

MAINE STATE LEGISLATURE

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



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

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

In Senate Chamber
Thursday
February 22, 2024

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

Prayer by Reverend Francesco Marshall of First Parish Church, United Church of Christ in Brunswick

REVEREND FRANCESCO MARSHALL: Compassionate and merciful God, be attentive to our prayers today. We pray that the breath of your spirit moves among the gathered members. Guide their minds, thoughts, and objectives this day, safeguarding the least in our midst, working together for our common good. Give them hearts and ears to listen well to all those whom they represent. We pray that wisdom, justice, and compassion may guide all. Grant us openness to speak the truth boldly and with kindness. Grant us courage to listen openly without pre-judgment. Grant us assurance to discover and explore new opportunities. Grant us wisdom to discern what is right and good and just for all of Maine. And continue to remind us that all we do here today, all that we accomplish, is for the pursuit of truth and for the service of our neighbor. May we be peaceful, may we be safe, may we be thankful. We hold these thoughts and prayers and gratitude for our lives and our work. Bless us, bless this state, and bless our country. Amen.

Pledge of Allegiance led by Senator Joseph M. Baldacci of Penobscot County.

Reading of the Journal of Wednesday, February 21, 2024.

Medical Provider of the Day, Sean Sibley, FNP of Old Town.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Joint Order: S.P. 952

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 27, 2024, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

READ and PASSED.

Ordered sent down forthwith for concurrence.

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

COMMUNICATIONS

The Following Communication: S.C. 938

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

February 20, 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 Megan Sanders, Esquire of Old Town, for appointment to the Maine Human Rights Commission.

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

YEAS	Senators	1	Carney, A. of Cumberland
	Representatives	7	Moonen, M. of Portland, Haggan, D. of Hampden, Henderson, R. of Rumford, Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan
NAYS		0	
ABSENT		4	Sen. Bailey, D. of York, Sen. Brakey, E. of Androscoggin, Rep. Andrews, J. of Paris, Rep. Sheehan, E. of Biddeford

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 Megan Sanders, Esquire of Old Town, for appointment to the Maine Human Rights Commission be confirmed.

Signed,

S/Anne Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **CARNEY:** Thank you, President Jackson, my Colleagues in the Senate. I just want to note that we have an exceptional candidate before us for appointment to the Maine Human Rights Commission. This is a commission that works very hard on behalf of the people of Maine to prevent and remedy discrimination and this candidate has extensive work experience in the field of personnel and human resources. She's incredibly well-equipped from a technical perspective to do the role and she came with high recommendations for her ability to work well with others and I would just encourage you to support the nomination. Thank you.

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 Somerset, Senator **FARRIN**, and the Senator from Kennebec, Senator **LAFOUNTAIN**, and the Senator from Lincoln, Senator **RENY**, 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#539)

YEAS: Senators: None

NAYS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BENNETT, BLACK, BRAKEY, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, INGWERSEN, KEIM, LAWRENCE, LIBBY, LYFORD, MOORE, NANGLE, PIERCE,

POULIOT, RAFFERTY, ROTUNDO, STEWART, TIMBERLAKE, TIPPING, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: FARRIN, LAFOUNTAIN, RENY

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 **Megan Sanders**, Esquire of Old Town for appointment to the Maine Human Rights Commission was **CONFIRMED**.

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

Off Record Remarks

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Nat Tupper, of Yarmouth, on his retirement as Yarmouth Town Manager after 32 years of service to the town. Mr. Tupper began his career in municipal government in 1980 as town manager of Winter Harbor. From there, he moved on to town manager positions in Livermore Falls and Barre, Vermont. He took up his position in Yarmouth in 1991. He won numerous awards for his work and leadership, including the 2013 Linc Stackpole Manager of the Year Award from the Maine Town, City and County Management Association. We extend our congratulations and best wishes;
SLS 1434

Sponsored by Senator PIERCE of Cumberland.
Cosponsored by Senator: DAUGHTRY of Cumberland,
Representative: BELL of Yarmouth.

The Joint Order was **READ**.

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

Senator **PIERCE:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise today to honor Nat Tupper for his service to the town of Yarmouth and congratulate him on his upcoming retirement. For 33 years, Nat has led Yarmouth with professionalism and thoughtfulness, with class, and the goal of making his town a great place to live and work and to raise a family. During his service, he strived to meet that goal every day. His tenure will be remembered for innumerable things, including expanding and diversifying the tax base by bringing in industry

leaders such as Tyler Technologies, Garmin, Patriot Insurance, InterMed, and others to Yarmouth. He was critical in establishing three TIF districts, allowing for greater economic growth, and he also helped to preserve public land for safe, inclusive places for residents to enjoy. Ensuring uninterrupted 911 service and leading on infrastructure and transportation round out a brief look at his long record for the Town of Yarmouth and the results that he achieved. His record is of numerous awards which you've just heard about, including the Linc Stackpole Manager of the Year Award, as well as multiple leadership awards. He won't admit to it, but he is referred to as one of the best of the best among Maine town managers. According to his team and his colleagues at the town office, he is kind, patient, and has a tremendous leadership style; all of which I have experienced firsthand. Nat, my colleagues and I wish you all the best on your retirement, and hope you'll be able to enjoy your newly discovered free time. Thank you for joining us today and thank you for your service to the Town of Yarmouth and the State of Maine. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The chair is very pleased to recognize a number of people in the back of the chamber with Nat Tupper: Robin Hodgskin, Judy Tupper, SueEllen Bordwell, Nat Tupper, Scott LaFlamme, Lisa Grant, Heidi Grimm, Erin Zwirko, Dawn Madden, Steven Johnson, Karyn MacNeill and Daniel Gallant, all from Yarmouth and are the guests of the Senator from Cumberland, Senator Pierce and the entire Maine Legislature. Would they all please rise and accept the greetings of the Maine Senate.

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

Michael H. Payson, Sr., of Falmouth. Mr. Payson was a veteran of the United States Air Force, serving as a B-47 bombardier and navigator and attaining the rank of captain. He became an economist and worked in West Africa for an economic development project before joining the World Bank, where he spent his entire professional career as a Senior Economist in Africa and Resident Representative in Ethiopia. A jazz drummer, he played a regular gig at the Porthole restaurant in Portland, and he served on the board of the University of Southern Maine School of Music. Mr. Payson will be long remembered and sadly missed by his wife of 43 years, Barbara, his family and friends and all those whose lives he touched;
SLS 1435

Sponsored by Senator PIERCE of Cumberland.
Cosponsored by Representatives: CROCKETT of Portland, KUHN of Falmouth.

The Joint Order was **READ**.

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

Senator **PIERCE:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise to honor and celebrate the remarkable life of Michael H. Payson, Sr., of Falmouth. He was a man of many passions, talents, and indomitable spirit. Michael's journey was one of resilience, adventures, and unwavering love of family. Michael embodied the essence of a free spirit from his earliest days. His path was one of exploration and discovery which took him around the world, including working in North Africa for the World Bank, and brought him back to Maine. He embraced every opportunity with zest, pursuing his passions for literature, skiing, and jazz drumming. He later shared these passions with the regular crowd at the Porthole and gave back to his community by serving on the board of the USM School of Music. He then shared his passions with the regular crowd at -- oh, I'm sorry, that's a typo, my bad -- serving on the USM School of Music - my apologies. His journey took an unexpected turn when on -- when he contracted Guillain-Barre, a syndrome that struck him down in his prime. Facing full paralysis in his late-30s, many would've faltered, but not Michael. Through unwavering resolve, he defied the odds and relearning to walk with grace and courage. Family was the cornerstone of Michael's life. He shared his joys and triumphs, his love, his family, including his wife Barbara and his cherished children and stepchildren. His home in Falmouth served as a sanctuary; a place of solace, laughter, cherished memories, and shared with those he held dear. His legacy transcends borders and generations. He touched the lives of all who knew him with kindness, his humor, and boundless curiosity. As we honor and celebrate Michael today, let us carry forward his legacy of resilience, compassion, and love for life. Today, we are joined by his family. I thank all for being here and for allowing me to share a small look into his extraordinary life. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The chair is pleased to recognize in the rear of the chamber, Mr. Payson's family: Kathie Payson, Rachel Payson, Sophie Payson-Rand, Jennifer Piette, Barbara Payson, Mike Payson Sue Payson, Pete Rand, Jimmy Rand, and Beau Buck all of the town of Falmouth and are the guests of the Senator from Cumberland, Senator Pierce and the entire Maine Legislature. Would they all please rise and accept the condolences of the Maine State Senate.

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

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.

JOINT RESOLUTION - Memorializing Aaron Rollins, of Madison. Mr. Rollins was a veteran of the Maine Army National Guard,

serving with B Company, 3rd Battalion, 172nd Infantry Regiment (Mountain) in Iraq. He joined the Maine Army National Guard in 2004. After basic training, he worked with the honor guard and took part in about 90 funerals. In 2005, he was deployed for a month to do relief work in the aftermath of Hurricane Katrina. Later, he volunteered to join Bravo Company and arrived in Iraq in March 2006. He served as an infantry gunner and was wounded three times, suffering a traumatic brain injury and later suffering from post-traumatic stress disorder. His tour of duty in Iraq ended in 2007. Mr. Rollins will be long remembered and sadly missed by his family and friends and all those whose lives he touched;
SLS 1328

Tabled - January 11, 2024 by Senator **BRAKEY** of Androscoggin

Pending - **ADOPTION**

The Joint Resolution was **READ**.

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

Senator **BRAKEY:** Thank you, Mr. President, and Colleagues of the Senate. I rise today to speak to the life of a good man; Retired Sergeant Aaron Rollins of the Maine Army National Guard, who lived until his recent passing in Madison, Maine. Sergeant Rollins was a close friend, and I want to thank our colleague, Senator Farrin of Somerset, for allowing me the honor of taking the lead in authoring this memorial expression from this body. Who was Sergeant Aaron Rollins? I will tell you. In 2001, Aaron Rollins was a shop steward with the local carpenters union, working on the renovation of the Maine State House, where we serve today. In 2004, Aaron joined the Maine Army National Guard. After Basic Training, he worked with the Honor Guard and took part in about 90 funerals. In 2005, he was deployed for a month to do relief work in the aftermath of Hurricane Katrina. Later, he volunteered to join Bravo Company and arrived in Iraq in March 2006. Serving as an infantry gunner, Rollins was wounded three times. He was hurt in April 2006 when his unit came upon a road thought to be mined with improvised explosive devices. Years later, in an interview with the Kennebec Journal, he said, quote, "We had to do some rough driving, and I was thrown out of the turret and back in." Despite leg injuries, he refused an airlift out, saying he wanted to stay with his unit. On May 6, 2006, a roadside device exploded, killing two members of his unit - Sergeant Dale James Kelly, Jr., 48, of Richmond, Maine, and Sergeant David Michael Veverka, 25, from Jamestown, Pennsylvania, who had been a student at the University of Maine. Rollins was among the soldiers who recovered Kelly's remains. He said of Kelly, quote, "He was stuck under the truck, and we had to get him out." Those memories are what Rollins said fueled his posttraumatic stress disorder. Then, just a few weeks before its return home, his unit came under mortar rocket attack in Camp Adder, quote, "I heard some screaming and grabbed my medical bag, and I went around one of the concrete barriers", Rollins said. "A Katsyusha rocket went off and knocked me down." That attack left him with a traumatic brain injury. Sergeant Rollins came home, wounded in body, mind, and spirit, but he did come home. In the years of our friendship, what seemed to haunt him most were the memories of his fallen friends in that roadside explosion, one of whom was sitting in the seat where he ordinarily would've

been sitting himself. After six months of rehabilitation for injuries suffered during his service, in June 2007, Sergeant Rollins received a hero's welcome and a special ride home to join fellow Iraq veterans at a ceremony in Bangor. But only four years later, in 2011, he found himself homeless, living out of his pickup truck with his service dog, Mable, moving every couple of nights between the Walmart and Sam's Club parking lots in Augusta. At the time, Rollins said Mable kept him sane. He said, quote, "When I got her, I started taking her places and everybody saw a difference in me. She's really rescued me from PTSD, and I'm starting to get my life back." But the dog prevented him from staying at a shelter for homeless veterans at VA Maine Health Care Systems Togus, so he lived in his truck. After his story was reported in the Kennebec Journal in 2011, a piece titled From Combat to a Parking Lot, a fellow veteran from Winthrop towed his motorhome to a slot near Rollins' pickup in the Sam's Club parking lot and told Rollins it was his to use as long as he needed. Veterans helping veterans; that's how Aaron climbed out of homelessness and paid it forward to so many returning home from war. For those who knew him over the last decade, that seemed to be his driving purpose. Giving back to - excuse me - giving back to other veterans, helping those who struggled like he struggled, and acting as a counselor to others facing difficulty adjusting to civilian life after trauma endured in war. And it was clear that while Sergeant Rollins remained a patriot who loved his country, his opinion had somewhat soured on the wars abroad. When I met Sergeant Rollins for the first time five years ago, he handed me a copy of War is a Racket by General Smedley Butler and asked me to read it. During my campaign for Congress, Aaron volunteered as a leader on my security team and veterans' coalition and on one long car ride up to Aroostook County, I fondly remember talking for hours about his ideas for reform of the VA system and how we can restore constitutional limits to war making. Now, when I was unable to take those ideas to Congress, he focused his efforts closer to home here at the Maine State House, driving support for Defend the Guard legislation, which I've spoken extensively about in the past, I won't rehash here. But just like the undeclared wars he was sent to fight in, where he lost his friends and parts of himself, he didn't want to see others go without accountability. So, it was a sudden shock to learn recently that we had lost Sergeant Rollins. Just last year, he was sitting here in the Senate Chamber with us as we debated the legislation he had been fighting for. Today, in his place, his family and friends are with us. I'll say Aaron once told me it made him uncomfortable when people thanked him for his service because he frankly didn't see much point in the war that he served in. But Aaron served in many other ways. He served our veterans as a counselor, an advocate, and commander of the Madison American Legion, he served our Constitution with commitment to his oath long after he returned home, he served his family as a father and a husband, he even served this Maine Legislature, working on renovations to this building over two decades ago. So, Aaron, thank you for your service. Rest easy. We'll take it from here. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT: The chair would like to recognize in the rear of the chamber the friends and family of Aaron Rollins, including his daughter, Grace. They are the guests today of the Senator

from Androscoggin, Senator Brakey, and the entire Maine Legislature. Would they all please rise and accept the condolences of the Maine State Senate.

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

SENATE PAPERS

Bill "An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System"
S.P. 953 L.D. 2224

Presented by Senator ROTUNDO of Androscoggin.
(GOVERNOR'S BILL)
Cosponsored by Representative CLOUTIER of Lewiston and
Senators: DAUGHTRY of Cumberland, President JACKSON of
Aroostook, VITELLI of Sagadahoc, Representatives: Speaker
TALBOT ROSS of Portland, TERRY of Gorham.

Senator **CARNEY** of Cumberland moved to **REFER** the
Committee on **JUDICIARY**.

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

Senator **STEWART:** Thank you, Mr. President, Ladies and
Gentlemen of the Senate. The reason for our break earlier, as
you all now know, is that we're struggling with this notion that this
bill and the significance of it obviously as a resolve and proposed
by the Governor following the horrific tragedy in Lewiston, has
many different elements, and many elements that we feel strongly
given the significant nature of it should be heard by more than just
the one committee. And I think even the misprint in the calendar
indicates that there's been some ongoing debate even over the
night as to which committee it actually belongs in, with one
version of the calendar saying one thing and then the corrected
version saying another. And I think that the right thing to do here
would be to allow some sort of overlap between different
committees. And I know that in conversations this morning with
my caucus colleagues on the Republican side, that was what our
interest was in, increasing the amount of transparency in the
public hearing process, to include more than one. One of the

things that drives me nuts about this place is that the right hand
never talks to the left hand. And this is such a significant event
and a significant moment in our state's history that I think that it
warrants, as we have done in other cases, just in this Legislature
alone, perhaps a different approach to the hearing process. In
fact, we did that right out of the gate in this Legislature with LD
1/LD 3 and the public hearing process that was pulled together in
a bipartisan way to work through that issue. So, this is not an
unheard-of thing, this is not -- in fact, there have been tribal bills
that we have heard across joint -- different committees as well,
and the precedent is absolutely there for when these significant
moments come up in our history that it makes sense to try to
increase the amount of legislative input and engagement and
transparency into that process. And so, this is in no way to be
any sort of, you know, obstruction to the normal process; in fact,
it's anything but. It's to shine a light on the fact that this is not
normal. This is not normal. This is not a normal event that
occurred, this is not a normal piece of legislation, it deserves
more attention than the normal process that we give any of the
other thousands of bills that come through here, and that's what
we're asking for. My hope would be that we reject this measure
and that we will be able to move on to one where we can develop
a process to hear this bill with more input and, in fact, even the
Joint Rules themselves indicate that a bill such as this, because
of some of the policy areas that it touches, will have to have at
least one other committee involved, anyway, in the criminal
justice side. So, I think the precedent is set, we're meeting that
standard, we could absolutely do this. I think it would benefit
everybody and we could develop a process and I'm sure that, you
know, if, you know, the need to develop a new approach to how
we handle this committee needs to be done, I'm more than happy
to work with you, Mr. President, and your leadership team to do
that. We would just appreciate that opportunity to do so here,
understanding the truly significant moment that we're in in this
body. So, with that, Mr. President, I would request a Roll Call on
this motion, and hopefully we can vote it down and move on to a
different one that would allow for more transparency and this idea
to percolate to the surface. Thank you.

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 Carney.

Senator **CARNEY:** Thank you, Mr. President. Thank you,
Colleagues of the Senate. I just want to speak briefly to this
issue. So, we do have a clear process that's laid out in our Joint
Rules. We've been following that all session, and it has served
us well. I know that my Good Colleague from Aroostook is
speaking of transparency, but we do have transparency. We
have the Joint Rules, they were adopted by the Legislative
Council, they've been available for the public and all legislators to
review and rely on since we convened back in January of 2023.
And we should stick with that process. Again, it's served us well.
As my Colleague from Aroostook said, there are circumstances in
which the Joint Rules include a requirement for review by another
committee, they apply in certain circumstances that have been
set forth in the Joint Rules and again that we -- we and the public
have all had access to since the beginning of this session, and we
should follow those rules, including the rule that may require the

Judiciary Committee to report to another committee, namely the Criminal Justice Committee. But again, in the interests of transparency, we shouldn't be changing our Joint Rules on the fly for one piece of legislation; we should stick with the Joint Rules that have served us well and proceed as we do with all of our legislation. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. As a member of the Judiciary Committee, if this is ultimately referred to the Judiciary Committee, I will do my duty to the best of my ability in the hearing and working on this legislation, but I really -- I just want to echo and also highlight a little bit more for my Colleague from Aroostook County. I mean, obviously, as has been mentioned, there are components that touch on policy areas that would typically be found in the Criminal Justice and Public Safety Committee, but there are also components here that really look at significant changes to mental health policy which we would typically find in the Health and Human Services Committee. So, it is concerning to me just how many policy areas are being swept in this one piece of legislation, and if this does ultimately end up in the Judiciary Committee, I'm certain there will be conversations there about how we include those other policy committees in those particular areas. I'll be voting against the pending motion, but if it goes to Judiciary, I'd like to -- I would like to make sure that we include those other policy committees in some way in the process. Thank you.

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

Senator **STEWART:** Thank you, Mr. President. I rise just to rebut a couple of the comments made by my Good Colleague from Cumberland. In fact, in her own motion at the beginning, she moved that we dispensed with the reading, and we do these motions all the time to suspend our rules here, to give bills second readings on the same day, for instance, to do -- to do various things that -- and, in fact, again, an example I laid out at the very beginning, the very first bill of this Legislature, we did something abnormal with our process. So, I don't feel that increasing the number of legislators and the amount of engagement that we could get and ears and eyes on this document that we could get is in any way doing anything but increasing transparency. And so, if we really want to do that, there are absolutely ways to do it, but hiding behind the rules, which we suspend all the time, including here several times today, doesn't make any sense and that argument just doesn't hold any water. So, again, I would really appreciate an opportunity to go back to the drawing board here and develop a new plan that does, in fact, actually increase transparency and increase engagement on such a momentous occasion. Thank you.

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

Senator **CARNEY:** Thank you. Briefly, Colleagues, I just wanted to note that the most impactful way that anyone can weigh in on this legislation prior to it coming to this Chamber for our votes is to appear before the committee to which the legislation is referred

and provide testimony. And to that end, I just wanted to let everyone know that it is one of the Judiciary Committee's rules that if one is sponsoring legislation or is testifying in support of legislation that you not sit at the horseshoe. So, you know, again, we are committed to transparency, we are committed to hearing to everyone on this legislation, and please express your position on the legislation by being present in the committee room and providing testimony. Thank you.

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

Senator **TIMBERLAKE:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand here a little bewildered. We have issues that are important, I've served in this building for 14 years now, and yet, we have different sides of the aisle here, but we always -- have always tried to somewhat work together. And over my 14 years of serving in this building, when some really divisive issues come up that have a lot of, maybe, agreements and disagreements or angst in them, we've tended to try to work together and come up and we've held multiple times over my years of dual committee hearings. So, I guess, Mr. President, I'd like to pose a question through the Chair, if I may, and I'd really like to know other than changing the Joint Standing Rules, what the angst would be about the two committees not sitting together and having this meeting. I'd really like to know why we wouldn't want to do that and at least give everybody some comfort that we was listening to one another because as its proposed right now, yeah, you know, we can get railroaded here and run over, but I'd like to know why they wouldn't -- why we wouldn't want to do that and allow it to just happen that way. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President, Men and Women of the Senate. I may not have the full answer to my colleague's question, but I would reiterate a couple things that have already been said here. One of the best ways to raise your voice and influence outcomes and conversation around a bill that's before this body is to testify in front of a committee. The other thing is that yes, it's not unusual for bills to cover many different policy areas, we face that all the time and manage somehow to sort through the issues and when appropriate - and I believe there are procedures and processes that will allow us to do this - can refer to a second committee for a particular issue to be under a different set of eyes. I think it's appropriate given the nature of this issue, and that's been said as well, that this bill be referred to the Judiciary Committee, and that I would expect all of us will pay close attention to what happens in that committee and will follow along any other issues that may come up that need the attention of another committee. There's also the process of sending letters from one committee to the other. I mean, we're not inexperienced as a body in how to deal with complex issues that cross over a number of different policy areas. I think for the purpose of efficiency and transparency, it makes utmost sense to send this bill to the Judiciary Committee for their consideration, knowing that the rest of us are going to be paying very close attention to the procedures and may well weigh in individually and as other members of committees. So, I would encourage us to accept this motion and refer this bill to the Judiciary Committee.

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

Senator **HARRINGTON:** Thank you, Mr. President. As the only Republican member on the Criminal Justice Committee, I think I would like an opportunity to not just testify on what I believe the legislation seeks to do, but an opportunity to actually ask questions about what the legislation seeks to do - not just to receive a letter from the Judiciary Committee asking me to make a decision on something. I think I deserve a right to ask questions, the committee deserves the right to ask questions, and, you know, the Chief Executive in her State of the State said she wanted bipartisan support, and if you want to do that, if we're going to accomplish that, we need to have everyone at the table and addressing this issue from the very beginning, not just having it rammed down our throats. And if the -- I guess if the legislation's predetermined -- has a predetermined fate, then I guess that's what it appears here today, that you don't want Republican buy-in, you don't want anything on this piece of legislation, so, that's really disappointing.

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

Senator **DAUGHTRY:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I respond to -- I rise to respond to the previous comments and just say that I really -- there's lots of bills that come into our committees that I as a member of the Labor and Housing Committee do not have a chance to be the full part of, and that's literally what happens in this building. There's plenty of bills -- in fact, we have one on our calendar today that was one of my bills that, you know, you're able to present. That is what the process is. Just because it's not in one of our committees doesn't mean that we as individual Senators aren't part of the legislative process. I mean, if that was true, we wouldn't get to partake in 98% of the bills that pass through this Chamber. I mean, that is literally what our democracy is about is even if it's not in our committee of jurisdiction, we have an opportunity not only as Senators but also as members of the public to be able to not only testify but follow along, to be able to write different folks and different committees and to be able to lobby for what we'd like to see happen on a measure. That's actually how I first showed up in here, outside of getting to be a page when I was a kid in the House, was as a high school student with a bunch of my friends, coming to follow two measures that we were really passionate about. We didn't get to sit on those committees and, heck, we spent a lot of time driving up here and learning about the process, but we made sure that our voices were heard even though we weren't sitting on a committee.

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

Senator **HARRINGTON:** Thank you, and I apologize for rising a second time. I think it's very disingenuous to imply that this is just a run-of-the-mill bill. And I guess that's what we're hearing, this is just a run-of-the-mill bill after a run-of-the-mill incident. And if that's the case and that's the standpoint of the majority party in this caucus, that this is just a run-of-the-mill bill after a run-of-the-mill event, then I guess do what we always do with every piece of legislation.

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

Senator **VITELLI:** Thank you, Mr. President, Men and Women of the Senate. I apologize also for rising a second time. But I did want to just remind all of us that the purpose of a public hearing is to have the public given the opportunity to weigh in. It's not just about us, it's about the public needing to have their opportunity to listen and have their voices heard. And that's what this will do, it will allow the public to weigh in. And I think I said this, but we all know this is not any ordinary bill. These are not bills that reflect ordinary circumstances. And I am again going to say that I think it behooves each of us as representatives of the public to pay attention to the unfolding and the hearings that these bills will get, but to please appreciate that this is the opportunity for the public to weigh in on these proposals, because they are, indeed, significant, and will affect all of our lives. Thank you, Mr. President.

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

Senator **KEIM:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I served on the Judiciary Committee when we had joint meetings to take up travel bills. And the reason we did is because it was an omnibus bill, and it touched so many different areas of law that it was really difficult for anyone committee to take it all under capacity. But the other reason is that it also had very far-reaching effects to issues that Maine people care about a lot, very near and dear to us. So, this bill is very similar in the fact that it is an omnibus bill, and we need to have the public come and give us their opinions on the bill and their perspective on the bill. But as a member of the committee, when you are able to ask questions, you find out more from the public, you are able to elicit more information from the public. And the process is more robust and the reason we want a robust process for this bill is because it's an omnibus bill, it has many different impacts to the people of Maine that could be very far reaching and touches on issues that are near and dear to Maine people. And therefore, I believe that we should have -- make an exception in the way that we do business, as we have in the past, and have this bill be heard by two committees because the jurisdiction of those two committees is so overlapping on the issues of this bill. Thank you.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. I don't apologize for rising a second time. I think it's important -- I think it's important about what I heard some of my colleagues about this being a public hearing for the public. It's also a public hearing for the legislators that serve within this building and sometimes it's very important to add time of the questions asked. It's not just about listening to what the public has to say, but it's beginning to understand what the public has to say by asking the questions that are very important when they say some things. I think that -- again, I'm going to say that it baffles me we're even having this discussion, that this has become a party issue, and I hope when the vote comes up, it's not, I -- I hope we vote this motion down and we move forward to creating a joint committee. I think it's important. I can't imagine at this point in time a bill that the

Governor has considered important, she wants bipartisan support on, she wants this to work through the system; I would think that we would want to do everything as legislators for the people of the State of Maine to do what's been asked. And to do what has been asked is we're only asking for a simple thing, to have a joint committee when we have the hearing, so both sides can ask the questions, get what we need, put this behind us and do the right thing. Please vote this motion down and let us proceed with a joint committee. I think it's important.

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

Senator **CARNEY:** Thank you and thank you for allowing me to speak yet again. I just wanted to point out that the Judiciary Committee has members of both parties who have demonstrated an ability to ask very incisive, insightful questions on every bill that the committee has taken up and I don't see that changing in this case. You have -- we have excellent Senators and Representatives on the committee, and I would just ask that colleagues allow this committee the -- this legislation to be referred to the Judiciary Committee and allow the committee to do its work with the members who are currently on the committee. Thank you.

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

Senator **GUERIN:** Thank you, Mr. President. I would say, in looking at this question, there is precedent set on joint committees. When I was on IF&W, sometimes we would have the Ag committee come into the IF&W room and we would have a joint meeting. And it was important because the questions came from a different angle if you were on the Ag committee than if you were on the IF&W committee. And I think this is true of this bill as well, and I think we would be well-served to have a reasonable resolution to this question and not have it become a party line fight that just a simple referencing issue that can be so amicably resolved. Thank you.

THE PRESIDENT: The pending question before the Senate is Reference to the Committee on Judiciary. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#540)

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

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

EXCUSED: Senators: FARRIN, LAFOUNTAIN, RENY

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **REFER** to the Committee on **JUDICIARY** and ordered printed, **PREVAILED**.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Pursuant to Resolve

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Establishing a State Calendar for the State of Maine" H.P. 1425 L.D. 2222

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, pursuant to Resolve, chapter 91, section 2.

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

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

Bill and accompanying papers **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Ought to Pass Pursuant to Resolve

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Directing the State Board of Education to Amend Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the State Board of Education H.P. 1424 L.D. 2221

Reported that the same **Ought to Pass**, pursuant to Resolve 2023, chapter 54, section 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

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

Resolve **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Provide Appropriations and Allocations for the Operations of State Government" (EMERGENCY)
H.P. 423 L.D. 646

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-755)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-755)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-755) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Prohibit Unauthorized Paramilitary Training"
H.P. 1354 L.D. 2130

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-757)**.

Signed:

Senators:
BEEBE-CENTER of Knox
LaFOUNTAIN of Kennebec

Representatives:
SALISBURY of Westbrook
HASENFUS of Readfield
LAJOIE of Lewiston
LOOKNER of Portland
MATHIESON of Kittery

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

Signed:

Senator:
HARRINGTON of York
Representatives:
ARDELL of Monticello
MILLIKEN of Blue Hill
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-757)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-757)**.

Reports **READ**.

Senator **BEEBE-CENTER** of Knox moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#541)

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, KEIM, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

EXCUSED: Senators: FARRIN, LAFOUNTAIN, RENY

18 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BEEBE-CENTER** of Knox to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-757) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Provide Funds to the Maine Indian Education School District"
H.P. 917 L.D. 1421

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-756)**.

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SAMPSON of Alfred
SARGENT of York
WORTH of Ellsworth

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

Signed:

Representatives:

BAGSHAW of Windham
POLEWARCZYK of Wiscasset

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-756)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-756)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-756) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Update the Sex Education and Consent Curriculum"
S.P. 120 L.D. 254

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

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

Reports **READ**.

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

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

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

Senator **LIBBY:** Thank you, Mr. President, Men and Women of the Senate. This bill provides ongoing funding to private agencies for family planning services, which still is as yet undefined in terms of exactly what kind of services those are. So, we have some reservations about that, and I hope you'll listen to some of my rationale. With no definition of these family life education services and with the nature of counseling to students sometimes being confidential in nature, we have strong concerns about not

some but other types of counseling that can occur. You have to keep in mind that when counseling is confidential and the parents not included, there can be a conflict between parents and the child. Open communication between the school and the family is really important. Being secretive only leads to more issues in the long run and with students, you know, the brain isn't fully developed. Children are learning from their experiences, and they have underdeveloped judgement as a result of their growth. And according to science and studies, a child has -- they strengthen their synapses that are developed early on as they go along and the part of the mind called a prefrontal cortex is the last part of the brain to mature and it's responsible for skills like planning, prioritizing, and making good decisions. Now, let's all of us think back to when we were in high school, weren't some of the things that we did, maybe we would change them now that we're older and wiser? I think there's no doubt about that. And so, counseling that involves some really delicate issues like gender therapies, gender conversion therapies, counseling that involve -- that should involve the parent. And this bill came in front of the Education Committee, and it was going to, of course, address our children, and it was an undeveloped concept draft. That's what it was. And a concept draft affecting my children, I -- I mean, we need time to develop some of these issues. So, for example, the definition of what should be included in these family planning services. So, anyway, this is ongoing funding, a half a million dollars of ongoing funding came out of the amendment to this bill that was undeveloped. And it wasn't a one-time, it was ongoing. And if we could just wait and develop some of these definitions that I could speak more clearly to you about exactly, you know, how these changes will pertain to my own children and yours. But I don't think that concept drafts make for good education policy. I think we need much more time. So, and especially with the delicate issue of gender conversion, there are so many other issues that are important we get this information in front of students, it needs to happen, but there are also these issues between what the family knows and what they don't. And I would like to close with this thought; wanting to know about the counseling of my two children, whether it involves gender conversion or anything else, me wanting to know about the counseling of my two children does not make me a bad man; it makes me a good parent. And this bill is far too loose, and it does not allow me to be that good parent, and so I would ask you to join me in opposing the motion that is on the floor. Thank you very much.

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

Senator **RAFFERTY:** Thank you, Mr. President. And I don't see anything in this bill that does anything more other than provide financial resources for policies which we've created. So, these learning standards or the learning results were established in 1979, and all they do is serve as a guide for local districts to create their own curriculums, which we're fine with generally, and you have a say in that as a citizen in your community. However, we have been asked to provide some funding because not all districts have those -- have the money or the financial abilities to reach out and get assistance. So, this is doing nothing more than providing ongoing funding with no change to current legislation, no change at all to current legislation. So, I'll tell you a quick story - I hope it's quick. I started in '77 as a high school Phys ed teacher. Along with Phys ed came health, so I was a health

teacher, too. Ran around the school seven periods a day from one room to the gym. In about '83 or '84, I was called in over the summer with a new assignment. Somewhere along the line, health education was changed to sex education. And I'm like, you know, I'm kind of baffled, like, what's going on. So, they were saying you're going to teach it. And oh, by the way, you can't use filmstrips, no movies, no literature, no guest speakers, nothing. And so, I'm going to walk in this room cold? I certainly would've welcomed any and all resources that were available. And I know the dilemma that communities are in, money is short, and this does nothing more than provide financial resources for them to reach out to people that are able and willing to come in. There are many agencies that do that. But we don't tell you or your community which agency to use; you do that, the schoolboard decides that. So, you have all that ability in terms of local power, local decision making, we're just going to reach out and provide some financial resources for you to do it should you need it. Thank you very much, and I urge you to vote Ought to Pass as Amended.

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

Senator **BRENNER:** Thank you, Mr. President. I rise in support of this bill, and I want to read to you from testimony from my daughter's sex ed teacher from Scarborough. As a high school health educator, sexual education is an integral part of life and needs to be addressed many times over the course of a young person's life, by more than just family members and friends. Sex ed, just like math, social studies, world language or science, needs to be taught by professionals in addition to family and friends, so that people can have comprehensive, unbiased information in a safe, respectful classroom, to have access to updated, accurate, and complete information on all sexual health topics. Healthy communication and relationships, affirmative consent, sexual autonomy and physiology, sexually transmitted infection prevention, testing, and treatment, and condoms, and other forms of contraception are all vital pieces of information for any young person, even if they are choosing abstinence currently. The role of public schools is to help make all important information accurate, accessible, and available for our future generations. We need a sexuality education that has more information on testing, treatment, and how to make condoms work effectively every time. We need to include different sexualities other than the default of heterosexual. Access to quality sexual education means we could significantly reduce our rate of STIs under the age of 25 - currently one in two folks under the age of 25 experience STIs - and our rate of unwanted teenage pregnancy, which is the highest in the world here in the U.S., and reduce the spread of HPV, which causes cervical cancer, and the resulting mouth, throat, and anal, and cervical cancers because of it, and reduce bacterial infections like chlamydia, gonorrhea, and syphilis and its impact on fertility. High-quality sex ed can also reduce the stigma surrounding the use of condoms and testing and treatment for STIs. When we all know better, we can do better. This is from Mary Record, who is my daughter's sex ed teacher in Scarborough. I urge you to support this funding for sexual education in the State of Maine. Thank you.

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

Senator **BENNETT**: Thank you, Mr. President, Fellow Members of the Senate. I have been reading the bill, which doesn't take a long time to read, and I've been listening to the debate, and I have no idea what everybody's talking about. This bill doesn't talk about sexual education, it doesn't mention curriculum, it doesn't mention family planning, it doesn't mention gender therapy; it mentions nothing. The only language is comprehensive family life educational services. Is that defined anywhere in Maine law? I couldn't find it. What are we voting on? Five hundred thousand dollars of ongoing funding for God knows what. Now, we can each project into this whatever our dreams and wishes are, but I'm just reading the statute that we're about to vote on in a few moments, and I have to say this bill is half baked, it isn't clear, and I cannot support it given the fact that we don't know what services are going to be rendered, on what basis, no idea who's going to get these services, and there are no standards for which they be delivered. Is this the way that we're going to decide to spend an extra half a million dollars? I'm not opposed to half these things that people are mentioning, but they're not in the bill. This bill is going to pass, undoubtedly, it's going to end up on the appropriations table, and we're going to be sitting there looking around at each other saying what the hell does this bill do? No idea. Thank you, Mr. President.

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

Senator **DAUGHTRY**: Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise as the proud sponsor of said bill, which has been getting tossed around more than a bad textbook in a high school. I want to sort of back up and say why I sponsored this legislation and why it did come before us all as a concept draft. I have been passionate about sex education and peer sex education since I was in high school. And that came from a time where I had friends who were struggling to find the resources they need, including one of my friends who had her first child while she was in high school and was trying to find the supports and services to be able to start her family. And at that time, you know, we had amazing teachers, but there was still a lack in the curriculum and a lack of materials. And I'll never forget one of my teachers saying that they wished they just had access to more time and more funding to be able to spend more of their classroom time preparing their young students, the young minds, to be able to advocate for themselves. So, a few years ago, I was really proud to have a bipartisan bill that passed through the Education Committee -- actually, I worked with Representative Phyllis Ginzler on it to pass affirmative consent into Maine law, which is something that I think is very important not only when we're discussing health, but when we're discussing anything in our life. Affirmative consent takes the pressure off of individuals to not have to say no, but to ensure that in any interaction that you're having an agreement, that you're both saying yes to be able to move forward, whether it's with a relationship, whether it's with a conversation, whether it's, you know, with any different matter of life. And one of the reasons we both worked on this, we were on different sides of many different issues, but we were passionate about empowering our children and our students with the knowledge to be able to advocate for themselves and their own bodies, whatever their family's beliefs are, whatever they're talking about with their parents at home, that it gives them the tools to be able to stand up for themselves and their beliefs. This

is not about counseling, this is not about gender conversion, this is not about whatever social politic you want to pull out of a headline from the national news and throw into this conversation. This is about empowering Maine students and Maine teachers for existing curriculum. Hopefully, it's being distributed right now, the actual chapter that the bill will go to fund. This is the Chapter 20-A portion. Additionally, I have the 20 pages that were just printed of the Maine learning results matrix that the \$500,000 will go to fund. The reason this started as a concept draft is because I have been in conversations with the Department of Education as well as health educators about what needed to be updated to ensure that we are able to teach what's already on the laws. There is no change to Maine law in this bill; it is literally funding what we already have. The biggest thing we heard statewide, and we spent over a year and a half having these conversations, was that we can't even print the materials that are provided by the Department of Education, that are provided by what the schoolboard is mandating in each different area, which oftentimes is different from community to community and informed by parents. You know, having those conversations about what works for their students. They literally didn't have the money to be able to meet the law that this Chamber has told them that they need to do. So, that's why it's \$500,000. Additionally, if anyone would like to see the Maine learning results with the matrix on what their children will be learning and how they will be graded, I am happy to distribute that as well. It is 22 pages, and it will show you why we need funds to be able to teach this curriculum. And with that, I just want to reach the actual chapter from 20-A, Health and Physical Education. The secondary course of study must include instruction health, safety, and physical education as prescribed by the Commissioner, and physiology and hygiene with special reference to the effects of alcoholic drinks, stimulants, and narcotics upon the human system. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness, and to eliminate the stigma associated with mental illness. A secondary course of study must also include instruction on affirmative consent, communication and decision-making regarding sexual activity and the effects of alcoholic drinks, stimulants, and narcotics on the ability to give affirmative consent, communicate, and make appropriate decisions. For purposes of this section, affirmative consent means consent to sexual activity that can be revoked at any time and does not include silence, lack of resistance, or consent given while intoxicated. It's about ensuring that our students know how to take care of themselves. I really hope that you will support this bill and recognize that it doesn't matter what our own feelings about different hot topic issues that have been gaining headlines nationwide; it's about ensuring that our teachers have the resources they need to support their students in their own decisions. This means that no matter what a student's personal beliefs are, what their family has been able to help raise them in, that they have the mechanisms and the language to be able to fight for themselves. And frankly, that's one of the most American things I can think of.

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

Senator **TIPPING**: Thank you, Mr. President. I rise to share the results of a quick Google search. In addition to the broader definition that was just shared on health and physical education,

there was a concern that comprehensive family life education was not defined. It's defined in Title 22, Subtitle 2, Part 4, Chapter 406. Comprehensive family life education means education in kindergarten to grade 12 regarding human development and sexuality. The definition continues, there's also other subsections that concentrate on staff and policy development. It seems like a pretty clearly defined part of state law. Thank you.

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

Senator **RAFFERTY:** Thank you, Mr. President, but the Good Senator just took the words right out of my mouth, so I will sit down.

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

Senator **LIBBY:** Thank you, Mr. President. The previous two Senators were right on target, except for the fact that when you look at 1910, comprehensive family life education services, it doesn't delineate the services, and neither did you. It's not there. I can read it for you. Training for teachers, parents, community members in the development and implementation of comprehensive family life education curriculum and planning and an evaluation component as part of the comprehensive school health education. And when you look at the private entities that will receive the funding, and how they define themselves, you will see exactly what they offer. It's not in here. Thank you.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Thank you, Ladies and Gentlemen of the Senate. I do apologize. The Good Senator from Orono did remind me that I also have the definitions that he read from, including comprehensive family life education, contraceptive supplies, family planning, family planning services, as well as health care practitioner and physician. I will spare you all reading the entire sheet, but I have it available. Second, here are said Maine learning results which go over the contract about who can do said types of curriculum as well as the matrix for which all grade levels are evaluated. And additionally, if you read the very short brief HIT bill, as the Good Senator from Oxford referred to it, a quick read for a very large subject, which is not a quick read, which is why we need half a million dollars, you'll notice it says contract. That's the key word. This is not going away to any entity. You'll notice if you read in the amendment, it does not say going to the Maine State Senate, going to Senator Libby's organization, going to Senator Daughtry's training blah-blah-blah. The reason it doesn't specify anyone is because it is up to the Department of Education to make sure that it is going through what we all want to see happen. It is not a straight-line item to any organization, it's about making sure that it goes to back up this document, to make sure that our students are able to learn the law that this building and our department have said they need to have.

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

Senator **BENNETT:** Thank you, Mr. President. Request

permission to pose a question through the Chair.

THE PRESIDENT: So moved.

Senator **BENNETT:** Thank you. There's a lot I don't like about the legislative process. This bill is one of them. If I'm in error, I'm in error, but I've got to also ask this question. This is supposedly about education. The definitions that are given are in education statute; the bill gives the Department of Health and Human Services the grant-making ability for this \$500,000. It doesn't say anything about education. I would pose the question of the Chair as to what is the connective tissue between getting this funding as proposed in this bill, which is to the Department of Health and Human Services, across the line to support what appears to be an effort to support curriculum at the -- in education at the state -- at the local level.

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

Senator **DAUGHTRY:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise to answer said question. I do know that all of us have talked about sometimes the unfortunate nature of state government being siloed, and that does mean oftentimes things will touch upon many different departments, but the funding allocation during the budgeting process might be coming from a different source than what might make sense. So, there are many things within education that we see on the Education Committee in my decade I did as well where curriculum will be funded from outside sources. For example, another bill that I remember us hearing is on traffic safety education. That's something about making sure, actually, through health and phys-ed, that students receive awareness of driving, crossing the street, etcetera. The funding for that typically comes from the Department of Transportation through a federal grant match. So, even though it was an education bill and regarding education, the funding fiscal note attached actually touched upon DOT and Transportation. It actually happens in a lot of different areas in Chapter 20-A, as well as our education budget, because of how many diverse funding sources there are out there, not only for our schools but for our educators and for professional development. I mean, some of the fire training that we receive, the school safety, for example, a bill that we had last time, had funding that touched upon not only the Department of Education as well as the Maine School Safety Center, as well as the Department of Public Safety. So, I think one of the benefits and curses for our good Department of Education is that it covers so many different subjects that sometimes you will see, just like this, things that touch upon DHHS, DOT, Department of Public Safety. So, if anyone wants to come up with a new way to do our appropriations process and a way to de-silo state government, have at it, but for now, this is how it goes.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#542)

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

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

EXCUSED: Senators: FARRIN, LAFOUNTAIN, RENY

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-537) **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 Provide Additional Moose Hunting Opportunities for Maine Youth Experiencing Critical Illnesses"
H.P. 1314 L.D. 2052

Bill "An Act to Exempt Buildings Used to Cultivate Crops from the Maine Uniform Building and Energy Code"
H.P. 1315 L.D. 2053

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

Bill "An Act to Amend the Start Date of the September Upland Game Season"
H.P. 1422 L.D. 2216

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

House As Amended

Bill "An Act to Provide for Consistent Billing Practices by Health Care Providers"
H.P. 988 L.D. 1533
(C "A" H-752)

Bill "An Act to Establish the Community Housing and Rural Development Authority"
H.P. 1197 L.D. 1867
(C "A" H-751)

Bill "An Act to Allow Candidates for County Office to Participate in the Maine Clean Election Act"
H.P. 1263 L.D. 1966
(C "A" H-753)

Bill "An Act to Establish Training and Certification Standards for Probation and Parole Officers"
H.P. 1307 L.D. 2045
(C "A" H-754)

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

Senate As Amended

Bill "An Act to Require Personal Finance to be Taught as a Separate Course to Obtain a High School Diploma"
S.P. 521 L.D. 1284
(C "A" S-536)

Bill "An Act to Index Workers' Compensation Benefits to the Rate of Inflation"
S.P. 767 L.D. 1896
(C "A" S-534)

Bill "An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals"
S.P. 830 L.D. 2009
(C "A" S-535)

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

Sent down for concurrence.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (2/20/24) matter:

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Amend the Calculation of Tariff Rates and Billing Credits Under Net Energy Billing"
S.P. 584 L.D. 1465

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-531)** (5 members)

Tabled - February 20, 2024 by Senator **GROHOSKI** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, February 20, 2024, Reports **READ**.)

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

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

Senator **HARRINGTON:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. Here we are again with another chance to put Maine's electric ratepayers ahead of out of state and foreign solar developers. We've created over \$100 million in above market costs, with more to come unless we make some serious changes to the Maine net energy billing program. This legislation seeks to restore some balance protecting Maine ratepayers from rising costs associated with NEB subsidies while providing fair reimbursement to developers and subscribers. Rather than basing subsidies in the tariffs rate program for commercial and institutional customers on the standard offer rate, the bill provides that the PUC may - and again, "may" is very important - periodically review and alter the amount of compensation that a customer with a financial interest in the distributed generation resources receives as a result of participating in the tariff rate net energy billing program. Thank you.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#543)

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

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

EXCUSED: Senators: FARRIN, LAFOUNTAIN, POULIOT, RENY

21 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

(See action later today.)

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

The Chair laid before the Senate the following Tabled and Later Assigned (2/20/24) matter:

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Make Changes to Certain Laws Governing Renewable Energy Projects"
S.P. 892 L.D. 2099

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-530)** (8 members)

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

Tabled - February 20, 2024 by Senator **GROHOSKI** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, February 20, 2024, Reports **READ**.)

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

Bill **READ ONCE**.

Committee Amendment "A" (S-530) **READ** and **ADOPTED**.
ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

ORDERS OF THE DAY

On motion by Senator **BENNETT** of Oxford, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Majority **OUGHT NOT TO PASS** Report on the following:

Bill "An Act to Amend the Calculation of Tariff Rates and Billing Credits Under Net Energy Billing"
S.P. 584 L.D. 1465

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-531)** (5 members)

(In Senate, February 22, 2024, motion by Senator **LAWRENCE** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#544)

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

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

EXCUSED: Senators: FARRIN, LAFOUNTAIN, POULIOT, RENY

20 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (2/20/24) matter:

HOUSE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Reduce Electricity Rates"
H.P. 452 L.D. 683

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-750)** (5 members)

Tabled - February 21, 2024 by Senator **GROHOSKI** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, February 20, 2024, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, February 21, 2024, Reports **READ**.)

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

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

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

Senator **HARRINGTON:** Thank you, Mr. President. Surprise again, I urge you to vote against this motion. This is yet another opportunity to lower your constituents' electric bills. I don't think a single person that testified before this would argue the fact that this will lower electricity rates in Maine, and I think you, I, and all of us owe that to our constituents. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#545)

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

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

EXCUSED: Senators: FARRIN, LAFOUNTAIN, POULIOT, RENY

21 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Provide Funding to Rebuild Infrastructure Affected by Extreme Inland and Coastal Weather Events" (EMERGENCY) H.P. 1426 L.D. 2225
Committee on **TRANSPORTATION** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

On motion by Senator **CHIPMAN** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

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

PAPERS FROM THE HOUSE

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

The **Department of Agriculture, Conservation and Forestry**, pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council

asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 213: Rules for the Salmonella Enteritidis Risk Reduction and Surveillance Program for Commercial Egg-type Flocks, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY) H.P. 1427 L.D. 2226

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 Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 80: Reduction of Toxics in Packaging, a Late-filed Major Substantive Rule of the Department of Environmental Protection (EMERGENCY) H.P. 1428 L.D. 2227

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

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

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

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

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Lower the State's Health Care Costs"
H.P. 205 L.D. 307

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

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

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

Senator **DUSON:** Thank you. Today's Black History Month spotlight on African Americans in the Arts is on Ashley Bryan, a prize swimming -- he might've been a prize swimming also, but a prize-winning children's author, illustrator, puppet maker, and storyteller, and a resident of Little Cranberry Isle. Ashley Frederick Bryan was born on July 13, 1923, in Harlem, raised in the Bronx. He was the second of six children and grew up with six -- excuse me, three cousins. Mr. Bryan recalled his childhood in New York City during the '30s as an idyllic time full of art and music. He learned to draw, paint, and play instruments at school from artists and musicians participating in the Work Projects Administration program. When Mr. Bryan applied for scholarships to art schools at 16, he was told that his portfolios were among the most impressive ever submitted, yet his applications were denied, since it would be a waste to give a scholarship to a colored person. Ashley was eventually accepted to the tuition-free Cooper Union School of Art and Engineering in New York City, where admission was solely based on your exam portfolio. And in 1940, he began studying sculpture, calligraphy, design, book illustration, and painting. Mr. Bryan was drafted out of the Cooper Union School into the segregated 502nd Port Battalion for training as a stevedore in World War II. White, mostly southern, officers were assigned to Ashley's company, and he observed that the German prisoners received better treatment than the black soldiers. Hiding his art materials in his gas mask, Ashley drew everything he experienced including sketches on Omaha Beach marked D-Day plus three. These works later became the basis for a 2019 picture book memoir entitled Infinite Hope, about serving in a segregated army and his love and pursuit of art and how that sustained him. In '46, Mr. Bryan returned to Cooper Union and completed his art studies and from there, he came to Maine as part of the first class at the Skowhegan School of Art and Sculpture, where our majority leader had the opportunity to take a class from him. It was during that time that he visited Acadia National Park and viewed the Cranberry Isles, where he later established a home. Ashley returned to the Bronx in '53 and

began teaching art full time and continued to spend his summers on Little Cranberry. He devoted most of his career to instructing at universities across the country, including Queens College, Philadelphia College of Art, the Dalton School, Lafayette College - which is where his life intersected with our majority leader - and Dartmouth College. And much of his work is dedicated to retelling African folktales and African American spirituals. He wrote and illustrated over 70 books, including three that received the Coretta Scott King Award, Beat the Drum Pum-Pum, Beautiful Black Bird, and Let it Shine - three favorite spirituals. In the late-1980s, when he retired as emeritus professor of art at Dartmouth, he became a more full-time resident of Little Cranberry, where he created art and he taught many others to love and create art at his island studio for many years. Mr. Bryan's works have received many national awards and have been the subject of prestigious national and international exhibitions. Mainers have been blessed to experience his work in exhibitions on the island, at the Bates and Bowdoin College museums, at the Portland Museum of Art, and at the Farnsworth Museum in Rockland. Mr. Bryan touched many lives here in Maine and he was deeply touched when the Maine Island Schools honored him by renaming the school on Little Cranberry the Ashley Bryan School. The Ashley Bryan Center formed in 2013 to preserve, protect, and care for his art, his collections, his books, and to promote his legacy. And in 2019, the Center and the University of Pennsylvania reached an agreement to archive Mr. Bryan's arts in their special collections of rare books and manuscripts. I've excerpted much of this summary from information published by the Ashley Bryan Center and Indigo Arts Alliance, on whose advisory board Mr. Ashley Bryan served. His life and story is given far better justice in the obituary that you will find at your desk.

From his home on Little Cranberry Isle, Ashley Bryan was a giant in the world of art and a force of nature in his beloved island community. Thank you.

Off Record Remarks

On motion by Senator **PIERCE** of Cumberland and Senator **BRAKEY** of Androscoggin, **ADJOURNED** until Tuesday, February 27, 2024, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, in memory of and lasting tribute to Michael H. Payson, Sr. of Falmouth and Aaron Rollins of Madison.