

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
Wednesday
March 6, 2024

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

Prayer by Pastor Tobin Curtis of Christ Community Fellowship in Madison.

PASTOR TOBIN CURTIS: Let's pray. Heavenly Father, we thank you for this moment to acknowledge you as our creator, our sustainer, and the one who gives purpose to our lives. Almighty God, we humble ourselves before you today and ask for the grace, strength, and love that is lacking in all of us. God, I thank you for each of these Senators who have taken on the responsibility to represent, serve, and establish public policy for the good people of Maine. Lord, we recognize our need for your wisdom. We ask you for that wisdom, and know that we will receive it because of your promise to give abundantly to those who ask. And would you please grant these Senators your spirit of unity, hope, and peace, so they can confidently and effectively position our state and all of its people for future prosperity, security, freedom, and blessing. Now, Lord God, cause them to walk in truth, with humble hearts and hopeful expectations. And in the name of your son and our risen savior be praised. Amen.

Pledge of Allegiance led by Senator Timothy E. Nangle of Cumberland County.

Reading of the Journal of Tuesday, March 5, 2024.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Establish a Minimum Value Threshold for the Class C Crime of Theft by a Repeat Offender"
H.P. 1442 L.D. 2246

Bill "An Act to Clarify the Minimum Sentencing Standards for a Violation of Operating Under the Influence"
H.P. 1443 L.D. 2247

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **BEEBE-CENTER** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 980

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

March 4, 2024

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

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business from its review and evaluation of the Department of Professional and Financial Regulation under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Department of Professional and Financial Regulation by letter of its intent to review the department on April 28, 2023. The Department of Professional and Financial Regulation submitted its program evaluation report by November 1, 2023 and presented the report to the committee on January 30, 2024. The committee held a work session on February 27, 2024.

The committee has reviewed the report and finds the Department of Professional and Financial Regulation is operating within its statutory authority. Additionally, after assessing the Department's recommendations to address emerging issues pertaining to the Commissioner's authority in times of public health emergencies and the need for a formally established Deputy Commissioner position, the committee has voted to report out legislation this session pursuant to 3 MRSA §955(4) to consider implementation of those recommendations.

Sincerely,

S/Sen. Chip Curry
Senate Chair

S/Rep. Tiffany Roberts
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 981

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

February 28, 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 Environment and Natural Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1418 An Act Concerning Single-use Disposable
Water Bottles and Water Refill Stations

This is notification of the Committee's action.

Sincerely,

S/Sen. Stacy Fielding Brenner S/Rep. Lori K. Gramlich
Senate Chair House Chair

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

SENATE PAPERS

Bill "An Act to Clarify Permissible Election and Lobbying
Expenditures by Consumer-owned Water Utilities"
(EMERGENCY)
S.P. 972 L.D. 2254

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

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

Sent down for concurrence.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Parker Mateja, of Scarborough, who won the USA Track and Field Maine State Championship in Cross Country for his age group, 9-10 Boys. Parker also qualified for the Junior Olympic National Championships. We extend our congratulations and best wishes;
SLS 1510

Sponsored by Senator BRENNER of Cumberland.
Cosponsored by Senator: CARNEY of Cumberland,
Representatives: GATTINE of Westbrook, MURPHY of
Scarborough, WARREN of Scarborough.

The Joint Order was **READ**.

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

Senator **BRENNER:** Thank you, Mr. President. Mr. President and Fellow Colleagues of the Senate, I rise today to acknowledge a special guest who's here with us today, Parker Mateja of Scarborough, who's here along with his father, Jeff, and his grandfather, Phil. Parker is a rising star in the world of track and cross country. Last summer, he claimed the state championship in the 9-10 boys 1500 meters in outdoor track. In the fall, Parker participated in the USA Track and Field Maine Cross Country and won the state championship and qualified for the 9-10 boys 3K USA Track and Field Junior Olympic Cross Country National Championships in Louisville, Kentucky. At Nationals, Parker ran an impressive 11 minutes and 52 seconds and secured the 81st position out of 363 runners. I want to acknowledge the support system behind Parker, including his family, coaches, and teachers. Their encouragement and guidance played a significant role in his success. Parker's hard work and dedication is an inspiration. To get ready for his races, Coach Kelly instructed Parker to run six days a week for 20-30 minutes and run in different strides and exercises to help improve. It seems the hard work paid off, with Parker running circles around his competition. I do think I'm going to try to incorporate that into my daily routine. Parker, you're a shining example of the talent and potential that exists in our community. I have no doubt you will continue to achieve great things in the future. Please, Colleagues, join me in congratulating Parker in his incredible accomplishments. Maine is fortunate to have such talented and dedicated young athletes representing our state and I can't wait to see what you do next. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the chamber Parker Mateja, his father Jeff Mateja and his grandfather Phil Mateja of the city of Scarborough. They are the guests today of the Senator from Cumberland, Senator Brenner and the entire Maine Senate. Would the guests please rise and accept the greetings of the Maine Senate.

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

Off Record Remarks

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 have preference in the Orders of the Day and continue with such preference until disposed of as provided by Senate Rule 516.

JOINT RESOLUTION - RECOGNIZING FEBRUARY 3, 2024 AS TOPICAL STEROID WITHDRAWAL SYNDROME AWARENESS DAY
S.P. 954

Tabled - February 27, 2024 by Senator **KEIM** of Oxford

Pending - **ADOPTION**

The Joint Resolution was **READ**.

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

Senator **KEIM:** Thank you, Mr. President. Although February 3rd has passed, I appreciate this Body's indulgence in allowing me to bring attention to this emerging clinical problem - topical steroid withdrawal. TSW, also known as topical steroid addiction or red skin syndrome, is a debilitating condition that can arise, as you heard, from the use of topical steroids to treat skin disease, but it can also arise from the steroid use in individuals with no prior skin condition. I had never heard of TSW until a constituent, who is actually here with us today, brought this to me and now I understand this condition is preventable and definitely not well understood. Many patients report dismissal by dermatology healthcare professionals, driving them to seek help from unregulated online sources. In describing TSW, Dr. Olivia Friedman of Chicago said its symptoms can completely upend lives, often forcing patients to become bedridden, thus impacting entire families financially and psychologically. Because TSW usage is pervasive worldwide and is not well understood or treated, rigorous research and broader public and practitioner awareness is needed to stop this preventable condition. I thank you for allowing me to highlight this with our Body today. Thank you for your indulgence in having it on the calendar for a while as we waited for my constituent to be here with us. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber JP and Elizabeth Touchette of the town of Rangeley. They are the guests today of the Senator from Oxford, Senator Keim, and the entire Maine Senate. Would they please rise and accept the greetings of the Maine Senate.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Amend Licensing Requirements for Landscape Architects" (EMERGENCY)
H.P. 1322 L.D. 2060

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Increase Public Access to Utilities"
H.P. 161 L.D. 240

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-798)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-798)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-798) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Amend the Maine Insurance Code Regarding Payments by Health Insurance Carriers to Providers"
H.P. 903 L.D. 1407

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-790).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-790).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-790) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Joint Select Committee on **HOUSING** on Bill "An Act to Amend the Regulations of Manufactured Housing to Increase Affordable Housing"
H.P. 211 L.D. 337

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-791).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-791).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-791) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Joint Select Committee on **HOUSING** on Bill "An Act to Encourage Affordable Housing and Mixed-use Development by Establishing a Thriving Corridors Program"
H.P. 1071 L.D. 1673

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-787).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-787).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-787) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Joint Select Committee on **HOUSING** on Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Statutes
H.P. 1150 L.D. 1787

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-786).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-786).**

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

Resolve **READ ONCE.**

Committee Amendment "A" (H-786) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Joint Select Committee on **HOUSING** on Bill "An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State"
H.P. 1416 L.D. 2209

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-788).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-788).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-788) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator **MOORE** of Washington requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Strengthen Maine's Workforce"
H.P. 167 L.D. 262

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-796)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-796)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-796) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act to Amend the Laws Regarding Certain Advisory Councils and Boards Related to the Department of Marine Resources"
H.P. 1326 L.D. 2064

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-801)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-801)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-801) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Prohibit Persons Who Donate to a Governor's Transition Committee and Inaugural Committee from Registering as Lobbyists"
H.P. 522 L.D. 833

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-794)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-794)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-794) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Establish a Clean Hydrogen Pilot Program"
H.P. 1138 L.D. 1775

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-797)**.

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

ZEIGLER of Montville
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

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

Signed:

Senator:

HARRINGTON of York

Representatives:

BABIN of Fort Fairfield
DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-797)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-797)**.

Reports **READ**.

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

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

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

Senator **HARRINGTON:** Thank you, Mr. President. Please join me in voting down this motion. I initially co-sponsored this legislation; I was interested in learning more about it. The more we learned, there are plenty of pilot projects throughout the country, we know everything we need to know about this project, and we certainly don't need to study something we can already access data on and certainly shouldn't do it on the backs of Maine ratepayers. Thank you.

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

Senator **GROHOSKI:** Thank you very much, Mr. President. I originally had a lot of concerns with this legislation. It is not one that I would've been willing to co-sponsor in its original form. However, I think it has progressed into a really smart initiative for the State of Maine. There is a lot of federal money available and, in fact, if you maximize all the federal tax credits, it is actually you can develop hydrogen at a negative cost, which would definitely be in the interest of ratepayers. One of the reasons that I have become a supporter of this legislation and think it's very important for Maine positioning ourselves in a global economy is that hydrogen is recognized as one of the only ways to decarbonize the maritime sector, and that's clearly a very important part of the State of Maine's history, it's very important in my district and, in fact, the Maine Maritime Academy is working very hard to make global partnerships so that our students can be part of that future workforce, which I think will include hydrogen. So, I think doing a very limited project, up to 20 megawatts, is prudent for the State to start to understand how we can be leaders in this sector because it is where the world is headed. Thank you.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#577)

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

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

EXCUSED: Senators: LAFOUNTAIN

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-797) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Protect Health Care Workers from HIV" (EMERGENCY) H.P. 1334 L.D. 2075

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

Signed:

Senator:
BAILEY of York

Representatives:
ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MATHIESON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-800)**.

Signed:

Representatives:

PERRY of Calais
MORRIS of Turner
NUTTING of Oakland
PRINGLE of Windham
SWALLOW of Houlton

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

Reports **READ**.

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

Divided Report

The Majority of the Joint Select Committee on **HOUSING** on Bill "An Act to Provide Regional Support to Deliver State and Federal Programs to Cities and Towns in the State"
H.P. 379 L.D. 602

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-789)**.

Signed:

Senators:

PIERCE of Cumberland
VITELLI of Sagadahoc

Representatives:

GERE of Kennebunkport
GATTINE of Westbrook
GOLEK of Harpswell
LOOKNER of Portland
RANA of Bangor

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

Signed:

Representatives:

BLIER of Buxton
BRADSTREET of Vassalboro
CAMPBELL of Orrington
MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-789)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-789)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-789) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

Six members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Adopt an Interstate Compact to Elect the President of the United States by National Popular Vote"
H.P. 1023 L.D. 1578

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
MONTELL of Gardiner
RUDNICKI of Fairfield

Five members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-792)**.

Signed:

Representatives:

SUPICA of Bangor
COLLINGS of Portland
MALON of Biddeford
RIELLY of Westbrook
WILLIAMS of Bar Harbor

Two members of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-793)**.

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Comes from the House with Report "B", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-792)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-792)**.

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** Report "**A**", **OUGHT NOT TO PASS**, in **NON-CONCURRENCE**.

On motion by same Senator, **TABLED** until Later in Today's Session, pending motion by same Senator to **ACCEPT** Report "**A**", **OUGHT NOT TO PASS**, in **NON-CONCURRENCE**.

Senate

Ought to Pass

Senator **RENY** for the Committee on **MARINE RESOURCES** on Bill "An Act to Provide for Medical and Vessel Breakdown License Exceptions for Commercial Menhaden License Holders" S.P. 853 L.D. 2025

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 **TAXATION** on Bill "An Act to Provide Heating Relief with Tax-free Home Energy Savings Accounts" S.P. 757 L.D. 1873

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

Signed:

Senators:
GROHOSKI of Hancock
CHIPMAN of Cumberland

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-556)**.

Signed:

Senator:
LIBBY of Cumberland

Representatives:
CARMICHAEL of Greenbush
LIBBY of Auburn
RUDNICKI of Fairfield

Reports **READ**.

Senator **GROHOSKI** of Hancock 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 Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the underlying legislation and opposed to the pending Ought Not to Pass Report in front of us, though with much respect to Senator Grohoski, who does great work on the Taxation Committee. But as the sponsor of this legislation, LD 1873, An Act to Provide Heating Relief with Tax-free Home Energy Savings Accounts, I have this to say. It's no surprise that winter comes to Maine every single year. As a northern state, we deal with that as we're shoveling out our driveways every year and trying to heat our homes. But rather than reacting from crisis to crisis with only short-term relief, as was done at the outset of the 131st Legislature with the passage of LD 3, I believe we should consider how we help Maine families prepare for future winters, by empowering them to utilize their own money, tax free, for their home energy needs. And that is exactly what this legislation aims to achieve. Originally, I proposed this bill to establish home energy savings accounts that would function similar to federal health savings accounts, but supportive members of the committee saw fit to instead recommend a direct income tax deduction for home energy needs. I'm happy for their collaboration and completely support this method for delivering tax relief for the home energy needs of Maine people. Should we reject the pending motion, however, and accept Committee Amendment "A" I do believe this legislation should include eligibility as is included in the underlying bill, not only for electricity expenses but also nonelectric heating and home weatherization. If we were to get to that point, I would be happy to offer a floor amendment. Individuals could claim a deduction on their taxes for up to \$2500 in annual energy expenses. To spare you from doing the math, the maximum annual tax savings would range from \$145 to \$178.75 for an individual, depending on the tax bracket they find themselves in. Now, recognizing the ever-increasing electricity and fuel rates, and the fact that Maine's harsh winters require frequent home weatherization measures, this is a commonsense solution that will empower Maine people to plan and save and utilize their own funds for the long term. Our first resort in helping Maine people should not be taking their money and sending it back to them, but empowering them to use their own resources to address their own family's needs. Thank you for your time and consideration. I hope you will join me in voting no on the pending motion so we can move on to the Ought to Pass as Amended by Committee Amendment "A" report. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from

Hancock, Senator Grohoski.

Senator **GROHOSKI**: Thank you, Mr. President, and Colleagues in the Senate. I want to thank the Senator from Androscoggin for sharing a description of what this bill does. It does provide an income tax deduction up to \$2500 for electricity used. And I really appreciate what the Senator is trying to do here because I know that our constituents are working through hard times with their energy budgets. However, I don't think that the solution is properly tailored, and it comes at a great expense to the State. It requires three new positions, auditor positions in Maine Revenue Services and, as the Senator pointed out, the maximum annual benefit is \$178. It affects around 400,000 income tax filers, so not even a majority of the people that we represent would benefit from this. And additionally, it will cost us \$50 million a year to provide what is a benefit but not a very large benefit for households. It is not really the purview of the Taxation Committee, it is more the purview of the Appropriations Committee or the Energy Committee, to recommend how we might help folks through general fund appropriations with energy costs, but I would just remind members, and especially if your constituents are asking, that we do have some great programs. We have the heat program, the LIAP program, Efficiency Maine Trust also has weatherization programs because we all know that the cheapest energy used is the energy that we don't use at all. So, I would really rather spend \$50 million every year weatherizing folks' homes so that they're not spending this money whatsoever. There's also Maine State Housing has a low-income weatherization program. And to the point about empowering people to save for those difficult times, we also have some fantastic programs through the Cash Maine system, including the Rainy-Day Savings program and the Family Development Accounts program. So, there are a lot of opportunities. I would recommend that instead of adding a new feature to our income tax filing that deviates from the federal tax system that we actually invest in these programs that are working and are targeted to Maine people that most need the help. 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'd just like to take a moment to amplify a little bit what the Senator from Hancock spoke about. There are clearly needs for people to be able to pay unexpected energy expenses, whether that's electricity or home heating oil. We've heard that there are some programs already in existence to help do that, and I just want to let you know a little bit more about one of them, the Rainy-Day Savings Account program, which I'll be honest, I helped start. It's a matched savings program that is designed as its title is, rainy day, to enable people to save their money for unexpected expenses that could include if their furnace fails or if they suddenly get a larger electric bill, they can use their savings for this. Eligibility for the rainy-day savings program is based on annual household income, so it's very targeted. Your income must be at or below \$30,120 for one person or \$40,880 for two people. It's based on the 200% of poverty guidelines. Accountholders typically save between \$20 and \$100 a month, for a maximum savings of \$400, which is then matched one to one. These are tax-free savings accounts, they're matched one to one, so they can withdraw that money after a certain period of time to use for these unanticipated expenses. In addition to this sort of

small savings account, there is the family development account, which is a program that was actually created in part by this Legislature that enables people to save for more tangible assets like first-time homebuyer, paying for an education, or starting a small business. These accounts are matched four to one and can include savings up to \$1,000. To participate in that, the savers also need to participate in a financial education class, and if they're using their savings to purchase a home, they have to participate in a home buyers education class. So, these are specifically targeted to people who have low incomes, who want to start saving their own money for unexpected expenses or for assets that can help build their assets going forward. These programs have been around for at least ten years, if not longer. They've been proven to work. They're administered currently by the New Ventures Maine organization, and they bring together both private and public funds to help fund the match and they are indeed intended to help people to empower people to save their own money and to plan for their futures in a more secure and financially stable way. So, I suggest we let people know about these programs and ask that you join me in voting down this basically unnecessary and expensive effort.

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 (#578)

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

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

EXCUSED: Senators: LAFOUNTAIN

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **GROHOSKI** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

SECOND READERS

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

House

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

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

House As Amended

Bill "An Act to Implement the Recommendations of the Maine Workforce, Research, Development and Student Achievement Institute"
H.P. 182 L.D. 284
(C "A" H-783)

Bill "An Act Regarding the Reduction and Recycling of Food Waste"
H.P. 645 L.D. 1009
(C "A" H-775)

Bill "An Act to Establish the Alzheimer's Disease and Other Dementias Advisory Council Within the Department of Health and Human Services and to Require a State Plan to Address Alzheimer's Disease and Other Dementias"
H.P. 1349 L.D. 2125
(C "A" H-782)

Bill "An Act to Expand the Use of Career and Technical Education Centers in the Development of the Electrician Workforce" (EMERGENCY)
H.P. 1357 L.D. 2133
(C "A" H-784)

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

Senate

Bill "An Act to Amend the Law Regarding the Board of the Finance Authority of Maine to Allow for the Addition of a Proxy Designee"
S.P. 867 L.D. 2039

Resolve, to Fill All Vacant and Expired Seats on the Emergency Medical Services' Board (EMERGENCY)
S.P. 872 L.D. 2071

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Ensure That the Maine Electric Grid Provides Additional Benefits to Maine Ratepayers"
S.P. 257 L.D. 589
(C "A" S-553)

Bill "An Act to Limit Utility Shut-offs"
S.P. 798 L.D. 1962
(C "A" S-554)

Bill "An Act to Implement a Facility-based Monitoring System for Slot Machines"
S.P. 871 L.D. 2070
(C "A" S-552)

Bill "An Act to Change the Number of Agency Liquor Stores Allowed in Certain Municipalities"
S.P. 881 L.D. 2088
(C "A" S-551)

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

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act to Continue the Arrearage Management Program for Low-income Residential Electricity Customers
H.P. 1330 L.D. 2067
(C "A" H-764)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Emergency Measure

An Act to Provide for the 2024 and 2025 Allocations of the State Ceiling on Private Activity Bonds
S.P. 916 L.D. 2160
(C "A" S-543)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Emergency Resolve

Resolve, to Rename the Interstate 295 Interchange in the Town of Freeport the Matthew MacMillan Bridge
S.P. 924 L.D. 2173
(C "A" S-538)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education, State Board of Education
H.P. 1396 L.D. 2181

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Acts

An Act to Update the Electric Vehicle Rebate Program and to Establish a Pilot Program to Support the Uptake of Medium Duty and Heavy Duty Zero-emission Vehicles
S.P. 61 L.D. 122
(C "A" S-541)

An Act to Permit Municipalities to Establish by Ordinance a Program for Partial Deferral of Property Taxes for Seniors
H.P. 859 L.D. 1345
(C "A" H-767)

An Act to Strengthen the Teaching of Wabanaki Studies in Maine Schools
H.P. 1052 L.D. 1642
(C "A" H-772)

An Act to Increase Penalties for Violations of the Law Governing Monopolies and Profiteering

H.P. 1161 L.D. 1815
(C "A" H-771)

An Act to Amend the Laws Regarding State-chartered Credit Unions
S.P. 783 L.D. 1921
(C "A" S-542)

An Act to Authorize Medical Waivers for Menhaden Fishing Licenses
S.P. 854 L.D. 2026
(C "A" S-545)

An Act to Increase Safety for Child Welfare Services Workers
H.P. 1311 L.D. 2049

An Act to Amend the Laws Governing Real Estate Appraisers and Appraisal Management Companies
H.P. 1324 L.D. 2062
(C "A" H-770)

An Act to Add Schedule V Substances to the Controlled Substances Prescription Monitoring Program
H.P. 1363 L.D. 2139

An Act to Clarify MaineCare Copayments
H.P. 1377 L.D. 2153

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

An Act to Establish a Special Retirement Plan for Department of Corrections Employees and Other Correctional Staff
H.P. 920 L.D. 1424
(C "A" H-769)
On motion by Senator **ROTUNDO** of Androscoggin, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, in concurrence.

An Act to Provide Funding for Essential Services for Victims of Crimes
S.P. 877 L.D. 2084
(C "A" S-539)

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

An Act to Correct Outdated References in and Relating to the Maine Human Rights Act
H.P. 1366 L.D. 2142
(C "A" H-765)

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

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

An Act Directing the Department of Transportation to Adopt Rules Regarding Corrosion Mitigation Methods for Steel Bridges
S.P. 657 L.D. 1640
(C "A" S-546)

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

On motion by Senator **CHIPMAN** of Cumberland, placed on the **SPECIAL HIGHWAY TABLE** pending **ENACTMENT**, in concurrence.

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this is Women's History Month, so today is my turn and I'm doing something a little different that I hope you all find interesting. I think much of the history of women is lost in the day to day care of family and children and their home and getting food on the table. So, I am celebrating our great-great-grandmothers, our grandmothers, my mother who is 99 and still lives on her own, and sharing some of the history that was - is important to my mother. When she got the Boston Cane last year for the town of Kenduskeg they had a party for her and asked her to do a speech, which at 98 I think it's pretty impressive that you're still doing speeches. Maybe I'll be still on the Senate Floor. In part of my mother's speech includes some piece about me and I was going to take that out but she, and I talked to her about it last night, and she said that that was such an important part of her life. She wanted me to keep it in. So, I'm going to read my mother's history speech to give a little view of a regular Maine woman who grew up in rural America and is like us. We're a citizen's legislature. She's just a regular citizen who did her best as a woman and a Mom. Her name is Kathleen Smith. 'I was born in Bradford, Maine on August 1, 1924. The third of three daughters, followed by two sisters and a brother. We were Helen, Hilda, Kathleen, Evelyn, Gertrude who lived only three weeks, and Elwin. Our parents were Franz and Lizzie Ross Hurd. We lived in a nice two story house on a large dairy farm on the Pond Road. We attended school in Bradford Corner and rode to school in a horse drawn wagon and in the winter in a horse drawn sleigh. We had friends on the road, Fern Strout and the Rozelles; Barbara, Virginia, and Lloyd. We hung May baskets on the first day of May. We helped with the haying, raking with a one horse rake and riding the horse to pitch the hay into the elevated lofts in the barn. When I was 14 years old, we moved to a farm which my folks owned on Outer Broadway in Bangor. There I attended 8th grade at the Sherburne School on Pushaw Road and then on to Bangor High for four years. I graduated with second honors. My parents transported us to high school, there was no bus.' I'm just going to insert a little part here. They were very poor at this time because of the coming to the time of the Depression and my grandmother made their dresses out of the grain sacks that had the printing on them, which we've all heard about. But it was pretty hard for the girls to go to school at Bangor High were there was a lot of city kids who had real clothes, you know. 'I was attending Maine School of Commerce, also known as Husson College, when World War II started. I quit school and went into defense work. There was a training site in Bangor and then I was transferred to Houlton Air Force Base where I worked in Aircraft Repair, resetting spark plugs for planes returning from the battles in World War II for repair and maintenance. After about a year in Houlton, we were transferred to Presque Isle Airbase. My sister, Helen, was married. Her husband was serving overseas in the Army. They had a baby boy, Orville Tuttle Bradford III. We called him Tuttie. Hilda and I were working in Houlton. Evelyn and

Resolves

Resolve, to Authorize the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory
S.P. 852 L.D. 2024
(C "A" S-540)

Resolve, to Adopt Conceptual Elements of the 2023 Augusta State Facilities Master Plan
S.P. 869 L.D. 2068

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

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Provide Emergency One-time Relief from the Wild Blueberry Tax for Growers in Maine" (EMERGENCY)
H.P. 1447 L.D. 2256

Committee on **TAXATION** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Elwin stayed home to work on the farm. Evelyn came up to Houlton to visit us one day. I saw her walking across the hanger with the lieutenant who did the hiring. She had decided to leave the farm. We stayed on defense work through the war and then returned to our home in Bangor. My friend, Charlotte Lugdon, whom I met when we attended Husson College, told me about a job as a bookkeeper in the Bangor Osteopathic Hospital, which I applied for and was hired. I went on to become an office manager. I left the Osteopathic Hospital for a job at Sears and Roebuck in Unit Buying Control.' Again, I'll insert. In that job she trained all the young men to be managers and wasn't considered because she was a woman. But all of the managers were first trained by Mom. 'Then I was offered a job at Merchants Bank in the Trust Department. Charlotte and George wanted to me to meet a Kenduskeag friend of theirs, Shirley James Smith, a World War II veteran. We dated for about a year and then we were married in September. After 11 years of marriage, we were blessed with a daughter and named her Stacey Kay Smith. She is now Senator Stacey Guerin, the biggest and best blessing of my life, along with her husband, Joseph, and their five sons; Gabriel, Peter, Andrew, Caleb, and Jesse, and their families. When Stacey was 11 years old, I went back to work at Better Homes on Harlow Street. I left there for a job as office manager and bookkeeper at Lane Plumbing and Heating for my friend, Maynard Lane. When he decided to close the business and become a full-time evangelists, I worked at Hartt Transportation and then retired. During retirement I took a part-time job at Sam's Club and am now working,' and she still is, 'part-time at my family's business, R.M. Flagg in Veazie. Living in Kenduskeag, I was involved in many things. At Kenduskeag Union Church I was the Sunday School superintendent.' I'll add, she had the highest percentage in attendance for children attending Sunday school in any town in the state of Maine. 'I always made candied apples for Halloween.' She had over 100 children who would come to get candied apples every year. 'I served 17 years on the School Board and was a member of the Grange. Many thanks to my Lord, Jesus Christ; to my family; and to all of you here today for a lifetime of blessings.' That's my Mom.

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**, until Thursday, March 7, 2024 at 10:00 in the morning.