats to global civilization; and

WHEREAS, the Intergovernmental Panel on Climate Change, or IPCC, reported in 2018 that we must achieve net zero greenhouse gas emissions, or GHGs, by the middle of this century in order to have a reasonable chance of limiting global warming to 1.5 degrees Celsius; and

WHEREAS, the IPCC released its Sixth Assessment Report from Working Group II, which was approved by 195 member states, in February 2022, which notes that there is high confidence that "the rise in weather and climate extremes has led to some irreversible impacts as natural and human systems are pushed beyond their ability to adapt"; and

WHEREAS, the United Nations Secretary-General António Guterres has called the Working Group II report "an atlas of human suffering... according to current commitment, global emissions are set to increase almost 14 percent... It will destroy any chance of keeping 1.5 alive... coal and other fossil fuels are choking humanity"; and

WHEREAS, changes to the State's climate are already being felt, including such impacts as rising seas, an increased number of high heat days, increasingly frequent high intensity rain events and dramatic ocean heat waves in the Gulf of Maine that threaten natural ecosystems and the maritime economy; and

WHEREAS, the entire State is affected by the health and safety risks of fossil fuel expansion, particularly those who also

face socioeconomic and health inequities, including low-income families; those experiencing homelessness; Black persons, indigenous persons and people of color; youth; seniors; those experiencing mental and physical disabilities; and people with health conditions; and

WHEREAS, our youth and future generations have the most to lose from a lack of immediate action to stop fossil fuel expansion as they face major and lifelong health, ecological, social and economic impacts from prolonged and cumulative effects of climate change, including food and water shortages, infectious diseases and natural disasters; and

WHEREAS, the Paris Climate Agreement remains silent on coal, oil and gas, an omission with respect to the supply and production of fossil fuels, which are the largest source of GHGs, that needs to be collectively addressed by other means; and

WHEREAS, global governments and the fossil fuel industry are currently planning to produce more than double the amount of coal, oil and gas by 2030 than can be burned if the world is to limit warming to 1.5 degrees Celsius and avert catastrophic climate disruption, and such plans risk undoing the work of the State to reduce GHGs; and

WHEREAS, the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels exposes communities to untenable risks to public health and safety at the local and global levels; and

WHEREAS, the economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel extraction and use; and

WHEREAS, the State is committed, as part of our climate emergency response, to a just energy transition and to ambitious investments in the green infrastructure and industries that will create jobs and rapidly decarbonize our economy; and

WHEREAS, the Legislature recognizes that it is the urgent responsibility and moral obligation of fossil fuel producers to lead in putting an end to fossil fuel development and to manage the reduction of existing production; and

WHEREAS, a new global initiative calling for a fossil fuel non-proliferation treaty would end new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5 degrees Celsius and accelerate equitable transition plans; 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, express our support for a fossil fuel non-proliferation treaty, urge the United States Government to support a fossil fuel non-proliferation treaty and express our support for the goals of the Paris Climate Agreement and the GHGs reduction targets as called for by the IPCC.

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

The Joint Resolution was **READ**.

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

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

Senator **BRENNER:** Thank you, Mr. President. Mr. President and Colleagues of the Senate, I stand before you today to express my support for the Joint Resolution affirming the Legislature's ongoing commitment to the goals of the Paris Climate Accord and support of the Fossil Fuel Non-Proliferation Treaty. This resolution holds a profound significance not only for our generation, but also for the wellbeing of our planet for generations to come. We find ourselves in a pivotal moment in history, where the choices we make today will determine the future of our environment and the quality of life for all living beings. The Fossil Fuel Non-Proliferation Agreement represents a groundbreaking initiative aimed at addressing the urgent need to reduce our dependence on fossil fuels. Fossil fuels have undeniably powered our progress and our economic growth, but the environmental costs have been staggering. Climate change, the degradation of ecosystems, and extreme weather events like the last three historic storms that resulted in devastating flooding events in Maine are all consequences of our reliance on these finite resources. The Fossil Fuel Non-Proliferation Agreement recognizes the severity of this challenge and seeks to forge a path forward towards a sustainable and cleaner energy future. By committing to this agreement, nations around the world signal their dedication to phasing out the use of fossil fuels and transitioning to renewable and cleaner energy sources. This helps us increase Maine's energy independence and security. This is not just a matter of environmental stewardship, it is a matter of safeguarding the health and prosperity of our local, regional, state, and global communities. One of the key aspects of this agreement is the establishment of a framework for cooperation and support for countries that need assistance in making this transition. We understand that not all communities are equally equipped to shift away from fossil fuels and the agreement acknowledges the importance of a just and inclusive transition that leaves no one behind. Moreover, the Fossil Fuel Non-Proliferation Agreement fosters innovation and investment in renewable energy technologies. It provides an opportunity for the nations to collaborate on research and development, creating a collective effort to accelerate the transition to a sustainable energy future. In conclusion, the Fossil Fuel Non-Proliferation Agreement is not just a document. It is a commitment to the health of our planet, the wellbeing of its inhabitants. By endorsing this agreement, we embrace the responsibilities to protect our environment, mitigate the impacts of climate change, and build a future powered by clean and renewable energy sources. Let us stand united in the face of this global challenge. Together, we can create a world where future generations inherit a planet that thrives, rather than one that is burdened by the consequences of our inaction. Thank you.

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

Senator **BRAKEY**: Thank you, Mr. President. I'll speak very briefly. I just think it's worth noting as we move to vote on this resolution that, briefly, during the last presidential administration, the United States of America did pull out of the Paris Climate Accords. And you would think if the Paris Climate Accords were so significant in the path to reducing greenhouse gas emissions that America would've seen a huge spike in greenhouse gas emissions after we pulled out of the Paris Climate Accords. In fact, the opposite happened; we saw one of the most dramatic drops in greenhouse gas emissions in the years immediately following pulling out of the Paris Climate Accords, and it's -- and the reason is pretty simple. The reason that greenhouse gas emissions dropped was not because of some central plan originating from the United Nations being pushed in a top-down manner on the people of the world, it was because of the proliferation of natural gas here in America and the expansion of the development of natural gas as a bridge fuel, replacing dirtier energy sources like coal and oil. So, I am concerned that if we embrace central planning from international bodies as a path to trying to tackle these problems, what we are accomplishing is not necessarily a reduction in -- or a better environment or a better climate for the future, but we are treading a path that leads to a reduction in human flourishing. And so, for that reason, Mr. President, I will be opposing the motion before us. Thank you.

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

Senator **LIBBY**: Thank you, Mr. President, Men and Women of the Senate. I first want to thank all of the colleagues in this Chamber for bringing this matter in front of us. I think it's an important matter, we all care about a clean environment. Climate change is important to battle. But there are some elements of this resolution that are - I believe, personally - are irresponsible, and I'd like to read one of them to you. So, for example, whereas the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels exposes communities to untenable risks to public safety and at the local and global levels - I'll leave it right there. I have a concern about this because I see that there's a bill that will be in front of us that regards the expansion of natural gas, for example. So, what that bill does is it says okay, well, we're not going to expand natural gas facilities any further. Well, so, you know, for example, my employer and others, large businesses that have hooked into natural gas and been encouraged to do so because we're doing something about climate change and they have been able to take advantage of price differentials between fuels as well, and that has helped businesses in Maine and has fostered some climate goals to be -- to be successful. But this passage is the opposite. What it's saying is okay, well, one business, you're okay, you can keep your natural gas, but if you're a competitor coming in and you want to compete against that business, you can't tap into natural gas. That is why I view this statement as irresponsible -- and I would love to be -- I'm the first one that wants to support any clean air initiative, clean water initiative, I want to help. But when legislators, frankly, come in and they take a big bite of the apple for good reasons and they force me to vote for something like this when I know the practical implications of it, it makes it extremely difficult for us to be able to work on these issues together. This requires compromise, this takes time, effort, we need to evaluate the impact of these statements. We can't just pass them without evaluating the impact of them. So, I would honestly appreciate --

I appreciate the thought behind the sentiment and -- but I would appreciate if you would join me in voting no and maybe we can come up with something that will truly help Maine without crippling competition, changing prices and market structures, and a myriad of other things that this actually would do. Thank you very much, Mr. President.

THE PRESIDENT: The pending question before the Senate is Adoption. A roll call has been ordered. Is the Senate ready for the question?

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#503)

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

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

EXCUSED: Senators: FARRIN, POULIOT

23 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 2 Senators being excused, the Joint Resolution was **ADOPTED**, in concurrence.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 810

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Appointment of The Honorable Patrick Ende, Esquire of
Hallowell to the Maine Unemployment Insurance Commission

Dear President Jackson:

I am pleased to nominate The Honorable Patrick Ende, Esquire of
Hallowell to the Maine Unemployment Insurance Commission as
the neutral chair.

Pursuant to Title 26, MRSA §1081, this appointment is contingent
on confirmation by the Maine Senate after review by the Joint
Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 811

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Reappointment of Lynne P. Gaudette to the Workers'
Compensation Board

Dear President Jackson:

I am pleased to nominate Lynne P. Gaudette of Biddeford for
reappointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this reappointment is
contingent on confirmation by the Maine State Senate after
review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 812

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Reappointment of Serina DeWolfe to the Workers'
Compensation Board

Dear President Jackson:

I am pleased to nominate Serina DeWolfe of Gray for
reappointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this reappointment is
contingent on confirmation by the Maine State Senate after
review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 813

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Appointment of Paul H. Gendreau to the Workers'
Compensation Board

Dear President Jackson:

I am pleased to nominate Paul H. Gendreau of Waterville for
appointment to the Workers' Compensation Board.

Pursuant to Title 39-A, MRSA § 151, this appointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 814

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Reappointment of Frank O'Hara of Hallowell to the Maine State Housing Authority
Dear President Jackson:

I am pleased to nominate Frank O'Hara of Hallowell for reappointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this reappointment is contingent on the confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 815

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Reappointment of Elizabeth Dietz of Veazie to the Maine State Housing Authority

Dear President Jackson:

I am pleased to nominate Elizabeth Dietz of Veazie for reappointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 816

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 19, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Appointment of Tinan Melissa Hue of Portland to the Maine State Housing Authority

Dear President Jackson:

I am pleased to nominate Tinan Melissa Hue of Portland for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 817

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

January 12, 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 Spkr. Talbot Ross of Portland, to report the following bill Leave to Withdraw:

L.D. 625 An Act to Set Aside Funds from Federal Block Grants for Certain Communities

Sincerely,

S/Sen. Joseph Baldacci
Senate Chair

S/Rep. Michele Meyer
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 802

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

January 16, 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 Sen. Reny of Lincoln, to report the following bill Leave to Withdraw:

L.D. 2029 An Act Regarding License Suspensions Carried out by the Commissioner of Marine Resources

Sincerely,

S/Sen. Cameron Reny
Senate Chair

S/Rep. Allison Hepler
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 809

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

January 16, 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 Sen. Bailey of York, to report the following bill Leave to Withdraw:

L.D. 1145 An Act to Create the Southern Maine Coastal Waters Commission

Sincerely,

S/Sen. Cameron Reny
Senate Chair

S/Rep. Allison Hepler
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 803

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

January 12, 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:

**ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

January 17, 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 Appropriations and Financial Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1733 An Act to Require the Revenue Forecasting
Committee to Prepare Economic Impact
Statements for Certain Legislation

This is notification of the Committee's action.

Sincerely,

S/Sen. Margaret R. Rotundo S/Rep. Melanie Sachs
Senate Chair House Chair

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

The Following Communication: S.C. 804

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

January 16, 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 Housing has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 887 An Act to Amend the Regulation of Mobile
Home Parks

This is notification of the Committee's action.

Sincerely,

S/Sen. Teresa S. Pierce S/Rep. Traci Gere
Senate Chair House Chair

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

L.D. 1916 An Act to Classify Meat and Poultry Products
Inspections as Essential Services

This is notification of the Committee's action.

Sincerely,

S/Sen. Henry Ingwersen S/Rep. Bill Pluecker
Senate Chair House Chair

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

The Following Communication: S.C. 807

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

January 17, 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 Appropriations and Financial Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1920 An Act to Authorize a Supplemental Benefit
Relief Payment

This is notification of the Committee's action.

Sincerely,

S/Sen. Margaret R. Rotundo S/Rep. Melanie Sachs
Senate Chair House Chair

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

The Following Communication: S.C. 808

STATE OF MAINE

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

The Following Communication: S.C. 805

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

January 16, 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 Housing has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1940 An Act to Promote Consistent Policies within
Growth Management Programs in Order to
Increase Food Security and Economic
Resiliency in Local Communities

This is notification of the Committee's action.
Sincerely,

S/Sen. Teresa S. Pierce S/Rep. Traci Gere
Senate Chair House Chair

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

The Following Communication: S.C. 806

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

January 17, 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 Marine Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 2003 An Act to Protect Access to Maine's Intertidal
Zone

This is notification of the Committee's action.

Sincerely,

S/Sen. Cameron deGrasse Reny S/Rep. Allison Hepler
Senate Chair House Chair

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

The Following Communication: S.C. 801

**TASK FORCE TO STUDY THE CREATION
OF A COMPREHENSIVE CAREER AND
TECHNICAL EDUCATION SYSTEM**

January 19, 2024

The Honorable Troy Jackson, President
Maine State Senate

The Honorable Rachel Talbot Ross, Speaker
Maine House of Representatives
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to Resolve 2023, c. 92, the Task Force to Study the Creation of a Comprehensive Career and Technical Education System is pleased to submit its final report. Copies of the full report have been distributed to committees or individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Policy and Legal Analysis at <http://legislature.maine.gov/opla>.

Sincerely,

S/Senator Joe Rafferty
Chair

S/Representative Kelly Murphy
Chair

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

The Following Communication: S.C. 798

**BUREAU OF FINANCIAL INSTITUTIONS
AUGUSTA, MAINE**

January 15, 2024

Hon. Troy D. Jackson, President of the Senate
Hon. Rachel Talbot Ross, Speaker of the House
131st Maine Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

In accordance with Title 9-B M.R.S. § 217, as amended, enclosed please find a copy of the Annual Report from the Superintendent of the Bureau of Financial Institutions to the Legislature.

In the event that you may have any questions regarding the information contained in this Report, the Bureau would be pleased to respond. This Report will also be available in electronic format at www.maine.gov/pfr/financialinstitutions.

Very truly yours,

S/Lloyd P. LaFountain III
Superintendent

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

SENATE PAPERS

Bill "An Act to Protect Consumers from Predatory Medical Credit Card Providers"
S.P. 925 L.D. 2174

Presented by President JACKSON of Aroostook.
Cosponsored by Speaker TALBOT ROSS of Portland and Senators: BAILEY of York, CURRY of Waldo, HICKMAN of Kennebec, NANGLE of Cumberland, RENY of Lincoln, TIPPING of Penobscot, Representatives: ARFORD of Brunswick, PERRY of Calais.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Bill "An Act to Improve Access to Affordable Prescription Drugs in Underserved Areas" (EMERGENCY)
S.P. 926 L.D. 2175

Presented by President JACKSON of Aroostook.
Cosponsored by Speaker TALBOT ROSS of Portland and Senators: BAILEY of York, CURRY of Waldo, HICKMAN of Kennebec, NANGLE of Cumberland, RENY of Lincoln, TIPPING of Penobscot, Representatives: ARFORD of Brunswick, PERRY of Calais.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Resolve, to Rename the Interstate 295 Interchange in the Town of Freeport the Matthew MacMillan Bridge
S.P. 924 L.D. 2173

Presented by Senator DAUGHTRY of Cumberland.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Resolve, to Correct the Designation of a Bridge in Canaan to Be Named After Staff Sergeant Richard Gerald Salsbury (EMERGENCY)
S.P. 928 L.D. 2183

Presented by Senator FARRIN of Somerset.
Cosponsored by Representative CRAY of Palmyra.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **CHIPMAN** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

Pursuant to Statutes Workers' Compensation Board

Senator TIPPING for the **Workers' Compensation Board**, pursuant to the Maine Revised Statutes, Title 39-A, section 152, subsection 11 asked leave to report that the accompanying Bill "An Act to Ensure the Workers' Compensation Board's Allocations Are Properly Funded"
S.P. 927 L.D. 2176

Be **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218.

Sent down for concurrence.

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

ORDERS

Joint Resolution

On motion by Senator **BAILEY** of York (Cosponsored by Representative **PERRY** of Calais and Senator: **BRENNER** of Cumberland, Representatives: **GEIGER** of Rockland, **GRAHAM** of North Yarmouth, **PRINGLE** of Windham, **ZAGER** of Portland), the following Joint Resolution:
S.P. 929

**JOINT RESOLUTION
RECOGNIZING JANUARY 2024 AS CERVICAL CANCER
AWARENESS MONTH**

WHEREAS, cervical cancer is the 4th most common cancer in women globally, with an estimated 604,000 new cases and 342,000 deaths in 2020; and

WHEREAS, most cervical cancer is caused by persistent infection with the human papillomavirus, or HPV; and

WHEREAS, the highest rates of cervical cancer incidence and mortality are in low-income and middle-income countries, which reflects major inequities driven by lack of access to the voluntary national HPV vaccination, cervical screening and treatment services and by social and economic determinants; and

WHEREAS, women living with human immunodeficiency virus, or HIV, are 6 times more likely to develop cervical cancer than women without HIV; and

WHEREAS, being voluntarily vaccinated at 9 to 14 years of age is a very effective way to prevent HPV infection, cervical cancer and other HPV-related cancers; and

WHEREAS, screening from 30 years of age, or from 25 years of age for women living with HIV, can detect cervical disease, the treatment of which prevents cervical cancer; and

WHEREAS, for women of any age with symptoms or concerns, early detection followed by prompt high-quality treatment can cure cervical cancer; and

WHEREAS, countries around the world are working to accelerate the elimination of cervical cancer in the coming decades, with an agreed set of 3 targets to be met by 2030: voluntary vaccination of 90% of girls by 15 years of age with the HPV vaccine; screening of 70% of women by 35 years of age and by 45 years of age with a high-quality test; and treatment of 90% of women with cervical disease; 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 designate January 2024 as Cervical Cancer Awareness Month in order to express our support for public awareness and access to information and services.

The Joint Resolution was **READ**.

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

Senator **BRENNER:** Thank you, Mr. President. I just couldn't help myself but stand up to acknowledge cervical awareness day -- cervical awareness month with all of you and offer a public service announcement. Just a little quick anatomy about the cervix. So, the cervix is the neck of the uterus, it's what dilates for the passage of babies when they're born, and the best prevention for cervical cancer is to receive an HPV vaccine as a teenager. Folks should receive their first pap smear for -- and test for HPV at the age of 21, and then every three years after that if the test is normal. And then from the ages of 30 to 65, you can decrease the frequency of testing to every five years as long as you have a series of normal tests, until the age of 65, when you can stop testing as long as you've had a series of normal tests for the previous ten years. What I think is important to acknowledge as we raise awareness for cervical cancer is that the reason we've been able to successfully decrease the frequency of testing for cervical cancer is because we have made investments in reproductive health research for women and women's health research in general. When I first started practicing as a nurse midwife, people needed to come in annually for a pap smear, and by investing in that research, we've been able to decrease the experience for women annually, we've been able to decrease the cost, and we've been able to save more lives. So, just want to leave you with that public cervix announcement - I couldn't help myself - and I hope that you'll encourage all of the women in your lives to receive the treatment and the care that they are due. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. Just very briefly, I'm happy to support this resolution. There's just one item I wanted to note that I really appreciated the specificity in here. There's a piece talking about something that has been somewhat controversial for some families - a vaccination for the HPV vaccine for children nine to 14. I just want to say I really appreciate that this resolution specifies it being voluntary. So, I would be happy to vote in favor of this. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

Joint Resolution in Memoriam:

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

Florence Manchester Smith, of Jonesport. Mrs. Smith was a veteran of World War II, who served in the United States Coast Guard. She went on to work at three local sardine factories: Underwood, Jonesport Packing and Stinsons. She worked three years as a cook and certified nursing assistant at Resthaven Nursing Home. For over 17 years, she was a housemother at Central Maine Vocational Technical Institute in Auburn. She joined the Community of Christ Church as a teenager and was a devoted member of the Jonesport congregation for over 85 years.

In the church, she served as the Skylarks and Orioles leader for many years, sang in the choir, taught Sunday School and was a member of the women's department. She was a Life Member of Rumery Chapter 46 Eastern Star. She was a Charter Member of the Women's Memorial in Arlington, Virginia. She participated in an Honor Flight Maine trip and was selected by the Gary Sinise Foundation Soaring Valor program to travel to the World War II Museum in Louisiana, where she was interviewed to be included in the museum's Storyfile project. She was a member of the Daughters of the American Revolution and a recipient of the Boston Post Cane for the Town of Jonesport. Mrs. Smith will be long remembered and sadly missed by her family and friends and all those whose lives she touched;
SLS 1349

Sponsored by Senator MOORE of Washington.
Cosponsored by Representative: STROUT of Harrington.

The Joint Resolution was **READ**.

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

Senator **MOORE:** Thank you, Mr. President. I rise today to speak of the passing of Florence Manchester Smith, a remarkable woman from Jonesport. At the young age of 101, Florence was many things to many people: A loving wife, beloved mother, amazing Mimi/Grammie, devoted and faithful servant, friend, pioneer, and a Facebook sensation. She was the ninth of 11 children. Her family did not have much growing up, but they felt like they had it all. In 1940, she graduated from Jonesport High School, becoming the first member of her family to do so. She recalled that as a young adult visiting her brother at the U.S. Coast Guard base in Boston, she saw the women of the SPARS walking by in uniform. She told herself I think I can do that, and joined up. And it wasn't until later in her life she realized what a trailblazer she was as a female World War II veteran. Shortly after joining the Coast Guard, she married the love of her life Philmore Smith. The two had three children and eight grandchildren, who miss her dearly. Throughout her lifetime, as the sentiment mentioned, Florence held many jobs. Her family's family had a long history of working in the local sardine factories, and she worked at the three mentioned in the sentiment. Florence's scissors from those days are at the sardine museum in Jonesport. She worked as a cook and a CNA. Her favorite job was at the Central Maine Vocational Training Institute in Auburn, where she worked for 17 and a half years as a house mother. She said she left a piece of her heart on that campus after she retired in 1985. Retirement brought her back to Jonesport and her family. Each morning, she completed the crossword puzzle from the newspaper, read five devotionals, and enjoyed eating toast with peanut butter along with dried fish - her favorite meal. The attributes these activities -- she attributes these activities to her longevity. The last decade of Florence's life was filled with technology. She joined Facebook after the passing of her husband, and it filled her life. She started a weekly post that would be published each Saturday on what they called bean night. She spent the week outlining the happenings and it became a much-anticipated event - myself as a follower, I always enjoyed reading them - and in her last year, she spent lots of time on her iPad and Kindle, sometimes accidentally purchasing scandalous books. When she turned 100, she attained a movie

star status. She was selected by the Honor Flight Maine trip to Washington DC, where she visited all the monuments and was treated like royalty along the way. She was interviewed for a Veterans Day special that aired on Fox News, which was a beautiful tribute. And as mentioned, she was selected by the Gary Sinise Foundation's Soaring Valor program to travel to the World War II Museum in Louisiana. She was the only female on the trip. The trip resulted in an interview by a historian from the museum, and taking part in a Storyfile project that the museum would be opening as a future exhibit, and she traveled to Hollywood, California as part of this project at the ripe age of 100 with her granddaughter. She had so much fun. This amazing woman will not be forgotten anytime soon. The void left by Florence's departure is immeasurable for so many, and she will forever be etched in the hearts of her family and friends. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator INGWERSEN for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Provide Indigenous Peoples Free Access to State Parks"
S.P. 17 L.D. 25

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-513)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-513) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator INGWERSEN for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing the Director of the Bureau of Parks and Lands to Convey a Parcel of Land in the Town of Woodstock
S.P. 861 L.D. 2033

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-512)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-512) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

Bill "An Act to Clarify the Laws Governing Disclosure of Wood Processing Data"

H.P. 1325 L.D. 2063

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in concurrence.

Senate at Ease.

The Senate was called to order by the President.

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 (1/18/24) matter:

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Support Municipal Franchise Agreements"
H.P. 1264 L.D. 1967

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-728)** (7 members)

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

Tabled - January 18, 2024, by Senator **DAUGHTRY** of Cumberland

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

(In House, January 9, 2024, 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-728)**.)

(In Senate, January 18, 2024, Reports **READ**.)

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

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

Senator **BENNETT:** Thank you, Mr. President, Fellow Members of the Senate. I rise today in support of the Majority Report on this bill. The mischaracterizations and misinformation, misrepresentations on this matter candidly are stunning. Worse, they are harmful to the people of this state. Unhappily, once again, we have as the front organization for this misinformation the Maine State Chamber of Commerce. A few days ago, the State Chamber put forward polling results, a poll that I understand was paid for by Comcast, showing that lo and behold 69% of Mainers don't want a tax on streaming services. Well, I'm happy to agree with the people of Maine on that one. Maybe the State Chamber of Commerce, if they're interested in public opinion, should've supported rather than opposed question two on the November ballot which won with 86% support among Mainers, considerably above the 69% support this poll claims. But I digress. I'd hoped that the State Chamber would've learned something after they had to disassociate themselves from the cable monopolists for political dirty tricks less than two years ago. The State Chamber was a member of a phony dark money group called the Alliance for Quality Broadband. This organization, a fictitious front group funded by the cable monopolists, spent a vast amount of money deceiving the people of Readfield and the people of Southport in the townspeople's efforts to take control of their own broadband infrastructure. According to Maine Public, the State Chamber's president at the time said, quote, I wasn't aware of the flyer or the effort or the content. I do understand the concern that people would have, he added. Continuing the quote, I hope they know that what the Alliance did the State Chamber was not a part of either financially or in any way with the message and in fact learned of it when I read about it in the media, end-quote. This all raised the question, were they really concerned about the content of the communications or were they concerned about being caught? You may recall that this new level of dirty campaigning at the town level led this Legislature to enact LD 1336 that extends campaign disclosure law to municipalities with less than 15,000 population. Last April, that measure passed this Chamber 29 to 4. Well, the State Chamber cannot disassociate itself so easily from the pack of misinformation surrounding the bill before us. Let me review with you five actual facts. Fact one; there are no new fees and taxes in this bill. LD 1967 actually helps to lower taxes. Many towns utilize the money from their negotiated franchise agreements to reduce property taxes, pay for public safety services, support their local community television, or help fund other priorities. Voting against this bill may actually result in higher taxes in some communities. Fact two; LD 1967 supports our efforts to increase broadband to every corner of the state by 2024. As the Maine Broadband Coalition noted, and I quote, it clarifies the obligations of cable providers in current law to provide internet service to Mainers in the towns where they've negotiated to provide service. Any time a cable provider falls short of this obligation, it increases the burden on our limited federal funding to subsidize internet infrastructure to those homes and businesses. If they don't do their part, we'll end

up picking up the bill, says the Maine Broadband Coalition. Fact three; LD 1967 has significant consumer protections such as explicit terms which prohibit a cable company from shifting the cost of their own video equipment upgrades, which is the cost of doing business on a cable subscriber. It also establishes stronger enforcement of franchise and state law compliance. This makes sure subscribers do not end up bearing those costs. Fact four; LD 1967 establishes a dispute resolution process through the Public Utilities Commission. Currently, there is no way to hold cable companies accountable if they do not follow through with the terms of their contract. This bill will protect Maine towns from having to engage in costly litigation with cable companies just to get them to follow the terms of their own signed franchise agreements. And finally, fact five; there is no fiscal note on LD 1967 for these added consumer benefits because there is no cost to Maine people even for the dispute resolution process. The PUC testified it could do so within available resources, it strengthens penalties for noncompliance through the Attorney General's Office, who fully supports this bill. Fellow Senators, over the past few years, I've heard complaints from several of my towns who had a contract with their local cable monopolists that had expired years before. Repeated efforts over months and years to reach out to the cable company to renegotiate were ignored, un-responded to. So, now we get to the heart of the cable monopolists effort to derail this bill regardless of the cost to their balance sheets or their credibility. It is this sentence in the bill, state policy, and I'm quoting from the bill, it is the policy of the state with respect to cable television systems, and then we go to letter E, new language, consistent with the applicable requirements of the section to prohibit a video service provider from offering or providing its services within a municipality unless it has entered into a franchise agreement or contract with a municipality pursuant to this section, end-quote. This is the heart of what this bill does. When this bill is enacted and becomes law, the cable monopolists will have to actually contract with the towns that we represent to provide services. They'll no longer be able to charge the people we represent whatever they wish when they are out of contract. And that is why we, as politicians and as senators, have a stark choice before us today. We could act as politicians, give credence to the lies, repeat the myth of fee increases and tax increases that the cable monopolists and the State Chamber are spreading, and vote against this bill. Or we can act as senators and return power to the voices and money to the pockets of those we represent and vote yes for the pending motion. Thank you, Mr. President.

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

Senator **STEWART:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I really do dislike fighting with my friends, but I do have to address a few points that my Good Colleague made a moment ago, and to set the record straight, too. Anybody that votes either which way on this bill shouldn't be doing so because of the State Chamber or because of some corporation, they should be doing so because it's in the best interests of the people that they, in fact, represent, which is where I differ from my colleague here. If we're actually going to be moving money, returning money, sending money, to any sort of municipality - of which, by the way, there is absolutely no requirement that they use those funds to then lower property tax, a goal which I admire but one that is a fantasy. Where is that

money coming from, Mr. President? If there's no new fees, no new taxes, where's the money coming from? Is it just going to arrive out of thin air from some far-off corporation? The reality is that federal law does, in fact, allow them to pass through these costs onto consumers, the net effect of which being one of two things - costly litigation that our state will then have to engage in, of which if anybody feels the desire to give me a constitutional analysis about the supremacy clause here on the floor, feel free, I'd love to get any sort of opinion from the Attorney General that that in fact won't be the case, I have not yet seen that, feel free to educate me. Second, though, the net effect is higher costs for our consumers. Particularly ones that aren't even benefited in these communities. What the effect of this law will be is to allow these funds to be scraped away from areas that don't even have this infrastructure in their own communities, that aren't even applicable, but because of a streaming service, which we're changing the definition of in this bill, they now owe to those places that do. That isn't good policy, Mr. President, that's a reconfiguration here to justify some means at the end -- and look, for the small amount of people that do still access public channels, there should be a way. I'm all for transparency in government, particularly local government. There should be a way that people can continue to access that service. It shouldn't be on the backs of people that stream different services like Peacock that are now going to have to pay more to subsidize something that they don't actually use, if we think that's a priority. If we think that's a priority, then let's prioritize it in state government and let's help these local governments figure out a way forward. And maybe it cost money - great. But let's not hide behind these other folks that are then going to be sending a higher bill to their consumers. And when they ask why, well, they can point to this bill and anybody that's going to support it. I understand the competing interests here, I really do. I think there's a better path forward here. If that's truly what the endgame is - to increase transparency at the local government level - great, let's do that, I'm on board, bring me that bill. We'll go do that. And you'll get broad support for it, I'm sure. This isn't it. And I understand that there's a lot of consternation around outside campaigns and we went down a rabbit hole there that's not really at all germane to this legislation, Mr. President, but I understand that you know, and I do have to say that there's a new director at the Chamber. I'm looking forward to seeing the good work that he's going to do and what that organization will do under his leadership. It's time to turn the page, so we should come up with new ideas rather than this one, which has already failed in immediate past legislatures. Let's move forward with a new approach here. Please follow my light and reject this measure. Thank you, Mr. President.

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

Senator **LAWRENCE:** Thank you, Mr. President, Men and Women of the Senate. I want to thank my Good Colleague from Oxford, Senator Bennett, for making an eloquent statement about what this bill is and what it isn't. And let me explain. This bill is not about streaming services. This bill is about your town losing revenue. We're not getting them any new revenue, we're not allowing them to raise any new revenue, it's preventing them from having the companies they contract with do tax avoidance. That's what this bill is about. It's closing a loophole by changing the definition of what TV programming is. So, I talked -- I happened

to be at a town meeting this week and I talked with one of my town managers, South Berwick, and he said -- and I asked him if he had a franchise agreement, and he said yes. Does it generate revenue for the town? Yes. Can you give me the figures on what's happening? They have seen a 20% drop in their fees in the last four years because what the cable industry is doing is shifting people from cable to Wi-Fi for programming. That's what they're doing. It's tax avoidance. So, it doesn't allow the towns to raise any new fees, it allows them to apply the fees to the other service that the cable companies or whoever are shifting over to to avoid the franchise agreements. That's all it does. And the irony of this is sometimes those services are coming through the same cable, it's just a different wire within that cable. So, this is to update the definition in state law for the changes in technology and prevent towns from losing revenue. It will not cost the consumers anything more because consumers were paying for that previously. But the cable companies are trying to do tax avoidance by getting around sending thing through, quote-unquote, cable through Wi-Fi services, sending TV programming. If you're getting cable and you're getting streaming services through that, the cable company is paying that fee. If you're getting your programming through the internet and your town has a franchise fee agreement, then that amount the town is getting drops when you shift over to getting your streaming services through your Wi-Fi because of a technical definition in state statute, and that's what this closes, that tax avoidance loophole. Thank you.

THE PRESIDENT: The pending question for 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 Cumberland, Senator **DAUGHTRY** and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#504)

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

NAYS: Senators: BALDACCI, BLACK, BRAKEY, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, POULIOT, STEWART, TIMBERLAKE, PRESIDENT JACKSON

EXCUSED: Senators: DAUGHTRY, FARRIN

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the

motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-728) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

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:

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Enhance Electric Utility Performance-based Ratemaking" (EMERGENCY)
H.P. 1391 L.D. 2172

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** 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 Maine Milk Commission

The **Maine Milk Commission**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission (EMERGENCY)

H.P. 1402 L.D. 2188

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Agriculture, Conservation and Forestry**

The **Department of Agriculture, Conservation and Forestry**, 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 41: Special Restrictions on Pesticide Use, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)
H.P. 1403 L.D. 2189

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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 **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education and the Maine Municipal Bond Bank**

The **Department of Education and the Maine Municipal Bond Bank**, 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 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education and the Maine Municipal Bond Bank (EMERGENCY)
H.P. 1394 L.D. 2179

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, 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 101: Maine Unified Special Education Regulation Birth to Age Twenty-Two, a Major Substantive Rule of the Department of Education (EMERGENCY)
H.P. 1395 L.D. 2180

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, 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 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education, State Board of Education (EMERGENCY)
H.P. 1396 L.D. 2181

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, 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 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education (EMERGENCY)
H.P. 1397 L.D. 2182

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Health and Human Services**

The **Department of Health and Human Services**, 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 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 1392 L.D. 2177

Be **REFERRED** to the Committee on **HEALTH AND HUMAN 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 AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

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

**Pursuant to Statute
Department of Labor, Bureau of Labor Standards**

The **Department of Labor, Bureau of Labor Standards**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards (EMERGENCY)
H.P. 1398 L.D. 2184

Be **REFERRED** to the Committee on **LABOR AND HOUSING** 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 **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Administrative and Financial Services, Office of Cannabis Policy**

The **Department of Administrative and Financial Services, Office of Cannabis Policy**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 20: Rules for the Licensure of Adult Use Cannabis Establishments, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy (EMERGENCY)
H.P. 1393 L.D. 2178

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** 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 **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

Pursuant to Statute

Department of Administrative and Financial Services, Office of Cannabis Policy

The **Department of Administrative and Financial Services, Office of Cannabis Policy**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 2: Medical Use of Cannabis Program Rule, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy (EMERGENCY)
H.P. 1399 L.D. 2185

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** 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 **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

Pursuant to Statute

Department of Administrative and Financial Services, Office of Cannabis Policy

The **Department of Administrative and Financial Services, Office of Cannabis Policy**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 30: Compliance Rules for Adult Use Cannabis Establishments, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy (EMERGENCY)
H.P. 1400 L.D. 2186

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** 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 **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

Pursuant to Statute

Department of Administrative and Financial Services, Office of Cannabis Policy

The **Department of Administrative and Financial Services, Office of Cannabis Policy**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 10: Rules for the Administration of the Adult Use Cannabis Program, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy (EMERGENCY)
H.P. 1401 L.D. 2187

Be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** 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 **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

Off Record Remarks

On motion by Senator **MOORE** of Washington, **ADJOURNED** until Thursday, January 23, 2024 at 10:00 in the morning in memory of and lasting tribute to Florence Manchester Smith of Jonesport.