

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 30, 2024

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

Prayer by Reverend Marcos Juliao of Wayne Community Church.

REVREND MARCOS JULIAO: Let's pray. Lord, you know that thinking about today many things come to my mind. But you show me and remind me about a prophet who asked you, how can I please you, Lord? And you said, I want you to justice, love mercy, and walk humbly with me. So, Lord, because we are here today and we have inside of us a seed that comes from you that will grow in love, grace, may this come and bloom in nice, new opportunities. So, help us today to think not only with our minds but with our hearts. We are here, Lord, to work for our towns, cities, country, for our people. Lord, creator of everything and sustainer of life, we humbly lift up our voice to you and would bring your thoughts and ask you, Lord, today, in a special, we ask you for your wisdom upon us. Help us to look around and see people as they are, our brothers and sisters, working and sharing life, sometimes with possibilities and other times full of struggle. Oh, Lord, Lord, you have power, you are unstoppable. So, we ask you with boldness, use our lives, use our voice. May your presence here help us to be sensible and to help all people around us. Lord, with open heart and hope that you hear our prayers, we say Amen.

Pledge of Allegiance led by Senator Stacy F. Brenner of Cumberland County.

Reading of the Journal of Thursday, January 25, 2024.

Medical Provider of the Day, Constance Adler, MD of Chesterville.

Off Record Remarks

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

COMMUNICATIONS

The Following Communication: S.C. 767

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

January 2, 2024

The Honorable Janet T. Mills
Governor, State of Maine
#1 State House Station
Augusta, Maine 04333

Dear Governor Mills:

On behalf of the 131st Maine Legislature, we would like to invite you to deliver your State of the State Address. At your direction, we will call for a Joint Convention of the Legislature on Tuesday, January 30, 2024, at 7:00 p.m. in the House Chamber.

We look forward to coordinating any details necessary to see that your Address is received by the Legislature.

Sincerely,

S/Troy D. Jackson
President of the Senate

S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 770

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

January 4, 2024

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

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

I am honored to accept your invitation to deliver the State of the State Address before a Joint Convention of the Legislature on Tuesday, January 30, 2024 at 7:00 p.m.

Over the past year, and in particular the last several months, the resilience and resolve of Maine people has been tested mightily - by the horrific tragedy in Lewiston in October, the severe wind and rain storm in December, and the many other challenges we have faced along the way.

But in these difficult moments, the people of Maine have banded together in support of one another, their communities, and our

state like never before. While at times it may be difficult to see hope, I see it every day in the simple acts of kindness, compassion, and generosity by people across our state. And it is because of Maine people - because of their unyielding resilience and resolve in the hardest of times - that I feel more confident in the future of our state and in our ability to address our challenges than ever before.

I look forward to addressing the Legislature and to partnering with you, and the people we serve, to enact meaningful public policy that will improve the lives and livelihoods of Maine people.

Sincerely,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 832

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

January 25, 2024

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

RE: Appointments to the Paid Family and Medical Leave Benefits Authority

Dear President Jackson:

It is my pleasure to nominate the following individuals for appointment to the Paid Family and Medical Leave Benefits Authority:

Benjamin K. Grant of Portland
Barrett Gray of Stonington
Samuel J. Hight of Skowhegan
Christopher K. Washburn of Windham
Michelle Corry of Scarborough
Jay A. Naliboff of Chesterville
Jenni Tilton-Flood of Clinton
Sarah Conroy of Lewiston
Ranae L'Italien of Sidney
Maria Fox of Portland
David Barber of Cape Elizabeth

Pursuant to Title 26 MRSA §850-O, these appointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 833

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

January 25, 2024

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

RE: Reappointment of Susan P. Herman, Esquire of Mount Vernon to the State Civil Service Appeals Board

Dear President Jackson:

I am pleased to nominate Susan P. Herman, Esquire of Mount Vernon for reappointment to the State Civil Service Appeals Board.

Pursuant to 5 MRSA §7081, this reappointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on State and Local Government

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 834

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

January 25, 2024

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

RE: Reappointment of Steven Tatko of Willimantic and Samantha D. Horn of Readfield to the Maine Outdoor Heritage Fund Board

Dear President Jackson:

I am pleased to nominate Steven Tatko of Willimantic and Samantha D. Horn of Readfield for reappointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12 MRSA §10308, these reappointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Environment and Natural Resources.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 835

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

January 24, 2024

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

Dear Mr. President:

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

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

YEAS	Senators	2	Carney, A. of Cumberland, Brakey, E. of Androscoggin
	Representatives	6	Moonen, M. of Portland, Haggan, D. of Hampden, Henderson, R. of Rumford, Kuhn, A. of Falmouth, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan0

NAYS 0

ABSENT	4	Sen. Bailey, D. of York, Rep. Andrews, J. of Paris, Rep. Lee, A. of Auburn, Rep. Sheehan, E. of Biddeford
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Rep. Dana of Passamaquoddy Tribe was absent.

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Katherine M. Dufour, Esq. of Lincolnville, for appointment as a District Court Judge be confirmed.

Signed,

S/Anne Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

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

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

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

Senator **BAILEY**: Thank you, Mr. President, Colleagues in the Senate. I rise in support of the nomination of Katherine M. Dufour, Esq., of Lincolnville for appointment as a District Court Judge. Ms. Dufour is a lawyer with significant experience including work in private practice, as a guardian ad litem, and as an Assistant Attorney General in the Child Protection Division of the Attorney General's Office. She is known for having excellent courtroom skills. She stands for her keen sense of fairness and her ability to engage with everyone she comes into contact with. Testimony from her peers noted that Ms. Dufour's legal work involves dealing with people at the lowest point in their lives. She is highly regarded for being able to combine compassion with her passion for the law and I would ask you all to follow my light and vote no. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#505)

YEAS: Senators: None

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

EXCUSED: Senators: CARNEY, LAWRENCE, POULIOT

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

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

The Following Communication: S.C. 836

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

January 24, 2024

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

Dear Mr. President:

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

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

YEAS	Senators	2	Carney, A. of Cumberland, Brakey, E. of Androscoggin
	Representatives	5	Moonen, M. of Portland, Henderson, R. of Rumford,

Kuhn, A. of Falmouth,
Moriarty, S. of Cumberland,
Poirier, J. of Skowhegan

NAYS 0

ABSENT	5	Sen. Bailey, D. of York, Rep. Andrews, J. of Paris, Rep. Haggan, D. of Hampden, Rep. Lee, A. of Auburn, Rep. Sheehan, E. of Biddeford
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Rep. Dana of Passamaquoddy Tribe was absent.

Seven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of David F. Hathaway, Esq. of Auburn, for appointment as a District Court Judge be confirmed.

Signed,

S/Anne Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

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

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

Senator **BAILEY**: Thank you, Mr. President. I rise to support the nomination of David F. Hathaway, Esq., of Auburn for appointment as a District Court Judge. Mr. Hathaway has deep roots in Maine, being a seventh generation Mainer, whose ancestor fought in the American Revolution. Born in Rumford, he worked in his hometown in private practice before moving to the Attorney General's Office to sharpen his trial skills. Colleagues spoke highly of Mr. Hathaway's ability to balance a heavy caseload at the AG's office with great skill and expertise. In fact, his courtroom skills are so strong that he has had a role training other attorneys. The Deputy Attorney General called Mr. Hathaway the cornerstone of the Attorney General's Office Child Protective program. He is a person who shows great respect for others, has a strong sense of integrity, and a great capacity for compassion. And again, I would ask you to follow my light and vote no to vote yes. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#506)

YEAS: Senators: None

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

EXCUSED: Senators: CARNEY, LAWRENCE, POULIOT

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

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

Off Record Remarks

The Following Communication: S.C. 841

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

January 25, 2024

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

Dear Mr. President:

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

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

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

Representatives 8 Moonen, M. of Portland,
Andrews, J. of Paris,
Haggan, D. of Hampden,
Kuhn, A. of Falmouth, Lee, A.
of Auburn, Moriarty, S. of
Cumberland, Poirier, J. of
Skowhegan, Sheehan, E. of
Biddeford

NAYS 0

ABSENT 2 Sen. Bailey, D. of York, Rep.
Henderson, R. of Rumford

Rep. Dana of Passamaquoddy Tribe was absent.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Jon Haddow, Esq. of Fairfield, for appointment as a District Court Judge be confirmed.

Signed,

S/Ane Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

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

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

Senator **BAILEY**: Thank you, Mr. President, Colleagues in the Senate. I rise to support the nomination of Jon Haddow, Esq., of Fairfield for appointment as a District Court Judge. Mr. Haddow introduced himself to the Judiciary Committee as a Mainer who loves the outdoors, especially spending time in Piscataquis County. He is also an accomplished lawyer, and his colleagues provided a strong picture of his qualifications to serve on the bench. One noted that he is an exceptional jurist. Mr. Haddow is known to be generous with his time and guidance to his peers, particularly helping them on matters that tap into his expertise in courtroom work. A colleague noted that Mr. Haddow is adept at both the complex theory of the law and its practical implications and is especially attendant to the personal challenges faced by litigants. He has a strong commitment to justice and always treats others with kindness and attentiveness. Mr. Haddow has a reputation as a strong listener and a good explainer, both qualities that will serve him well as a judge. And finally, he has not a pretentious bone in his body, which will serve him well as a judge. I ask you to follow my light in supporting this nomination. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#507)

YEAS: Senators: None

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

EXCUSED: Senators: CARNEY, LAWRENCE, POULIOT

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

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

The Following Communication: S.C. 843

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

January 25, 2024

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

Dear Mr. President:

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

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

YEAS	Senators	2	Bailey, D. of York, Brakey, E. of Androscoggin
	Representatives	8	Moonen, M. of Portland, Andrews, J. of Paris,

Haggan, D. of Hampden,
Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan, Sheehan, E. of Biddeford

NAYS 0

ABSENT 2 Sen. Carney, A. of Cumberland, Rep. Henderson, R. of Rumford

Rep. Dana of Passamaquoddy Tribe was absent.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Heather M. Seasonwein, Esq. of Freeport, for appointment as a District Court Judge be confirmed.

Signed,

S/Ane Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

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

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

Senator **BAILEY**: Thank you, Mr. President, Colleagues in the Senate. As you may have noticed, I'm covering for Senator Carney, the Chair of the Judiciary Committee, this morning, and she sent me prepared remarks for all of the candidates except this one. So, this one, I'm going to wing it on, but what I can say is that Heather M. Seasonwein, Esq., of Freeport will make a wonderful District Court Judge. She comes to us practicing primarily in the Lewiston-Auburn area in private practice, doing mostly family law and guardian ad litem work, and also doing probate court work. And what I remember from her hearing are two things in particular, one was some very emotional testimony from a former client of hers as she helped them navigate through a very complex family matter, probate matter involving her father who suffered from Alzheimer's disease and the client really talking about Ms. Seasonwein's compassion and her knowledge of the law, and how she helped her family navigate that situation. The other item I remember is that we learned that in the past, Ms. Seasonwein actually worked as a waitress at Seamen's Club in Portland and because that's where my husband and I met on our first date, learning that cinched my vote for this nomination. So, I would ask you to follow my light. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#508)

YEAS: Senators: None

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

EXCUSED: Senators: CARNEY, LAWRENCE, POULIOT

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

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

The Following Communication: S.C. 842

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

January 25, 2024

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of The Honorable E. Mary Kelly of Falmouth, for appointment as an Active Retired Judge of the District Court.

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

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

Representatives 8 Moonen, M. of Portland, Andrews, J. of Paris, Haggan, D. of Hampden, Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan, Sheehan, E. of Biddeford

NAYS 0

ABSENT 2 Sen. Bailey, D. of York, Rep. Henderson, R. of Rumford

Rep. Dana of Passamaquoddy Tribe was absent.

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of The Honorable E. Mary Kelly of Falmouth, for appointment as an Active Retired Judge of the District Court be confirmed.

Signed,

S/Ane Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

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

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

Senator **BAILEY**: Thank you, Mr. President, Colleagues in the Senate. I rise to support the nomination of The Honorable E. Mary Kelly of Falmouth for appointment as an Active Retired Judge of the District Court. Judge Kelly will bring to her status as an Active Retired Judge 12 years as an Assistant Attorney General in the Child Support Division of the Maine Attorney General's Office and five years as a family law magistrate as well as 13-year career as a District Court Judge. Judge Kelly is noted to be wise and careful, someone who brings respectfulness, patience, and kindness to the courtroom every day. She received strong support from those familiar with her active service as a District Court Judge. Her retirement was a significant loss to the District Court and the committee heard strong support for Judge Kelly taking on the role of Active Retired Judge. And again, going off script a little bit, I've had the honor of practicing before Judge Kelly in Portland, and I will tell you that she is probably one of the most compassionate judges I have ever been in front of. She brings humanity to the law, which sometimes can be forgotten as we kind of delve into the legal arguments in the weeds, and I would strongly urge you to follow my light. Thank you.

The Doorkeepers secured the Chamber.

**COMMITTEE ON INNOVATION, DEVELOPMENT,
ECONOMIC ADVANCEMENT AND BUSINESS**

The Secretary opened the vote.

ROLL CALL (#509)

YEAS: Senators: None

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

EXCUSED: Senators: CARNEY, LAWRENCE, POULIOT

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **E. Mary Kelly** of Falmouth for appointment as an Active Retired Judge of the District Court was **CONFIRMED**.

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

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:
S.O. 25

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 6:45 this evening, in the Hall of the House for the purpose of extending to Governor Janet T. Mills, an invitation to attend and make such communication as she may be pleased to make.

READ and PASSED.

The President appointed the Senator from Cumberland, Senator **DAUGHTRY** to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Cumberland, Senator **DAUGHTRY** reported that she had delivered the message with which she was charged.

COMMUNICATIONS

The Following Communication: S.C. 822

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE**

January 17, 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. Daughtry of Cumberland, to report the following bill Leave to Withdraw:

L.D. 1281 An Act to Protect Economic Competitiveness in
Maine by Extending the End Date for Pine Tree
Development Zone Benefits

Sincerely,

S/Sen. Chip Curry
Senate Chair

S/Rep. Tiffany Danielle Roberts
House Chair

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

The Following Communication: S.C. 823

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON INNOVATION, DEVELOPMENT,
ECONOMIC ADVANCEMENT AND BUSINESS**

January 17, 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. Pluecker of Warren, to report the following bill Leave to Withdraw:

L.D. 1927 An Act to Create the Rural Prosperity Council

Sincerely,

S/Sen. Chip Curry
Senate Chair

S/Rep. Tiffany Danielle Roberts
House Chair

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

The Following Communication: S.C. 831

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

January 25, 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. 417	An Act to Facilitate Net Energy Billing
L.D. 1889	An Act to Provide Authorization to Aroostook County to Use the Statewide Radio and Network System

This is notification of the Committee's action.

Sincerely,

S/Sen. Mark W. Lawrence Senate Chair	S/Rep. S. Paige Zeigler House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 837

MAINE VENTURE FUND

January 22, 2024

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

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the attached Report to Legislature for 2023 on behalf of the quasi-independent state entity, Small Enterprise Growth Board, due February 1, 2024.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Terri Wark
Office Operations Manager

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

The Following Communication: S.C. 838

MAINE STATE HOUSING AUTHORITY

January 23, 2024

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

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine State Housing Authority due by February 1, 2024.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Daniel E. Brennan
Director

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

The Following Communication: S.C. 839

MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM

January 25, 2024

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

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Public Employees Retirement System due by February 1, 2024.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Dr. Rebecca M. Wyke
Chief Executive Officer

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

The Following Communication: S.C. 840

SUNRISE COUNTY ECONOMIC COUNCIL

January 19, 2024

Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, ME 04333

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to MRSA Title 5, section 12023, the Sunrise County Economic Council (SCEC) is pleased to submit the 2022-2023 Quasi-Independent State Entities Report to the Legislature on behalf of the Washington County Development Authority (WCDA). SCEC is a nonprofit organization that works to create jobs and prosperity in Washington County; we are also the economic

development arm of the Washington County government. We provide staff support for the WCDA and are partnering with the Authority in its effort to redevelop the former U.S. Navy base in Cutler.

The former U.S. Navy Base in Cutler is comprised of roughly 20 acres and five commercial buildings comprising 75,000 square feet. The Authority is working to bring these facilities back into productive use. In 2022, the WCDA procured by competitive bid the services of GR Roofing to repair and improve drainage from the warehouse roof. The work was completed in October 2022 at a total cost of \$81,500.00. Findings by Seavee and Mahar Engineering found more hazardous materials than were anticipated through the test. WCDA, EPA and the US Navy are now in discussions over cleanup of the contaminated area.

The Authority made no procurements over \$10,000 for which competitive procurement was waived. WCDA did not make any contributions greater than \$1,000 or changes to policies and procedures in the past year.

Please contact me with any questions or concerns. Thank you.

Sincerely,

S/Charles J. Rudelitch, Esq.
Executive Director

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

The Following Communication: S.C. 844

MAINE MARITIME ACADEMY

January 26, 2024

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

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:
Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Maritime Academy due by February 1, 2023.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Alice Herrick

Director of Fiscal Operations for Maine Maritime Academy

Sent down for concurrence.

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

SENATE PAPERS

Bill "An Act to Improve Access to Affordable Wireless Communications by Allowing the Public Utilities Commission to Designate Eligible Telecommunications Carriers"
S.P. 932 L.D. 2193

Presented by Senator HARRINGTON of York.
Cosponsored by Senators: President JACKSON of Aroostook, LAWRENCE of York, STEWART of Aroostook, Representative: FOSTER of Dexter.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Clarify When a Wounded Game Animal May Be Dispatched by an Authorized Licensed Guide"
S.P. 933 L.D. 2194

Presented by Senator STEWART of Aroostook.
Cosponsored by Senators: BLACK of Franklin, TIMBERLAKE of Androscoggin.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **LAFOUNTAIN** of Kennebec, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act to Protect Businesses from Fraudulent or Predatory Financial Settlements by Allowing Those Businesses Opportunities to Remove Architectural Barriers in Noncompliance with the Maine Human Rights Act"
S.P. 934 L.D. 2195

Presented by Senator DAUGHTRY of Cumberland.
Cosponsored by Senators: HICKMAN of Kennebec, KEIM of Oxford, PIERCE of Cumberland, POULIOT of Kennebec.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Amend the Laws Regarding Certain Law Enforcement Interactions and Tools for Determining Residency During Conflict Resolution"
H.P. 567 L.D. 911

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

Signed:

Senator:
BEEBE-CENTER of Knox

Representatives:
SALISBURY of Westbrook
HASENFUS of Readfield
LAJOIE of Lewiston
LOOKNER of Portland
MILLIKEN of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-729)**.

Signed:

Senator:
HARRINGTON of York

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

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

Reports **READ**.

Senate at Ease.

The Senate was called to order by the President.

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

Senate

Change of Committee

Senator GROHOSKI for the Committee on **TAXATION** on Bill "An Act to Support Municipalities by Repealing the Law Limiting the Municipal Property Tax Levy" (EMERGENCY)
S.P. 895 L.D. 2102

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

Ought to Pass

Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Align the Supplemental Nutrition Assistance Program with Federal Regulations"
S.P. 865 L.D. 2037

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling"
S.P. 665 L.D. 1660

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-514)**.

Signed:

Senators:
BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
DOUDERA of Camden
HOBBS of Wells
O'NEIL of Saco

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

Signed:

Senator:
LYFORD of Penobscot

Representatives:

CAMPBELL of Orrington
SCHMERSAL-BURGESS of Mexico
SOBOLESKI of Phillips
WOODSOME of Waterboro

Reports **READ**.

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

On motion by Senator **STEWART** of Aroostook, **TABLED** until Later in Today's Session, pending motion by Senator **BRENNER** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Restricting State Assistance in Federal Collection of Personal Electronic Data and Metadata"
S.P. 425 L.D. 1056

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

Signed:

Senators:
CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
SHEEHAN of Biddeford
TALBOT ROSS of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-515)**.

Signed:

Senator:
BRAKEY of Androscoggin

Representative:
POIRIER of Skowhegan

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Joint Resolution "JOINT RESOLUTION MAKING SEPARATE APPLICATIONS TO THE CONGRESS OF THE UNITED STATES CALLING CONSTITUTIONAL CONVENTIONS TO CONSIDER REPRESENTATIONAL INTEGRITY AND PROPOSE AMENDMENTS ESTABLISHING TERM LIMITS FOR CONGRESS AND ADDRESSING CAMPAIGN FINANCE REFORM"
S.P. 705

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

Signed:

Senators:
HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:
SUPICA of Bangor
ANDREWS of Paris
BOYER of Poland
RUDNICKI of Fairfield
WILLIAMS of Bar Harbor

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

Signed:

Representatives:
COLLINGS of Portland
HYMES of Waldo
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook

Reports **READ**.

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

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

SECOND READERS

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

Senate

Bill "An Act Regarding the State Auditor's Reporting Requirements on State Agencies' Financial Activities"
S.P. 834 L.D. 2011

READ A SECOND TIME and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

ENACTORS

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

Acts

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

An Act to Clarify the Laws Governing Disclosure of Wood Processing Data
H.P. 1325 L.D. 2063

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

At this point a message was received from the House of Representatives, borne by Representative TERRY of Gorham, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 7:00 in the evening for the purpose of extending to the Honorable Janet T. Mills, Governor of the State of Maine, an invitation to attend the Convention and make such communications as pleases her.

Off Record Remarks

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until 6:30 in the evening.

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

At this point the Senate retired to the Hall of the House
where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order
in the Senate Chamber by the President.

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**,
until Thursday, February 1, 2024 at 10:00 in the morning.