

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
Wednesday
March 20, 2024

Senate called to order by President Pro Tem Eric L. Brakey of Androscoggin County.

Prayer by Pastor Jim Przytulski of Central Church in Augusta.

PASTOR JIM PRZYTULSKI: Thank you for having me. Let's bow in prayer. Heavenly Father, Lord, we love you, and we know that you love us, Lord, and we thank you for that love. And I'd like to start this morning, Father, by just thanking you for the members of this Senate, for their sacrifice, for their commitment, for all the work that they've put in, Lord, I just -- I thank you for them on behalf of their communities, Father. Lord, I just ask for the blessing and the spirit of unity for the members of this Senate and cooperation and collaboration, that they would be able to work together, that they would be able to accomplish the goals of this state and the people of this state, Father. Lord, I just pray that they would have wisdom, Lord, and I pray that they would have clarity as they make the different decisions that they have to make, Father. Please be with them and guide them. And Lord, I pray blessings over their families, over the people that they love and the people that they care about, the people that they worry about, Father, that you would just watch over them, that you would -- that you would keep them safe, that you would bless them. Father, then, also for -- for anyone that is expecting a baby or a grandbaby right now, Father, I just ask for blessings over the mother and blessings over the babies, Father, and I just thank you for the miracle of life and I just ask that you would bless them. Father, thank you again for the love that you have for us. We love you so much, and it's in Jesus' Name that we pray, amen.

National Anthem Performed by Bonny Eagle High School Select Chorus in Standish.

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

Reading of the Journal of Tuesday, March 19, 2024.

Medical Provider of the Day, Robert Rousseau PA-C of Sidney.

Off Record Remarks

The Following Communication: S.C. 1025

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

March 19, 2024

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant:

Pursuant to my authority under Senate Rule 201.3, please be advised that I appoint the Senator from Androscoggin, Senator Brakey, to serve as President Pro Tem to convene the Senate on Wednesday, March 20, 2024.

Please let me know if you have any questions.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

COMMUNICATIONS

The Following Communication: S.C. 1023

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

February 27, 2024

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 996 An Act to Allow a Municipality to Establish a
Local Option Sales Tax

Sincerely,

S/Sen. Nicole Grohoski
Senate Chair

S/Rep. Joe Perry
House Chair

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

The Following Communication: H.C. 454

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

March 19, 2024

Honorable Darek M. Grant
Secretary of the Senate
131st Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Innovation, Development, Economic Advancement and Business on Bill "An Act to Transfer the Arch Hangar at the Former Loring Air Force Base to the Loring Air Museum" (S.P. 823) (L.D. 1998)
Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and **ORDERED PLACED ON FILE**.

Off Record Remarks

ORDERS

Joint Orders

Expression of Legislative Sentiment recognizing:

The Houlton High School Cheerleading Team, which won the 2024 Class C North Championship. We extend our congratulations and best wishes;
SLS 1406

Sponsored by Senator STEWART of Aroostook
Cosponsored by Representative SWALLOW of Houlton.

The Joint Order was **READ**.

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

Senator **STEWART:** Thank you, Mr. President. Mr. President, Ladies and Gentlemen of the Senate, I am very proud today to welcome the Houlton High School Cheerleading Squad who has won the 2024 Class C North Championship. For those who may think that cheering involves standing on the sidelines, smiling, and waving pom-poms, let me be clear that it is much, much more than that. The physical strength and the mental stamina are just two of the key components to being a successful cheerleader. These young ladies have put in hours and hours of practice and conditioning that they are all in sync when performing. They must learn to trust each other, and it takes a lot to be thrown up in the air and expect that someone's going to catch you. Projecting a positive and confident attitude is a must. Engaging a crowd of fans no matter how your team is playing is essential. And as a former high school athlete myself, I always appreciated the encouragement and enthusiasm that these ladies would bring. These student athletes took on the challenge of regionals with intensity, focus, and precision, and took home the title from a crowded field of 12 teams with a score of 64.4 points, edging out last year's regional winner, a feat which has not been accomplished for 13 years. I also have to give a special congratulations to a senior who is with us in the Chamber today who is the daughter of Representative Ardell, one of my constituents in Monticello. Congratulations again to the whole team. We're so happy to have you here with us today. Thank you for making the drive down from the County, and I look forward to welcoming you back again next year for another title.

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the chamber the Houlton High School cheerleading squad of the town of Houlton. They are the guests today of the Senator from Aroostook, Senator Stewart. Would the guests please rise and accept the greetings of the Maine Senate.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT PRO TEM: The Chair will recognize the Senator from Kennebec, Senator Pouliot.

Senator **POULIOT:** Good morning, Ladies and Gentlemen of the Senate. According to a recent poll by Gallup, only 3% of men wear a suit to work nationwide. I'm thrilled this morning to be joined by a couple of young men who have determined that this is a trend they're not going to be a part of. Let's not forget, school is work, after all, for kids. A few years ago, James Ramage and Lincoln Bolitho of Chelsea Elementary began taking it upon themselves to raise their personal bar for daily appearance and attire by donning various suits and ties to otherwise regular schooldays. Naturally, everybody was quick to take notice of this newfound habit. One individual in particular, who is here with us today, their teacher, Dean Paquette, wanted to seize on the opportunity to help encourage the two boys to continue holding themselves to such high standard and hopefully even inspire others to do the same. That next Wednesday, Paquette walked

into the cafeteria to meet them, wearing a black suit and a tie printed with piano keys and music notes - he was for many years a music teacher. In the weeks to follow, the trio met in the cafeteria to compare outfits, with other students quick to follow. At that point, it became evident that nothing could stop this train, and Chelsea Elementary administrators, particularly Principal Allison Hernandez, also here with us today, invited any willing student in the entire body to participate in what would become labeled Dapper Wednesday. I'm so thrilled they are actually here on Wednesday to celebrate in their dapper suits. The school is now accepting clothing and monetary donations from anybody around the country who has felt compelled to keep the momentum going and keep these two young gentlemen in the spotlight for their most unique and dignified undertaking, allowing other students to participate and have access to various items that they may not otherwise have. Now, every Tuesday, before school ends, the school secretary makes sure to remind everybody about Dapper Wednesdays. As a closing note, I'd like to remark how refreshing and uplifting it is to not only see these individuals take initiative to commit themselves to something so original and distinguished, but also the fact that it originates from two young boys barely halfway through elementary school. It's all too easy to see an increasing tendency toward apathy into seemingly every facet of our lives, and to witness such a stark and unexpected break from that trend gives the -- given the source makes it all that more inspiring. I want to commend James and Lincoln for the way they've introduced to their peers locally and even nationwide - they've now been featured on a CBS special segment, they traveled here to Chelsea, Maine to make a piece about it, they were on NPR and Washington Post. But I want to take a moment to recognize James's parents, Chris and Susie Ramage as well as Lincoln's, Ryan and Stacia. They're both here today and I have -- all four of them are here today, and I have no doubt that they're immensely proud of the example they've set and the conversations that have been inspired by these students. Thank you all so much for being here today.

THE PRESIDENT PRO TEM: The Chair will recognize Senator Hickman of Kennebec.

Senator **HICKMAN:** Thank you, Mr. President. Mr. President, Women and Men of the Senate, I rise inspired by James and Lincoln of Chelsea Elementary School. When I first read about what they were doing from a news article back in November, I put it online and I got this response which the other Good Senator from Kennebec has addressed. It said this. This is great, except for those students whose families may not be able to afford a suit or other nice clothing. Those kids may feel like they don't measure up. But I do like how the staff member has bowties that he will let kids wear, but is the school going to provide suits or dresses for those who aren't able to participate? I think the answer is yes. My response was I hear your concern; I appreciate your comment. There are opportunities for people without disposable income to procure nice clothes in our community if they have a desire and the time and the creativity to procure them. Estate sales, rummage sales, garage sales, hand-me-overs, hand-me-downs, Goodwill, Community Closet, Salvation Army, the kindness of strangers, not to mention mending and making clothes by hand with needle and thread. That's right, when I was a kid, everybody in my family, including my father, learned how to sew. As my wise mother was wont to

say, just because we don't have a lot of money, doesn't mean we have to look like it. Looking good is feeling good, and so we dressed. My older sister was voted best dressed by her high school classmates, as was I - a senior superlative we embraced and live to this day. So, I would hope that these young kids and their families who are with us today, even those who struggle to make ends meet, are inspired by these young trendsetters. I truly am. Thank you, Mr. President. Thank you, Senator Pouliot.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber, James Ramage, Lincoln Bolitho, Dean Paquette, Alison Hernandez, Ryan and Stacia Bolitho and Christ and Susie Ramage of the town of Chelsea. They are the guests today of the Senators from Kennebec, Senators Pouliot and Hickman. Would the guests please rise and accept the greetings of the Maine 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.

The Chair laid before the Senate the following Tabled and Later Assigned (2/29/24) matter:

JOINT ORDER - Expression of Legislative Sentiment Recognizing Michael and Lucinda Brakey, of New Gloucester, who are celebrating their 50th Wedding Anniversary on June 2, 2024. We extend our congratulations and best wishes; SLS 1545

Tabled - March 12, 2024 by Senator **STEWART** of Aroostook

Pending - **PASSAGE**

The Joint Order was **READ**.

THE PRESIDENT PRO TEM: Without objection, I will speak to this item from the rostrum.

Senator **BRAKEY:** Members of the Senate, I speak to this expression of legislative sentiment for the 50th anniversary of two of my constituents, for whom I must admit a strong partiality, my parents, Michael and Lucinda Brakey of New Gloucester. Lucinda Peaco was born into a family with generational roots in New Gloucester. Seven years later, Michael Brakey moved to the town from Arizona. The two met in the second grade at New Gloucester Memorial School. As he told his children decades later, for Michael, it was love at first sight. For Lucinda, she would wait until Michael made the basketball team many years later before the two became high school sweethearts. As you can imagine for their children arriving in the second grade, it was a lot of pressure to know that story. While attending and achieving

their degrees at the University of Maine, the two married. After graduation, they moved in search of employment opportunities to Ohio, where they raised their four boys - Matthew, Sean, Eric, and Steven - bringing them home to New Gloucester every summer to know their extended family and swim in the waters of Sabbath Day Lake. After 50 years of marriage and eventual retirement back to New Gloucester, Michael and Lucinda not only have four children, but also nine grandchildren - Beatrix, Grover, Trinity, Tagaytay, Josiah, Carus, Hudson, Cava, and Theodore. Upon the occasion of this 50th anniversary, we extend our congratulations on five decades of marriage.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Michael and Lucinda Brakey of the town of New Gloucester. They are the guests today of the Senator from Androscoggin, Senator Brakey. Would the guests please rise and accept the greetings of the Maine Senate.

The Joint Order was **PASSED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/29/24) matter:

JOINT RESOLUTION – WHEREAS, the Legislature has learned with deep regret of the death of the Honorable Gerald Davis, of Falmouth. A football player in school, Mr. Davis went on to play semi-professional football in the early 1960s for the Portland Seahawks, serving as captain and playing center. He went on to serve 36 years as a history teacher at Portland High School, where he started a first-of-its-kind psychology department in the 1970s. He coached football, girls soccer, indoor track, cross country and outdoor track at Portland High School, Cheverus High School and Waynflete. He was also a longtime leader with the Falmouth Little League. Retiring from teaching in 1996, he ran for election to the Maine House of Representatives, winning his first election in 1998. He served four consecutive terms as the Falmouth representative, from 1999 to 2006. After a two-year break, he ran for a State Senate seat, winning and serving one term, from 2009 to 2010. Mr. Davis will be long remembered and sadly missed by his wife of nearly 60 years, Sandra Mary, his family and friends and all those whose lives he touched; HLS 760

Tabled - February 28, 2024 by Senator **PIERCE** of Cumberland

Pending - **ADOPTION** in concurrence

(In House, **ADOPTED**.)

The Joint Resolution was **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes Senator Pierce of Cumberland.

Senator **PIERCE:** Thank you, Mr. President Pro Tem, and Men and Women of the Senate. I rise today to honor and celebrate the life of Gerald Davis, to whom many was known as Jerry. Born in Bangor, Jerry graduated from Deering High School and was the co-captain of the Bates Football Team before earning his

master's in history and education from the University of Southern Maine. Jerry then took his talent to the semi-pro Portland Sea Hawks, playing center and serving as their captain. Jerry was fiery and intense on the field but would be the first to shake your hand and say good game, win or lose, when the final whistle blew. When his playing days were over, he turned to coaching, sharing his appreciation for sports of football, girl's soccer, indoor track, cross-country, outdoor track teams, with student athletes in Portland High School, Cheverus, and Wainfleet. His wife of nearly 60 years, Sandra, was a big part of his coaching days, allowing the two of them to share and enjoy a shared passion. Not only was Jerry a standout athlete and admired coach, he was also a passionate and respected teacher at Portland High School for 36 years, making positive impacts on the lives of countless students. Jerry loved all kinds of literature, but poetry stood out. He also loved the Wild West, sharing his love with his students by reading Zane Grey and sketching their favorite scenes during class. Following his retirement, Jerry ran for the Legislature and won his first election to the State House in the fall of 1990, and served four consecutive terms as the Falmouth Representative from 1999 to 2006. He then ran and won the seat for this Chamber in 2008, serving District 11. His Senate District included many of the towns that I now serve. During his campaign, Jerry and Sandra would knock on doors as a team, enjoyed meeting neighbors and being resources for them. When I was first elected to the House, Jerry and I talked. He shared his memories of serving here, the votes he had taken, what it was like to be in these Chambers. I appreciated him sharing his insight and hearing his thoughts about legislation. Both he and Sandra were fierce supporters of teachers and shared with me many issues that needed to be addressed. I am proud to have worked on a number of these topics during my tenure. The year Jerry was first elected to the Senate was interestingly the first year I was elected to the Falmouth Town Council, and one of my fondest memories of Jerry comes from that election. As we all know, the morning after an election day, win or lose - we both had won, thank goodness - is filled with many activities, but one of the most important things is getting out into your district and picking up those signs, those campaign signs that everyone wants picked up right away. So, early that Wednesday morning, I was picking up my signs in Falmouth, and I ran into Jerry and Sandra, who were out picking up his signs as well. We said hello, congratulated each other, and talked about the work ahead. He spent his life in service to the people of Maine - on the field, in the classroom, and here in these halls. We all follow those who came before. I am proud to have his and Sandra's support as I serve the same communities and grateful to have their friendship. Today, I'm joined by many members of Jerry's family, including his granddaughter, Liberty, a member of the Bonny Eagle Select Chorus who serendipitously performed the National Anthem today. Thank you, Liberty, for sharing your talent with us. And to Jerry's family, thank you for allowing me to share a small look into the remarkable life of Jerry Davis. Thank you, Mr. President Pro Tem.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Brett P. Davis Sr., Christian, Davis, Cheyanne, Brendon, Barrett, Boden, O'Neil, Nathaniel Davis, Liberty Davis, Saoirse Davis, Jeff Brown, Benjamin Brown of the town of Falmouth. They are the guests today of the Senator from Cumberland, Senator Pierce. Would the guests please rise and accept the condolences of the Maine Senate.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act Regarding Plastic Pollution" H.P. 193 L.D. 295

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-825)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-825)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-825) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, to Investigate and Address Municipal Solid Waste Disposal Services Issues (EMERGENCY) H.P. 1359 L.D. 2135

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-828)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-828)**.

Report **READ**.

On motion by Senator **BRENNER** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Require Reimbursement of Fees for Treatment Rendered by Public and Private Ambulance Services" (EMERGENCY) H.P. 1164 L.D. 1832

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-826)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-826)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-826) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Amend the Laws Governing Optometrists" H.P. 1258 L.D. 1956

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-799)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-799) AND HOUSE AMENDMENT "A" (H-836)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-799) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-836) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-799) AND HOUSE AMENDMENT "A" (H-836)**, in concurrence.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses" H.P. 1350 L.D. 2126

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-827)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-827)**.

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

Bill **READ ONCE**.

(C "A" H-816)

Committee Amendment "A" (H-827) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2024-25" (EMERGENCY) H.P. 1414 L.D. 2207

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with 6 Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tem, was presented by the Secretary to the Governor for approval.

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-833)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-833)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-833) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Emergency Resolve

Resolve, to Establish a Task Force to Study Sharing the Costs of Training First Responders Among Governmental Entities H.P. 905 L.D. 1409 (C "A" H-814)

On motion by Senator **VITELLI** of Sagadahoc, placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission H.P. 1402 L.D. 2188 (C "A" H-810)

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

Emergency Resolve

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 H.P. 1428 L.D. 2227

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 Pro Tem, was presented by the Secretary to the Governor for approval.

Off Record Remarks

ENACTORS

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

Emergency Measure

An Act to Fund Rural Patrol Services in Androscoggin County S.P. 902 L.D. 2109 (C "A" S-564)

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

Emergency Resolve

Resolve, to Require the Department of Health and Human Services to Report on Children's Residential Treatment Services and Implementation of the Department's Strategic Priorities for Children's Behavioral Health Services H.P. 268 L.D. 435

Emergency Mandate

An Act Regarding the Reporting of Adult Name Changes by the Probate Courts to the State Bureau of Identification
S.P. 305 L.D. 747
(C "A" S-559)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, 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 Pro Tem, was presented by the Secretary to the Governor for approval.

The President Pro Tem requested the Sergeant-At-Arms escort the Senator from Aroostook, Senator **JACKSON**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **BRAKEY**, to his seat on the Floor.

The Senate was called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Provide Safe, Short-term Housing to Individuals Recently Released from Correctional Facilities"
H.P. 969 L.D. 1514

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-824)**.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
LAJOIE of Lewiston
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

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
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-824)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-824)**.

Reports **READ**.

On motion by Senator **BEEBE-CENTER** of Knox, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-824) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Create an Advocacy and Complaint Process for Health Care Providers Within the Bureau of Insurance"
H.P. 953 L.D. 1498

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-823)**.

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MATHIESON of Kittery
NUTTING of Oakland
PRINGLE of Windham

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

MORRIS of Turner

SWALLOW of Houlton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-823)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-823)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-823) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Improve the Licensing Procedure for Certain Social Workers by Removing the Examination Requirement"
H.P. 1273 L.D. 1990

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-822)**.

Signed:

Senator:

BAILEY of York

Representatives:

PERRY of Calais

ARFORD of Brunswick

CLUCHEY of Bowdoinham

MASTRACCIO of Sanford

MATHIESON of Kittery

PRINGLE of Windham

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

Signed:

Representatives:

CYRWAY of Albion

MORRIS of Turner

NUTTING of Oakland

SWALLOW of Houlton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-822)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-822)**.

Reports **READ**.

Senator **BAILEY** 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 Bailey.

Senator **BAILEY:** Thank you, Mr. President. Just wanted to speak briefly that this bill, although it started out as something to totally eliminate the exam for social workers, ended up being a study to look at the issue and to also look at exploring alternative pathways to licensing social workers. Thank you.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#601)

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

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

EXCUSED: Senators: **DAUGHTRY, FARRIN**

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BAILEY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-822) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Reduce Rental Housing Costs by Eliminating Additional Fees at or Prior to the Commencement of Tenancy"
H.P. 945 L.D. 1490

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-831)**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
SHEEHAN of Biddeford

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-831)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-831) AS AMENDED BY HOUSE AMENDMENT "A" (H-838)** thereto.

Reports **READ**.

Senator **CARNEY** of Cumberland 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 Cumberland, Senator Carney.

Senator **CARNEY**: Thank you, Mr. President. Mr. President and Colleagues of the Senate, I just wish to briefly review the legislation before us. The committee amendment addresses a very important issue, which is accurate disclosure of the rent a tenant is required to pay. This legislation as amended would require a person or business offering a residential property for rent to disclose any fees that a tenant is required to pay on a monthly basis in addition to and just like rent. It requires optional fees - so, those are charges that a tenant has to pay for additional services that are not necessary for the residential unit to be fit for human habitation - also to be disclosed. If a landlord doesn't charge any mandatory monthly fees other than the rent, then no disclosure is required. This legislation will provide important transparency and certainty. Everyone will have the same understanding of what the tenant is obligated to pay and what the landlord is entitled to receive. I also briefly wish to address the amendment adopted by the Other Body. That amendment ensures that residential tenants in mobile home parks have the same basic protections that require disclosure of mandatory fees and that prohibit rent increases if a dwelling is not fit for human habitation. It brings them on a par with those who rent and properties that are in buildings. The House Amendment also applies existing limits on application fees and background checks that apply in other residential leases. So, this is a really important transparency legislation, and it also extends to tenants in mobile home parks some of the protections that other tenants receive, and I urge you to support the pending motion.

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

Senator **BRAKEY**: Thank you, Mr. President. I speak in opposition to the pending motion. I want to highlight a few I think concerns about some of the language of the proposal in front of us that I do not believe, to my knowledge, were adequately addressed with the final product in front of us. You know, during the process - and I will note this was a long committee process, we heard this bill initially in the first session, it was carried over so that stakeholders and the bill's sponsor could try to do some work to iron out differences, and I think a lot of those differences were ironed out, but yet there remain a few that -- a few areas that remain problematic that I think merit not voting to pass this bill at this point in time. Now, according to Daniel Bernier, who was the primary person there advocating on behalf of landlords, he raised a few issues about some of the language. So, in Section 8 of the bill, there's language about total price disclosure. It states that a lease or tenancy at-will agreement is unenforceable if the landlord does not receive a signed copy of this total price disclosure. Now, he raised some questions about this requirement. First, a small landlord already complying with federal law will likely have

this already disclosed in the lease. Not having this new separate and potentially redundant document, however, would potentially mean that they are now committing an unfair and deceptive trade practice which, you know, it's already disclosed in the lease, is this -- is this necessary and might small landlords not be aware that we're adding this extra bit of paperwork on top of them. Further, and I think this is a more significant issue here, the wording creates an issue with rent increases. And I'm going to quote from Bernier's testimony during the -- one of the final work sessions on this. He says, quote, "Does an apartment owner have to get a new signed disclosure if they increase rent? It somewhat looks that way. And what if the tenant refuses to sign? I have had several cases in my career where someone allowed a friend or a family member who was down on their luck to move into a unit for free but later, the tenant started taking advantage, and they started charging rent after appropriate notice." So, it does raise the question if we're requiring this even in cases of a rental increase, what if the renter doesn't sign? Does that mean the landlord cannot adjust the rent if the disclosure is not -- is not signed? According to the wording, it appears so. Additionally, Section 7 of the bill has some problems. This is a section of the bill that says that any provision that requires a tenant to pay a fee, penalty, or other charge for the act of discontinuing tenancy unless -- anyway, it has a prohibition there with a few carveout exceptions around fees around discontinuing tenancy. But as Bernier wrote in his remarks, this provision as worded would not allow apartment owners to charge for damages or cleaning up the property after the tenant moves out beyond what is already there for the security deposit, which is by statute limited to two months' rent. As such, this would result in many small apartment owners getting out of the business - or at least that's his assessment. So, I just wanted to highlight those two issues which I don't believe were addressed in the final proposal in front of us. I think they are significant and while I respect the good intent of this bill coming forward to address a real situation that did happen in South Portland, it does seem to me that this legislation as before us somewhat misses the mark. So, I will be voting no on the motion in front of us, and I would invite my colleagues to do the same.

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

Senator **CARNEY:** Thank you, Mr. President. Thank you for recognizing me a second time. I just want to first of all thank Attorney Bernier for all of the hard work that he put in to helping us come to a final version of this legislation and simply note that we did work very hard to address the issues raised, in particular the Section 7 that my Good Colleague from Androscoggin just mentioned. We did create an exception for expenses related to securing another tenant when the initial tenant breached the agreement, unpaid rent, and repair of damage. So, we did as a committee make a really earnest effort to address all of the issues, and I think we've hit the mark on this bill, and I ask you to support it.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Curry.

Senator **CURRY:** Thank you, Mr. President. I stand in support of this motion and in support of this bill. I think it is particularly important for our rural communities. I just doublechecked my

facts with the Waldo Community Action Partners, and they informed me that in my district, which is a very rural district, about 30% of our housing units are mobile homes, and extending the protections of renters in mobile homes is incredibly important and I think this is protecting our citizens. So, I stand in strong support of this measure.

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

Senator **POULIOT:** Thank you. I'd just pose a question to the Chair, which is really to those who worked on the bill more closely, the deposit for security, is it still allowed to be two months under this bill, or is it just one month? Thank you.

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

Senator **CARNEY:** Thank you, and thank you for the question. So, the legislation includes a provision limited -- limit on initial amount paid by tenant, and it says that the landlord, landlord's agent, or broker may not require a tenant to pay an initial amount of money in excess of a total of the rent for the first full month of occupancy, a security deposit as limited by section -- by another section, which I believe is another full month rent, plus any mandatory recurring fees.

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

Senator **NANGLE:** Thank you, Mr. President. I rise to speak in support of this. This is a simple consumer protection. You don't go and buy a car, sign the contract, and then go back to pick it up and the dealership tells you oh, by the way, you have to pay a monthly fee for this in addition to your loan payments. That's what this bill does. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#602)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BRENNER, CARNEY, CHIPMAN, CURRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, LAFOUNTAIN, 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: DAUGHTRY

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

Bill **READ ONCE**.

Committee Amendment "A" (H-831) **READ**.

House Amendment "A" (H-838) to Committee Amendment "A" (H-831) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-831) as Amended by House Amendment "A" (H-838) thereto **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-831) AS AMENDED BY HOUSE AMENDMENT "A" (H-838)** thereto, in concurrence.

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.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Exempt Seasonal Volunteer Ski Patrollers and Seasonal Volunteer Ski Ambassadors and Hosts at Ski Areas from the Minimum Wage Laws"
H.P. 1373 L.D. 2149

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

Signed:

Senator:
TIPPING of Penobscot

Representatives:
ROEDER of Bangor
BRADSTREET of Vassalboro
DRINKWATER of Milford
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland
SOBOLESKI of Phillips

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-829)**.

Signed:

Senator:
POULIOT of Kennebec

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the State's Data Governance Program Regarding Proprietary Data"
H.P. 1252 L.D. 1948

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-830)**.

Signed:

Senators:
NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:
STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
GREENWOOD of Wales
POMERLEAU of Standish
RISEMAN of Harrison
SINCLAIR of Bath

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

Signed:

Representatives:
ADAMS of Lebanon
UNDERWOOD of Presque Isle

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-830)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-830)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-830) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Amend the Content of Notices Provided with Respect to Tax Liens on Certain Property"
H.P. 1310 L.D. 2048

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-832)**.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
QUINT of Hodgdon
RANA of Bangor
RUDNICKI of Fairfield

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

Signed:

Representative:

LIBBY of Auburn

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-832)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-832)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-832) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senate

Ought to Pass As Amended

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Amend Maine's Charitable Organization Gaming Laws"
S.P. 901 L.D. 2108

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-582)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-582) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Amend the Laws Regarding Sports Wagering Licensing"
S.P. 913 L.D. 2117

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-583)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-583) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Replace the Money Transmitters Act"
S.P. 905 L.D. 2112

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-580)**.

Signed:

Senator:

BAILEY of York

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MATHIESON of Kittery
MORRIS of Turner
NUTTING of Oakland
PRINGLE of Windham
SWALLOW of Houlton

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

Signed:

Senator:

BRAKEY of Androscoggin

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-580) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Establish a Tax Credit for Employers Who Employ Persons Recovering from Substance Use Disorder"
S.P. 772 L.D. 1900

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

Signed:

Senators:

GROHOSKI of Hancock
LIBBY of Cumberland

Representatives:

PERRY of Bangor
HASENFUS of Readfield
MATLACK of St. George
QUINT of Hodgdon
RANA of Bangor
RUDNICKI of Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-581)**.

Signed:

Representative:

CARMICHAEL of Greenbush

Reports **READ**.

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

Senator **MOORE:** Thank you, Mr. President. We have all heard of the challenges that people in recovery face. In order to overcome addiction, a person must find a sense of purpose. Whether that purpose comes from family, faith, work, or somewhere else, every person needs to have a reason to get themselves out of bed and ready to face the day. We can and should continue to put lots of resources into creating more treatment facilities and options for people suffering from substance use disorder. But if we really want to see success, we need to encourage people to find meaning and purpose in their lives, and having a job would play a huge role in keeping these people busy and on the straight and narrow. If we provide tax credits to businesses that hire people in recovery, we would create an incentive to give people another look, a second chance, when looking through applications. This tax credit would encourage employers to play a more active role in their employee's recovery. Both would benefit from such a relationship. While I realize this bill will not pass the Senate, I urge you to support those Mainers in recovery by helping to give them a purpose and reason in their everyday lives and encourage partnership and involvement between employers and employees working toward a common goal. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I just want to speak very briefly as the sponsor of this proposal. This was an idea that was put forward to me by one of our public health leaders in -- at the City of Auburn. I regret that we weren't able to get it across the finish line, but I did want to thank Senator Grohoski and the Taxation Committee for hearing it and giving it due consideration. While this idea of tax credits for employers who hire those in

recovery isn't something -- at least, the details of this were not something we could coalesce consensus around in the committee process, I certainly hope that this and similar ideas will be considered in the future for how we can help employers use their own funds by giving them discounts on their taxes in order to help people in recovery. So, thank you, Mr. President.

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

Senator **GROHOSKI:** Thank you very much, Mr. President, and I want to thank the Senator from Washington, Senator Moore, and the Senator from Androscoggin, Senator Brakey, for your comments. We did really appreciate this proposal and the intent behind it in the Taxation Committee. However, there were a lot of logistical challenges, and we were concerned that it would be very hard for the smaller businesses that are doing this or want to do this in rural areas to be able to effectively access a more complicated tax program. But we do believe and support - I think I can speak for the whole Tax Committee based on other committee votes, other initiatives to help people who are struggling with substance use disorder find treatment, find meaning. We had a very powerful public hearing in the Tax Committee about another bill to support recovery centers. I won't get into the details of that today, but our committee unanimously supports those sort of efforts that we think are economically feasible and also efficient. But we were super-grateful to the Senator from Androscoggin for continuing this conversation, and I just want to say on behalf of the Tax Committee thank you for the good conversation in committee and thank you to everyone who's brought proposals to us to try to be part of the solution because we know that Maine people are struggling, and this is a crisis that we do need to face.

On motion by Senator **GROHOSKI** of Hancock, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

ENACTORS

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

Acts

An Act to Protect a Patient's Access to Affordable Health Care with Timely Access to Health Care Prices
H.P. 1119 L.D. 1740
(C "A" H-819)

An Act to Make Changes to the State's Marine Resources Laws
S.P. 859 L.D. 2031
(C "A" S-558)

An Act Regarding Disclosure of Flood Risk by Sellers of Real Estate
S.P. 863 L.D. 2035
(C "A" S-566)

An Act to Amend Maine's Aquaculture Leasing Laws
H.P. 1327 L.D. 2065
(C "A" H-815)

An Act to Exempt from Excise Tax Vehicles of Active Duty Service Members Deployed Out-of-state
H.P. 1335 L.D. 2076
(C "A" H-812)

An Act to Clarify the Eligibility of an Off-track Betting Facility to Receive Funding
H.P. 1348 L.D. 2124
(C "A" H-813)

An Act to Support Extended Learning Opportunities
H.P. 1355 L.D. 2131

An Act to Make Corrections and Updates to the Laws Affecting Children and Families
H.P. 1378 L.D. 2154

An Act to Authorize the Provision of Emergency Medical Treatment for Certain Dogs
H.P. 1380 L.D. 2156
(C "A" H-820)

An Act to Improve Access to Affordable Wireless Communications by Allowing the Public Utilities Commission to Designate Eligible Telecommunications Carriers
S.P. 932 L.D. 2193
(C "A" S-562)

An Act Establishing a State Calendar for the State of Maine
H.P. 1425 L.D. 2222

An Act to Require Telephone Solicitors to Use the Reassigned Numbers Database
H.P. 1433 L.D. 2234

An Act to Implement the Recommendations of the Department of the Secretary of State, Bureau of Motor Vehicles' Motor Vehicle Dealer Display Area and Licensing Requirements Working Group
S.P. 966 L.D. 2244

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 the Office of Tribal-State Affairs
H.P. 1166 L.D. 1834
(C "A" H-809)

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

An Act to Enact the Safe Cosmetics Act
H.P. 1224 L.D. 1908
(H "A" H-818 to C "A" H-781)

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

An Act to Strengthen the Historic Property Rehabilitation Tax Credit
S.P. 899 L.D. 2106
(C "A" S-567)

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

An Act to Allow Equitable Compensation of Certain Board Members
H.P. 1376 L.D. 2152
(C "A" H-808)

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

Resolves

Resolve, Directing the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to Enter into a Memorandum of Understanding to Address Aquatic Invasive Species
S.P. 418 L.D. 1049
(C "A" S-563)

Resolve, to Review and Evaluate Film Production Incentives
S.P. 444 L.D. 1075
(C "A" S-569)

Resolve, to Study Opportunities and Provide Guidance for School Clean Energy and Energy Efficiency Programs
S.P. 638 L.D. 1606
(C "A" S-570)

Resolve, Directing an Analysis of and Report on the Maine New Markets Capital Investment Program
S.P. 808 L.D. 1974
(C "A" S-568)
Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards
H.P. 1398 L.D. 2184
(S "A" S-572)

Resolve, Regarding Legislative Review of Portions of Chapter 41: Special Restrictions on Pesticide Use, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control
H.P. 1403 L.D. 2189
(C "A" H-776; H "A" H-785)

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

Resolve, to Direct the Department of Health and Human Services to Explore the Feasibility of an Ambulance Service Assessment Fee
S.P. 696 L.D. 1751
(C "A" S-573)

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

Resolve, to Establish the Commission to Improve Tenant-Landlord Relationships and Maximize the Use of Housing Vouchers
H.P. 1099 L.D. 1710
(C "A" H-821)

On motion by Senator **VITELLI** of Sagadahoc, placed on the **SPECIAL STUDY TABLE** pending **PASSAGE**, in concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/5/24) matter:

SENATE REPORT - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Protect the Fund for a Healthy Maine"
S.P. 969 L.D. 2249

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, pursuant to Resolve, chapter 100, section 7.

Tabled - March 5, 2024 by Senator **BENNETT** of Oxford

Pending - **ACCEPTANCE OF REPORT**

(In Senate, March 5, 2024, Report **READ**.)

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

Senator **BENNETT:** Thank you, Mr. President, Fellow Members of the Senate. I rise in support of the pending motion, with really deep concerns about what appears to be maybe a creeping process whereby the Legislature asks people across the state for their advice and counsel and then shuts their ears to what they have to say. Last year in the Second Regular Session of this Legislature considered LD 1722 which established the Blue Ribbon Commission to design a plan for sustained investment in preventing disease and improving health of Maine communities. This legislation was unanimously reported out of the Health and Human Services Committee and passed unanimously in both Chambers as an emergency resolve which became law. The resolve set up a commission of 15 members, set with four tasks. One, resolving the structural deficit in the Fund for Healthy Maine, second, identifying sources of sustained funding for reducing tobacco use, improving public health, preventing chronic illness, reducing health disparities across demographic and geographic populations, and improving the community conditions that support good health and wellness. Third, identifying strategies of structural changes to resolve the structural inequities and allow funding and investment plans to extend beyond the Legislature's two-year budget cycle when doing so is necessary for accomplishing their intents and purposes, and fourth, advancing the long-term goals established by the Legislature for funds received from legal settlements with manufacturers and excise taxes on products that affect public health and wellbeing. Of all the study proposals that came before the Legislative Council last year, this was the one that received support and funding from our legislative leaders, an estimated cost of \$3,050. Proposals from several of our colleagues died without gaining the needed funding. But beyond the monetary cost, the Legislature asked a group of intelligent, hardworking Mainers to give up hours of their time to serve in this commission and release a report. The 15 commission members appointed to the commission brought with them a broad range of experience in government, public health, nonprofit management, finance, and other areas. Thirteen of these members were invited to serve by you, Mr. President, and by the Speaker of the House. Through four meetings between October and December of last year, and lots of interim work and readings, the commission accepted the tasks and finally -- finalized a report, answering the questions with which they were charged. The commission achieved a bipartisan, unanimous report with one abstention. Who are the members that dedicated their time and energy to serve on the commission? So often, we got this report, we don't really think about the time and talent of those that work on it. Well, there were four legislators including the Senate Chair of the Appropriations Committee, Senator Rotundo, she served as one of the commission chairs, I

represented the Senate minority party, Representative Anne Graham of North Yarmouth served as co-chair, and Representative Jack Ducharme of Madison represented the House minority. In addition to these legislators, the Attorney General himself, Aaron Frey, took time to serve in this commission, as did a representative of the Governor's Office of Policy Innovation and the Future. Beyond that, many of your constituents served there. There were ten members of the public with policy experience and expertise in multiple areas of healthcare and finance. This included Keith Bisson of Brunswick, a constituent of the Senator from Cumberland, Senator Daughtry, and the President of Coastal Enterprise, Inc. A constituent of either Senator Dusen or Senator Chipman from Portland, Elizabeth Blackwell Moore, Public Health Director for Cumberland County, two constituents of Senator Carney of Cumberland, Rebecca Boulos of South Portland, the Executive Director of the Maine Public Health Association, and Alex Carter, policy advocate at Maine Equal Justice. A constituent of Senator Hickman of Kennebec County, Barbara Crowley of Manchester, leader of the Peter Alford Endowment Program at Maine General, a constituent of the Senator from Hancock, Senator Grohoski, the Honorable Elsie Flemings of Bar Harbor and Health and Community Relations and Development Director at Healthy Acadia. A constituent of the Senator from Cumberland, Senator Brenner, Yvonne Jonk of Gorham, who is a health economist and director of the Maine Rural Health Research Center at the University of Southern Maine, a constituent of the Senator from Kennebec, Senator Lafountain, Barbara Leonard, President and CEO at Maine Health Access Foundation, and another constituent of the Senator from Cumberland, Senator Brenner, the Honorable Linda Sanborn of Gorham, our former colleague and a family physician. These very real and good people, constituents of ours, took time out of their lives to produce a report for the benefit of the Second Regular Session of the 131st Legislature - which is, of course, us meeting right today - to consider all the options for dealing with the intractable problem of sustained funding for the Fund for Healthy Maine. Not an easy task. Not solvable by the Legislature itself. And the commission found that current allocations will soon outpace revenue, resulting in a structural deficit in the Fund for Healthy Maine. We found that the administration of master settlement agreement funds must be reorganized to guarantee long-term sustainability of funding for prevention and health promotion activities. We found that more revenue sources are needed for long-term sustainability of public health commitments. We found that the administration of settlement funds need to be reorganized to best track the overall impact of activities funded with settlement funds, to provide accountability over the administration of these funds, and to provide a mechanism for long-term, flexible planning to respond to a changing public health landscape. Faced with these findings, they made some bold and innovative recommendations. I won't get into them, they're in a 90-plus page report, six detailed recommendations. And again, a unanimous report, bipartisan, with one abstention. But the bill before us today that is now subject to an indefinite postponement motion - appropriately - is not in any way representative of the commission's work. One, it is -- rather, it is just a distorted fragment of one of those six recommendations. All the bill before us today proposes to do is move tax revenues from cigarettes to the Fund for Healthy Maine when the master settlement agreement funds are insufficient. If we move forward with this bill, what was the point of the commission's work? I understand that there are aspects of the

commission's report that some may object to, not popular with some of our colleagues or with the administration, but that's precisely why we hold full public hearings on legislation. We asked these five Mainers to spend hours of their time on this commission so we could get their thoughts and recommendations, have the benefit of their experience and wisdom. If we move forward with the bill recommended, we will be completely disregarding their opinions, which we sought out. If we go forward with LD 2249, we'll be preying on the good intentions and valuable time of some of the most talented people our state has to offer. It's shocking to me that after so much time expended by these folks, volunteering their expertise, at the unanimous request of the Health and Human Services Committee, that that committee would even -- wouldn't even have the decency or sensibility to put the full report of their ideas up for consideration in a public hearing. Instead, the committee closes its ears to solutions it doesn't like before even hearing from those they asked to speak. The directive in the resolve was to report back to this Legislature, not to speak to the wind, not to speak to empty air. In the future, how can we ask anyone to serve on such a commission, knowing that if committees do not like their report, it will be ignored, eviscerated even before a public hearing? Allowing such a defective process renders a disservice to the Legislature, to those individuals, and ultimately to the people of Maine. If this is becoming accepted practice in this Legislature, it is time, Mr. President, to arrest it. The pale, weakened bill before you is a sham, a discredit to the commission's work, and the very real issues of solvency for the Fund for a Healthy Maine. I applaud the Senator from Androscoggin, Senator Rotundo's motion, and I encourage you to join me in indefinitely postponing this bill so that we can bring forward a measure for a public hearing that fully represents the commission's work. Thank you, Mr. President.

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

Senator **BALDACCI:** Yes, thank you, Mr. President. I am rising to speak because I think sometimes, like Paul Harvey used to say, it's time for the rest of the story. The rest of the story is the committee, both Republicans and Democrats, worked on these recommendations. What was reported back was only what we could all agree to be reported back. If somebody wants to bring an amendment, that could be done during the committee process. We didn't predetermine the bill, we simply said this is what we can agree to now to come back. We have a responsibility -- I mean, similar to the issue that you -- that's been raised in your proposed legislation which I don't believe has the support of your party or of probably --

THE PRESIDENT: The Chair asks why the Senator from Oxford, Senator Bennett, rises.

Senator **BENNETT:** The Senator from Penobscot is referring to me in the second person.

THE PRESIDENT: The Chair would advise to make sure and direct comments to the Chair.

Senator **BALDACCI:** Yeah, that's fine. It didn't have the support of the minority or the majority of our committee. And we worked together, if you've noticed, we have really an exceedingly high

number of unanimous or bipartisan reports. And we've achieved a lot without having to get into a lot of division. If people really want -- the resolution that we came to was that we can fix the funding problem. If people want to add amendments during the committee process to do X, Y, or Z, they could propose those amendments during that process. We are elected officials, we are not a blue ribbon commission, we are elected by the voters. So, we have the ultimate determination, this is our committee process, this is the way it works with all reports. I am really, to be honest with you, if people really wanted to protect the Fund for Healthy Maine, they would let the bill go forward, have a public hearing, have discussion, and have amendments considered. But for some reason, people want to make a statement that they were upset about how they were dealt with by the majority, if not the unanimous feeling of the committee. So, I appreciate, and I have really no opinion, if this is what the sponsors want, that's fine, but the fact of the matter is, this committee took those recommendations very seriously, there are concerns constitutionally about giving money to an unelected board and having them control that versus an elected legislature. But that's something we could debate in committee, but right now, that is being prevented by this motion. Thank you.

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

Senator **BENNETT:** Thank you, Mr. President, Fellow Members of the Senate. The perversion here is the prejudging by the committee, without a proper committee process, for ideas. You're asking -- the Senator from Penobscot suggests that the -- that the committee process should be turned on its head and that the work of the commission, which the commission asked for, should be pre-judged before a public hearing. The commission produced a report, and as most commissions do, accompanying legislation was available that manifested that report in statutory suggestions. That is the measure which should be considered by the Health and Human Services Committee, not a weakened version of it prior to even getting a public hearing. And the notion that members could come and propose amendments to a weak version is absurd. Of course, we could do -- anybody could do that. But it should be the matter under debate by the committee itself. And there could be a question of whether it's germane to bring forward amendments that don't actually relate to the bill that is sent to the committee. So, again, I think it's extraordinarily important not only to fix this broken problem in the Health and Human Services Committee which the Senator acknowledges is standard practice, it's not standard practice with every committee.

Senator **BALDACCI:** Objection. You're referring to me in the second person.

Senator **BENNETT:** Mr. President, I did not refer to the Senator from Penobscot in the second person.

Senator **BALDACCI:** His comments speak for themselves. Obviously, he was directly referring to me.

THE PRESIDENT: Once again, let's just make sure that the comments come through the Chair and not directed at any one person, and I'm not saying that happened or didn't, but let's just --

Senator **BENNETT:** Thank you, Mr. President. It did not in fact

happen, as I was referring to the debate that was presented by the Senator from Penobscot specifically and responding to that charge in the third person. So, I once again encourage this Body to indefinitely postpone this bill. Let's get a proper bill before us that actually -- which is ready at the Office of Policy and Legal Analysis to production and that bill is the one we should consider. Thank you, Mr. President.

On motion by Senator **ROTUNDO** of Androscoggin, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/12/24) matter:

SENATE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act to Identify the Railroad Lines from Portland to Bangor as a Major Corridor and to Fund a Feasibility Study" S.P. 357 L.D. 860

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-565)** (3 members)

Tabled - March 12, 2024 by Senator **CHIPMAN** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, March 12, 2024, Reports **READ**.)

Senator **CHIPMAN** of Cumberland moved the Senate **ACCEPT** the Minority **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 Chipman.

Senator **CHIPMAN:** Men and Women of the Senate, as you may know, the Northern New England Passenger Rail Authority is the state's rail authority. They are our authority who operates the Downeaster train service that currently goes from Boston to Portland to Brunswick and eventually is going to be going up to Rockland some time I believe later this year. When that service was established well over 20 years ago, we were told that we would eventually have service from Portland to Brunswick and then also from Portland to Lewiston. There was a map that actually showed that and that was what was discussed at the time. The service to Lewiston never took place, that was never developed. We did get service to Brunswick, which is great, took a long time to get that, but we finally got that. We never got the service to Lewiston. I would point out that all of the taxpayers of the state contribute towards the funding of this rail service, and I believe we need to look at the entire state, where it's feasible to have rail service and connecting other cities together. So, last

year, we had eight rail bills in the Transportation Committee. And we went through all of them, and we picked out what we thought were the most viable bills and defeated the other bills. There was one bill sponsored by the Senator from Androscoggin, Senator Rotundo, had to do with service from Portland to Lewiston, she said it was fine to vote that bill down if we would be willing to merge that bill into Senator Baldacci's bill, which was about rail service from Portland to Bangor. So, we essentially did do that, we agreed to do that, voted that bill down, and combined the two bills together. And so, what this bill would do is simply direct the Northern New England Passenger Rail Authority to apply for \$500,000 in grant funding from the federal government in federal infrastructure funds to study and identify the rail corridor from Portland to Lewiston to Waterville and to Bangor. That is a study that has never been done. We have had a study from Portland to Lewiston, one bill I sponsored four years ago that showed some pretty good ridership numbers but not quite enough to qualify for federal funds at the time. We had a study that Senator Baldacci sponsored four years ago to look at rail service from Portland to Bangor, I believe going up through Augusta, and that showed not enough ridership numbers to qualify for federal funds. But never have we had a study that looked at the rail route that goes from Portland up through Lewiston, to Waterville, and to Bangor. And we believe that by looking at that route and combining the populations of the service centers of Lewiston-Auburn and Waterville and Bangor together, that we may be able to have the ridership numbers we would need to qualify for some federal funds. This grant will tell us that. This grant would identify this corridor, tell us what the ridership numbers would be, and let us know if it's feasible. I would point out that the City of Auburn, the City of Lewiston, the City of Waterville, the City of Bangor, have all endorsed this bill, as well as the Central Maine Chamber of Commerce. And it's really about economic development. I mean, I'm a Senator from Portland, we have rail service, you know, this doesn't do anything to benefit my district, but it benefits the districts along this corridor. And I think it's important that we look at that, apply for these federal funds. There are states that are far more rural than Maine, like Vermont and others, that are applying for these same funds we're seeking to apply for and are getting those funds and are looking at rail corridors in those states and identifying them and pursuing expanding rail service in those areas. And I think we need to do the same thing. So, again, it's a very simple bill, it does not involve any state funds for the study, the \$500,000 would all be federal infrastructure funds that are available right now. There is a very, very small \$20,000 fiscal note on the bill and that's just the cost of writing the grant, that would be paid for through the multimodal fund which is what that fund is for, it's for looking at studies for bus service and rail service, it's how we funded other studies of this nature. So, it's a very small fiscal note just for the writing of the grant. But the \$500,000, not a penny of that would come from the State of Maine. So, again, I hope you join me in supporting this motion, and I thank you for your time.

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

Senator **BALDACCI:** Thank you, Mr. President, and thank you, Senator Chipman, and thank you for your words and your leadership. When the Legislature enacted the Passenger Rail Service Act of 1995, it was in response to referendum drives that collected more than 100,000 signatures. And the State of Maine

in that legislation made a pledge to restore service to all parts of Maine. If we enact this resolve, we will begin to make good on our promise. As Senator George Mitchell once said after working on funding for the initial Downeaster Service to Portland, passenger rail is an idea that came and went and now has come around again. The new federal corridor grant program this resolve would tap into is a brand-new attempt to expand energy efficient, downtown friendly, low carbon transportation. It would provide a vital alternative for hundreds of thousands of Mainers who don't own cars or just prefer another way to travel within our state and throughout the northeast. It's not just an idea; passenger rail is backed by at least 66 billion in new federal grants. Maine needs to take full advantage of this really once-in-a-lifetime opportunity to see if we can restore rail service to the second and third largest metropolitan areas in the state. Bangor, the defined metropolitan area is over 150,000, Lewiston, the defined metropolitan area is a little under 120,000. The two largest things in the Second District, two of the largest cities in the State of Maine, and they have been ignored in terms of passenger rail for 20 years. Twenty years was the last time there was an expansion of passenger rail to Brunswick. If we had been modestly improving and expanding the service, this would not be such a daunting adventure. But it is because we have done nothing as a state to provide access, to provide transportation to the rest of the state. If we link the downtowns of our Central Maine cities, and as was pointed out, this has been endorsed by the central -- Mid-Maine Chamber of Commerce, the Bangor Chamber of Commerce, a number of corporations in Central and Eastern Maine, as well as the Cities of Portland, Lewiston, Waterville, Augusta endorsed this, and Bangor, and Brewer. So, there is popular support, bipartisan, nonpartisan support north of Portland. But if we link the downtowns, we can increase the appeal and the passenger numbers of the Downeaster far beyond those achieved so far. Downtown Bangor over the last 25 years has undergone a revival and significant increase in businesses. There's over 160,000 people a year that just go to the waterfront concerts. If anybody remembers that section of Bangor, it was an industrial junkyard for 50 years. You didn't even want to look on that side of the road. And over the last 30 years, the city, through successive city councils, has redeveloped that, cleaned it up - we even sued the gas company that had it to get some money from them to remediate the site - and now, it's a major commercial success. The Cross Insurance Center down the street is a \$55 million city bond that also brings in well over 100,000 people a year for concerts and entertainment and conventions. I would note that another four million people go to Acadia National Park. And this proposal would link Portland to Auburn, Lewiston, Winthrop, Waterville, Bangor, Brewer, and continue to the University of Maine in Orono. It would be a major economic development plus for the Second District, for rural Maine, which desperately needs it, and would generate much more business. If people need to look around to the Brunswick station, which was part of a redevelopment itself when they closed the Air Force base, that -- there's businesses that have sprouted up all around that. These tend to help promote business in general, in addition to additional traffic. But Bangor has gone through this before with the conversion of Dow Air Force Base which over 30 years became Bangor International Airport which serves over 600,000 passengers a year. Not as big as Portland, but it's a very successful airport and does a lot of refueling but it does a lot -- a high amount of civilian passenger travel as well. We're pleased that NEPRA and the Maine DOT have secured a corridor grant for

the Rockland branch, we are simply asking for NEPRA to do the same for the corridor to Bangor. And I'm very happy that there's a consideration of expanding this to Rockland, but Lewiston and Bangor have over 250,000 people just together in terms of the metropolitan areas, far more than some of our smaller coastal towns, and we should be given at least equal consideration, considering what we contribute to the Maine economy. The cities along the upper CSX line, the old Maine Central, have a combined population of about 300,000 people. It just seems reasonable to take a good look at what we might be able to achieve in the decades ahead. And I would point out that CSX has a successful track record in other states of working with passenger rail in addition to their freight rail and accommodating passenger rail. They have also worked -- the prior owner and CSX have worked and obtained about \$75 million of federal funding for track repair. This is an important economic investment in our infrastructure and in our economy if we can do it. But all this bill asks you to do is to tell NEPRA to apply for federal money to -- in order to do a full feasibility look at Bangor to Lewiston to Portland. Maine is one of -- has one of the most comprehensive intact rail systems in the Northeast and it's just common sense for us to work together in this fashion to achieve energy, climate, affordable housing, access to transportation, and economic development all together. And I appreciate your time.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Farrin.

Senator **FARRIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to the Minority Ought to Pass Report of LD 860. Just to give my colleagues some background, the Transportation Committee voted against passage of this bill eight to three. LD 860 directs the Northern New England Passenger Rail Authority to apply for funding through the Corridor Identification and Development Program for the purpose of identifying the rail corridor that connects Portland with Lewiston, Auburn, Waterville, and Bangor as a priority rail corridor. The corridor ID is a federal competitive discretionary grant program. Maine DOT has recently conducted studies on passenger rail expansion in both Lewiston and Auburn and Bangor. The results of these studies have yielded extremely high capital costs, \$264-349 million for expansion to the Lewiston-Auburn area and \$375-902 million to the Bangor area. The studies also show projected ridership levels that indicate that a rail service to Lewiston and Auburn and Bangor would not be eligible or competitive for federal discretionary funding. We have heard a lot lately about all the free money in Washington. I'm here to tell you, Ladies and Gentlemen of the Senate, nothing is free. All of these discretionary programs require a state match. Specific to the corridor ID program, in order to be successful in the program, an application -- an applicant must show where the required state or local capital funding will come from should a rail expansion project move forward, a 20% match is required for the corridor ID program. These matching funds would range anywhere from \$75 million to \$108 million if an application was successful. To date, the State has not identified how this required state capital match would be funded. The applicant also needs to identify a source for the operational subsidy to operate the service on an ongoing basis. And specifically, NEPRA, just so you know, for the multimodal, we subsidize that operational piece about \$2 million a year as it is. This is estimated between 6.7 and 16.2 million annually, depending on the ticket price. It's important to

note that the corridor ID program provides only capital funds and there are no operational funds available in the program. In addition, an applicant must show there is an agreement with a host railroad and at this time no such agreement exists with CSX. While I appreciate the strong desire of some of my colleagues to expand passenger rail north of Brunswick, it's simply unrealistic and too costly. I quote a former member of the Transportation Committee that says to have mass transit, you must first have mass. And we don't have that at this stage of the game. Rail expansion makes sense in areas where there is a capacity problem, and if you look at the Maine rail program that we have, and something that the Transportation Committee does a very good job with, you will see that we are expanding where it makes sense. We're adding dollars and turnouts and stations along the line that make sense, but we spend a lot of time in the Transportation Committee working with the Department to look at that rail plan, and there is a state rail plan. And you've heard talk about the study that was done to Lewiston-Auburn, I have copies for everybody that wants to look at it, we did it in 2019, spent somewhere around \$300,000, and there was just a letter sent to the committee in January of 2023 when the committee said go back and look at the dollars and study this, and they reported back to the committee with what that had to say. So, before we lay out and talk about going to Bangor and above, we have a plan looking at from Portland to Lewiston-Auburn, and we've spent lots of money looking at that and if that's the way, that's the first step, to build off from where we are in Brunswick and go. There is a plan, we are looking at it, and that's why I rise in opposition to this motion. Thank you, Mr. President.

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

Senator **CHIPMAN:** Thank you, Mr. President. Just one other thing I'd like to point out about this, and it's about ridership for sure, it's about expanding rail to other parts of the state, as we've discussed here, but it's also about economic development. I grew up in the town of Brunswick, and when I was growing up in Brunswick, the place where the rail station is right now was an empty dirt parking lot. There was nothing there. When they brought rail to Brunswick, now there's a restaurant, there's a hotel, there's a whole host of businesses that have been developed around that rail station site. And that's what happens all across the country when you expand passenger rail, not only do you provide alternative ways for people to travel, but you also provide opportunities for economic development. And everywhere there's a rail station site, there's economic development, and that's something we should also consider. So, I hope you'll join me in supporting the motion. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#603)

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, BRENNER, FARRIN, HARRINGTON, KEIM, MOORE, POULIOT, RENY, STEWART, TIMBERLAKE

EXCUSED: Senator: DAUGHTRY

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (S-565) **READ**.

On motion by Senator **CHIPMAN** of Cumberland, Senate Amendment "A" (S-590) to Committee Amendment "A" (S-565) **READ**.

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

Senator **CHIPMAN:** To explain what this amendment is about, in addition to my floor remarks. There is a very small \$20,000 cost to write the grant to apply for the federal funds of \$500,000. The bill as drafted and the committee amendment as drafted had that \$20,000 coming from the highway fund, and that's not where we have used funds from in the past for anything to do with passenger rail or bus or multimodal type of activities. And so, this simply changes that to have the \$20,000 come from the multimodal fund, which is really the purpose of that fund, so it just makes that small change. 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#604)

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

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

EXCUSED: Senator: DAUGHTRY

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CHIPMAN** of Cumberland to **ADOPT** Senate Amendment "A" (S-590) to Committee Amendment "A" (S-565) thereto, **PREVAILED**.

Committee Amendment "A" (S-565) as Amended by Senate Amendment "A" (S-590) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME**.

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 (#605)

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, FARRIN, HARRINGTON, KEIM, MOORE, POULIOT, RENY, STEWART, TIMBERLAKE

EXCUSED: Senator: DAUGHTRY

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-565) AS AMENDED BY SENATE AMENDMENT "A" (S-590)** thereto.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/13/24) matter:

SENATE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Strengthen the Maine Veterans' Homes with Increased and Ongoing Funding" S.P. 948 L.D. 2217

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-571)**

Tabled - March 13, 2024 by Senator **HICKMAN** of Kennebec

Pending - **ACCEPTANCE OF REPORT**

(In Senate, March 13, 2024, Report **READ**.)

On motion by Senator **HICKMAN** of Kennebec, the **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-571) **READ**.

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

Senator **HICKMAN**: Thank you, Mr. President. This amendment was agreed to by the committee unanimously to be presented on the floor of the Senate so we could move our work forward and report our bills out. This amendment simply clarifies the language to ensure that the reimbursements that are provided to Maine veterans' homes can maintain and help secure and ensure stability ongoing for our six veterans' homes. Thank you, Mr. President.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "A" (S-585) to Committee Amendment "A" (S-571) **READ** and **ADOPTED**.

Committee Amendment "A" (S-571) as Amended by Senate Amendment "A" (S-585) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-571) AS AMENDED BY SENATE AMENDMENT "A" (S-585)** thereto.

Sent down for concurrence.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

Off Record Remarks

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

Senator **BRENNER:** Thank you, Mr. President. Colleagues of the Senate, in celebration of Women's History Month it's my turn. Today I want to transport you back to the 18th century to meet a woman whose legacy continues to inspire us today. Her name was Martha Ballard. Born in 1735 in Massachusetts, she settled in Hallowell, where she spent the rest of her days along the Kennebec. Martha was just not any woman. She was a midwife whose life's work was chronicled in a legendary diary. Martha diligently recorded her experiences in this diary for 27 years. In its pages she documented the weather, her daily tasks, her midwifery duties, and insights into her medical practices. This diary spans over 1,400 pages, containing more than 10,000 entries, and it serves as a remarkable testament to Martha's life and intricacies of her time, including the birth of 816 babies. During Martha's era, women were barred from attending medical school. Yet, armed with her firsthand knowledge and experiences, Martha treated various maladies and crafted remedies such as teas, salves, syrups that all alleviated the suffering of the people of the Kennebec Valley. Her diary not only details her medical and midwifery practices, but it also sheds light on the social and economic impact of social norms at the turn of the 18th century. Despite its immense historical value, Martha's diary was initially dismissed by some as trivial and unimportant. However, what these individuals failed to grasp was the significance of Martha's entries regarding equity and respect within the healthcare community. Martha noted the respect shown to her by physicians for her professionalism and ability to share important oral and written documentation about her care. An early medical record, if you will. This diary, now enshrined in history, owes its preservation to Martha's lineage. Passed down through generations of women, it eventually reached Martha's great-great-granddaughter, Mary Hobart, who's one of the first female physicians to graduate from the New York Infirmary for Women and Children in 1884. Laurel Thatcher Ulrich, a Harvard history professor, MacArthur genius, and the author of 'A Midwife's Tale: The Life of Martha Ballard, Based on Her Diary,' famously said that well-behaved women seldom make history. Used to describe diarists like Martha Ballard, this quote was buried in an essay Ulrich wrote about the diaries of women and importance of access to this historical narrative to better capture the everyday lives like Martha Ballard's. While well-behaved, Martha Ballard was a trailblazer who dared to challenge the status quo and make history in her own quiet way. In understanding Martha Ballard's significance, we must also appreciate the importance of social intelligence within the fabric of a community. Martha was not just a skilled midwife and healer. She was a pillar of support and empathy for her neighbors. Her ability to navigate the intricacies of interpersonal relationships and provide comfort in times of need was as crucial to her role - was crucial to her role as a medical expert. Martha's diary is not merely a record of births and medical treatments, it is a testament to the bonds she forged with those around her and serves as a powerful reminder to all of us of the importance of social intelligence in building strong and resilient communities. So, this morning on my way to the State House, I parked in front of one of the homes that Martha Ballard lived in along the Kennebec River. In modern memory, it's been a yoga studio and now it's a private residence. I could imagine the timeless work of preparing a meal

and wondering whether you'd get to eat it with your family or if you'd get that call from the woman that you visited with earlier in the day who was oh so close to birth and going into labor. Midwives all through time share a trait which is deep patience, and they also share the feeling of knowing the deep joy of watching parents' hearts grow bigger when you pass that baby to them after a long labor. If you're intrigued by Martha Ballard's tale, I encourage you to explore further by finding a copy of Laurel Thatcher Ulrich's book, 'A Midwife's Tale, the Life of Martha Ballard, Based on Her Diary from 1785 to 1812.' Thank you.

Off Record Remarks

On motion by Senator **PIERCE** of Cumberland, **ADJOURNED** until Thursday, March 21, 2024 at 10:00 in the morning in memory of and lasting tribute to the Honorable Gerald Davis, of Falmouth.