

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
FIRST SPECIAL SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Monday  
June 14, 2021

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

Prayer by Senator Jeffrey L. Timberlake of Androscoggin County.

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

Senator **TIMBERLAKE:** Thank you and good morning. Every morning when I get up and sit on the side of my bed and, believe it or not, I pray for each and every one of you. I believe everyone in this room wants to do the right thing for the state of Maine. My prayers tend to be pretty simple but to the point. I believe my Savior, Jesus Christ, wants it that way. So, let's pray.

Dear Heavenly Father, I ask You to bless this Body today. I ask that You give us the wisdom and the knowledge to do the business of the people of Maine. I ask that You look over our families and loved ones. I pray for the members of the Senate and the House of Representatives and Governor Mills to find peace and direction and for these men and women to act and lead according to Your word. A house divided against itself cannot stand, therefore I pray for them to be unified in righteousness for the sake of our state. I pray as leaders we will be filled by the Holy Spirit and be moved to take care of those who cannot take care of themselves, to protect and honor the innocents of this world who are depending on us. All you good and decent people, to abandon them is to abandon our humanity. As leaders, we are faced with an overwhelming responsibility to do what's right and good in God's eyes and there will always be obstacles. Trust in God and He will provide the guidance so needed in these very troubled times through this pandemic. We pray our Lord blesses us and gives us the strength to do what is right no matter the consequences. I ask this in the name of our Father and his Son. Amen.

National Anthem Performed by Eliana Brown of Gardiner.

Pledge of Allegiance led by Senator Chloe S. Maxmin of Lincoln County.

Reading of the Journal of Thursday, June 10, 2021.

Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

An Act To Clarify the Maine Food Sovereignty Act  
H.P. 419 L.D. 574

In Senate, June 8, 2021, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Minority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-402)**.

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

**COMMUNICATIONS**

The Following Communication: H.C. 173

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

June 10, 2021

Honorable Darek M. Grant  
Secretary of the Senate  
130th 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 State and Local Government on Resolve, To Establish the COVID-19 Review Commission (S.P. 193) (L.D. 817) (EMERGENCY)

Sincerely,

S/Robert B. Hunt  
Clerk of the House

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

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Expand the Disciplinary Authority of the Board of Trustees of the Maine Criminal Justice Academy"

H.P. 368 L.D. 505

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-535)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-535)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-535) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares"

H.P. 377 L.D. 514

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-539)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-539)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-539) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Ensure Equity in Petitions for Rulemaking under the Maine Administrative Procedure Act"

H.P. 488 L.D. 661

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-534)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-534)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-534) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding the Maine Criminal Code"

H.P. 523 L.D. 710

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-538)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-538)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-538) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Increase the Availability of Mental Health Services for a Defendant Who Has Been Found Incompetent To Stand Trial"

H.P. 574 L.D. 769

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-537)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-537) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Unauthorized Possession of a Firearm in a Correctional Facility"

H.P. 848 L.D. 1170

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-533)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-533)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-533) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Curtail No-knock Warrants"

H.P. 849 L.D. 1171

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-536)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-536)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-536) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Change the Educational Requirements of Behavioral Health Professionals Providing Services for Children

H.P. 1040 L.D. 1424

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-288)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288) AS AMENDED BY HOUSE AMENDMENT "A" (H-532)** thereto.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-288) **READ**.

House Amendment "A" (H-532) to Committee Amendment "A" (H-288) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-288) as Amended by House Amendment "A" (H-532) 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-288) AS AMENDED BY HOUSE AMENDMENT "A" (H-532)** thereto, in concurrence.

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Strengthen Statewide Mental Health Peer Support, Crisis Intervention Mobile Response and Crisis Stabilization Unit Services and To Allow E-9-1-1 To Dispatch Using the Crisis System"

H.P. 1175 L.D. 1586

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-527)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-527)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-527) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act To Establish Separate Prosecutorial Districts in Downeast Maine" (EMERGENCY)

H.P. 188 L.D. 272

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-547)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-547)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-547) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **TAXATION** on Bill "An Act To Support All-terrain Vehicle Trail Improvement"

H.P. 1084 L.D. 1468

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-559)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-559)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-559) **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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Amend Maine's Harness Racing Laws Regarding Race Dates and Pari-mutuel Pools" (EMERGENCY)

H.P. 1200 L.D. 1611

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-403)**.

Signed:

Senators:

- DILL of Penobscot
- BLACK of Franklin
- MAXMIN of Lincoln

Representatives:

- BERNARD of Caribou
- GIFFORD of Lincoln
- HALL of Wilton
- LANDRY of Farmington
- McCREA of Fort Fairfield
- PLUECKER of Warren
- SKOLFIELD of Weld
- UNDERWOOD of Presque Isle

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

Signed:

Representatives:

- O'NEIL of Saco
- OSHER of Orono

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-403) AS AMENDED BY HOUSE AMENDMENT "A" (H-546)** thereto.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#322)**

YEAS: Senators: BENNETT, BLACK, BREEN, CYRWAY, DAVIS, DILL, FARRIN, GUERIN, KEIM, MAXMIN, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion by Senator **DILL** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **FAILED**.

The Minority **OUGHT NOT TO PASS** Report **ACCEPTED, NON-CONCURRENCE**

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Improve Information Sharing by Criminal Justice Agencies with Government Agencies Responsible for Investigating Child or Adult Abuse"

H.P. 24 L.D. 58

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-548)**.

Signed:

Senators:

DESCHAMBAULT of York  
CYRWAY of Kennebec

Representatives:

WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
RUDNICKI of Fairfield  
SHARPE of Durham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

LAWRENCE of York

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-548)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-548) **READ** and **ADOPTED**, in concurrence.

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

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Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Concerning Records of the Employment of Law Enforcement Officers and Corrections Officers"

H.P. 418 L.D. 573

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-549)**.

Signed:

Senators:

DESCHAMBAULT of York  
CYRWAY of Kennebec  
LAWRENCE of York

Representatives:

WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Representative:

RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-549)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-549) **READ** and **ADOPTED**, in concurrence.

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

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Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow State Vehicles Assigned to Maine Emergency Management Agency Employees To Be Used for Commuting"

H.P. 568 L.D. 763

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-550)**.

Signed:

Senators:

DESCHAMBAULT of York  
CYRWAY of Kennebec

Representatives:

WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Representative:

RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-550)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-550) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Divert Older Youth from the Adult Criminal Justice System"

H.P. 615 L.D. 847

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-551)**.

Signed:

Senators:

DESCHAMBAULT of York  
LAWRENCE of York

Representatives:

WARREN of Hallowell  
LOOKNER of Portland  
MORALES of South Portland  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth  
NEWMAN of Belgrade  
PICKETT of Dixfield  
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-551)**.

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 (#323)**

YEAS:

Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS:

Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-551) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect Maine Residents from Stalking by Use of an Unmanned Aerial Vehicle"  
H.P. 759 L.D. 1021

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-552)**.

Signed:

Senators:  
DESCHAMBAULT of York  
CYRWAY of Kennebec

Representatives:  
WARREN of Hallowell  
LOOKNER of Portland  
MORALES of South Portland  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Representatives:  
COSTAIN of Plymouth  
NEWMAN of Belgrade  
PICKETT of Dixfield  
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-552) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect the Rights of Certain Incarcerated Individuals"  
H.P. 772 L.D. 1044

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-553)**.

Signed:

Senators:  
DESCHAMBAULT of York  
CYRWAY of Kennebec  
LAWRENCE of York

Representatives:  
WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Representative:  
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-553)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-553) **READ** and **ADOPTED**, in concurrence.



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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Establish the Commission To Study and Recommend Incentives for Residential Fire Sprinkler Systems

H.P. 998 L.D. 1364

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-554)**.

Signed:

Senators:

DESCHAMBAULT of York  
LAWRENCE of York

Representatives:

WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
RUDNICKI of Fairfield  
SHARPE of Durham

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

Signed:

Senator:

CYRWAY of Kennebec

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-554)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-554) **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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Convene a Working Group To Identify and Find Replacements for Certain Stigmatizing References throughout the Maine Revised Statutes and Government Publications

H.P. 1177 L.D. 1588

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-555)**.

Signed:

Senators:

DESCHAMBAULT of York  
LAWRENCE of York

Representatives:

WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Senator:

CYRWAY of Kennebec

Representative:

RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-555)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-555) **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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Provide Pathways to Rehabilitation, Reentry and Reintegration"  
H.P. 1182 L.D. 1593

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-556)**.

Signed:

Senators:  
DESCHAMBAULT of York  
LAWRENCE of York

Representatives:  
WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Senator:  
CYRWAY of Kennebec

Representative:  
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-556)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-556) **READ** and **ADOPTED**, in concurrence.

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

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require Instruction on the History of Genocide and the Holocaust"

H.P. 150 L.D. 215

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

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-243)**.

Signed:

Senator:  
WOODSOME of York

Representatives:  
LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

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

Reports **READ**.

On motion by Senator **RAFFERTY** of York, the Minority **OUGHT TO AS AMENDED PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Bill **READ ONCE**.

Committee Amendment "A" (H-243) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

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**Divided Report**

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Help Maine Students Catch Up and Keep Up by Providing Remedial and Compensatory Assistance in Response to Education Disruption" (EMERGENCY)  
H.P. 238 L.D. 334

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-544)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

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

Signed:

Senator:  
WOODSOME of York

Representatives:  
LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-544)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-544) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Require Consideration of Climate and Equity Impacts by the Public Utilities Commission"  
H.P. 1251 L.D. 1682

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-541)**.

Signed:

Senators:  
LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
CUDDY of Winterport  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:  
CARLOW of Buxton  
FOSTER of Dexter

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-541)**.

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 (#324)**

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator LAWRENCE of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-541) **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 **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Resolve, Directing the Department of Economic and Community Development To Create and Administer a Fund for Live Entertainment Venue, Performer and Worker and Public Art Recovery Grants (EMERGENCY)  
H.P. 1163 L.D. 1566

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-561)**.

Signed:

Senators:  
CURRY of Waldo  
LUCINI of Hancock

Representatives:  
ROBERTS of South Berwick  
BAILEY of Gorham  
GEIGER of Rockland  
HASENFUS of Readfield  
PEBORTH of Blue Hill

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

Signed:

Senator:  
CYRWAY of Kennebec

Representatives:  
ANDREWS of Paris  
AUSTIN of Gray  
BERNARD of Caribou  
DUCHARME of Madison

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-561)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-561) **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 Implement the Recommendations of the Right To Know Advisory Committee Concerning Fees Charged for Responding to Public Records Requests"

H.P. 997 L.D. 1346

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

Signed:

Senators:  
CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:  
HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:

Senator:  
KEIM of Oxford

Representatives:  
HAGGAN of Hampden  
LIBBY of Auburn  
POIRIER of Skowhegan  
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass** Report.)

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

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 (#325)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence, **PREVAILED**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Strengthen the Ability of Public Employers and Unions To Negotiate"

H.P. 325 L.D. 449

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-175)**.

Signed:

Senators:  
HICKMAN of Kennebec  
MIRAMANT of Knox

Representatives:  
SYLVESTER of Portland  
CUDDY of Winterport  
GERE of Kennebunkport  
PEBWORTH of Blue Hill  
ROEDER of Bangor  
WARREN of Scarborough

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

Signed:

Senator:  
GUERIN of Penobscot

Representatives:  
BRADSTREET of Vassalboro  
DRINKWATER of Milford  
MORRIS of Turner  
PRESCOTT of Waterboro

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-540)**.

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 (#326)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-175) **READ** and **ADOPTED**, in **NON-CONCURRENCE**

House Amendment "A" (H-540) **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-175) AND HOUSE AMENDMENT "A" (H-540)**, in **NON-CONCURRENCE**.

(See action later today.)

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Update and Eliminate References in Statute to Aldermen, Selectmen and Overseers of the Poor"

H.P. 1126 L.D. 1522

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

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
DOWNES of Bucksport  
HEAD of Bethel  
PAULHUS of Bath  
RISEMAN of Harrison  
TUELL of East Machias

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

Signed:

Representative:

GREENWOOD of Wales

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-512)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-512) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, To Implement Security Screenings in the State House and Capitol Area Offices (EMERGENCY)  
H.P. 1242 L.D. 1671

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-525)**.

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
PAULHUS of Bath  
RISEMAN of Harrison

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

Signed:

Senator:

ROSEN of Hancock

Representatives:

GREENWOOD of Wales  
HEAD of Bethel  
TUELL of East Machias

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-525)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-525) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **TAXATION** on Resolve, Establishing the Commission To Study Fair, Equitable and Competitive Tax Policy for Maine's Working Families and Small Businesses (EMERGENCY)

H.P. 712 L.D. 966

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-560)**.

Signed:

Senators:

CHIPMAN of Cumberland  
LIBBY of Androscoggin

Representatives:

TERRY of Gorham  
GRAMLICH of Old Orchard Beach  
MATLACK of St. George  
PERRY of Bangor  
SACHS of Freeport

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn  
KRYZAK of Acton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-560)**.

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 (#327)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Resolve **READ ONCE**.

Committee Amendment "A" (H-560) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

Six Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth  
H.P. 1239 L.D. 1668

Reported in Report **"A"** that the same **Ought to Pass**

Signed:

Representatives:

WARREN of Hallowell  
LOOKNER of Portland  
MORALES of South Portland  
PLUECKER of Warren  
RECKITT of South Portland  
SHARPE of Durham

Six Members of the same Committee on the same subject reported in Report **"B"** that the same **Ought Not to Pass**.

Signed:

Senators:

DESCHAMBAULT of York  
CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth  
NEWMAN of Belgrade  
PICKETT of Dixfield  
RUDNICKI of Fairfield

Comes from the House with Report **"A"**, **OUGHT TO PASS**, **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Reports **READ**.

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** Report **"B"**, **OUGHT NOT TO PASS**, in **NON-CONCURRENCE**.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Maxmin.

Senator **MAXMIN:** Thank you, Mr. President and colleagues in the Senate. I rise in opposition to this motion. Many in this Body have long heard about the ineffectiveness and harm caused by youth prisons and, in Maine, that is Long Creek Youth Development Center. Many of us have also heard firsthand from formerly incarcerated youth about how incarceration has affected them, their mental health, their identity, their relationships with family and friends, and their hope for the future. We know from the research that incarceration negatively interrupts a young person's growth and development and it makes it more likely that a young person will reoffend and end up in the adult criminal justice system. As if that weren't enough reason to reject youth prisons, they are also an astronomical waste of taxpayer dollars. Currently, Long Creek houses 28 youths, which is 86% less than its total capacity. The State presently allocates \$18.6 million a year to run Long Creek, meaning the State spends about \$700,000 a year per child on incarceration, which is 97% more than the State spends per child on education. Youth at Long Creek need responses and investments that will help them get back on track, not make it more difficult to turn their lives around. It is the failure of the system, not the child, that landed them in Long Creek. The failure of these systems often results in youth being placed in overly restrictive and expensive settings such as emergency rooms, hospitals, residential settings, or at Long Creek. This is bad for kids and bad for taxpayers. Kids shouldn't have to be locked up to access mental health services. We can do better. This bill would set a concrete goal and give time for a plan to develop around the investment led by people most directly impacted by our juvenile justice system. Young folks from across the state often wait a long time for community-based services and many who are served are being partially served. Maine has a youth housing crisis. The South Portland School Board announced in January that over 100 students are homeless this year. A 2019 Press Herald report estimated that there are 1,400 unaccompanied homeless students in Maine and only about 54 shelter beds available. This legislation could create a plan to replace the property with a community center and housing, not incarceration. Long Creek sits on over 41 acres that could be transformed to fit the needs of young folks in our state from housing services to mental health and behavioral health services. By closing Long Creek and investing \$18 million into care, such as job training programs and mental health supports, we can invest in the future of our youth and our community. Thank you.

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

Senator **HICKMAN:** Thank you, Mr. President. Brandon Bushey, James Croxford, Cole Fitzgerald, Madison Graham, Charles Maze Knowles, Dante Majeroni, Lashauna Monahan, Jon Ouelette, Mohamed Roone, Derek Williams. These ten young people are no longer with us due to the trauma and violence they experienced in Long Creek Youth Development Center. We have a responsibility today to honor their lives and prevent their deaths from being repeated in Maine. So, Mr. President, women and men of the Senate, I rise in opposition to the pending motion. Long Creek is a prison. Razor wire fences, concrete beds, steel toilets, deadbolt doors, and cement walls and floors characterize the place. As we've just heard, 28 young people are there and

we spend \$700,000 a year to keep them locked in the facility. In 2019, the Maine Juvenile Justice System Assessment and Reinvestment Task Force was convened to help inform and guide a review of Maine's system and in that final report produced by the Children's Center for Law and Policy we learned that 53% of the youth who are detained in Long Creek were there for the State to provide physical care. So more than half of the residents of this prison are there because we cannot find, as a society, safer, more appropriate places to shelter and provide mental health treatment for them, largely because our state has systematically underfunded these necessary services that children have a right to. Mr. President, the report also found that 69% of youth currently committed to Long Creek received behavioral health services through MaineCare the year before they were committed. The Juvenile Justice System had, therefore, become the provider of those services for children in Maine. So, we imprison young people simply because they don't have anywhere else to go and we are not able to meet their needs and we know their needs really can't be met in prison because locking them up isn't helping them get back on track. Youth prisons just don't work. The research is clear. They don't reduce re-offense rates. They subject young people to additional trauma, risk, and harm and they don't make our communities safer. But more than that, we know youth prisons don't work because the young people who have experienced Long Creek are telling us so over and over again and so today, Mr. President, I hope we will listen to them.

This session Maine became the seventh state in the nation to commit to looking at the racial impact of the legislation we consider. We know the rhizomes of racism are everywhere, including our criminal legal system. The data tells us over and over and over again that youth of color, disabled youth, and LGBTQ+ youth are more likely to be arrested, detained, and committed than their peers. Black youth detained in the prison represent an estimated 23% of youth at Long Creek, 23% which is nearly 12 times the Black representation of Maine's youth in the population at large.

This bill directs the Maine Department of Corrections to create a plan under the advisement of stakeholders in the juvenile justice system to close Long Creek Youth Development Center by two years from this month and repurpose the facility to serve as a community center, housing, to replace it as a place of trauma, harm, and punishment. Mr. President, we can lead on this issue. I believe we must. With a plan, we can, as a State, make a commitment to a different path forward. We can repurpose Long Creek for the good of the community, but we first need a plan for this closure and the reinvestment of the money that we spend. This is a necessary step in the long journey of making amends to the youth harmed in Maine's criminal legal system. By untying the money that is being used to fund a broken and ineffective place, we can invest directly in the communities where the most impacted youth live. Thank you, Mr. President. I request the vote be taken by the yeas and nays.

On motion by Senator **HICKMAN** of Kennebec, 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 Deschambault.



Senator **DESCHAMBAULT**: Thank you, Mr. President. Mr. President, I moved Ought Not to Pass but I agree that Long Creek either needs to downsize or it needs to close, but this is not the bill. The bill, there is another bill that will be coming forward, a bill that has started with the request for an investigation and a task force. As in the case in many states throughout the country, stakeholders in Maine are undertaking a comprehensive review of the State's juvenile justice system. The three goals of this assessment are to: '1) Understand what the juvenile system is doing well. 2) Identify the gaps and barriers that limit the system from achieving the best public safety and youth outcomes. 3) Outline a roadmap of concrete recommendations to overcome these gaps and barriers.' The State's Juvenile Justice Advisory Group, better known as JAG, recognized that there was a general agreement in Maine that Maine still has work to do regarding recommendations and insuring that Maine youth have access to a continuum of community-based services. The sponsor of that other bill in 2019, began the Task Force, with JAG assisting, that the Maine Juvenile Justice System - it was called the Maine Juvenile Justice System Assessment and Reinvestment Task Force. They brought together legislators. I was a member of that committee. There had to be about 35 people. We met a number of times. They brought together legislators, leaders from State agencies, prosecutors, defense attorneys who specialize in juvenile offenses, representatives of service providers, because these are the people we're going to depend upon in the communities. Youth and adults who lived and experienced the juvenile justice system were present. Parents were present. Crime victims and advocates reviewed the current juvenile justice system and identified the recommendations for reform. They also invited specialists. The Center for Children's Law and Policy, based in Washington D.C., a non-profit organization engaged by JAG, supported the Task Force and provided a comprehensive and independent assessment of the juvenile justice system in Maine. I wish to tell you the methodology where they came from that report. Not only did they have people from the state of Maine who work with youth, the methodology to reach out into the communities to find out what people think, know, and want. This group conducted a comprehensive review of the current policies, procedures, and programs that we are using in the juvenile justice system, as well as other trends and outcome data on youth in the juvenile justice system. They met with and interviewed Governor Mills, Chief Justice at the time Saufley, Attorney General Frye, commissioners and associates of the Department of Corrections, Department of Health and Human Services, the Department of Education, the Department of Public Safety, the Department of Labor, and regional Department of Corrections managers. There were probation officers, they're supervisors of the Juvenile Justice Officers. They went to Long Creek, met with the administration, the staff, the teachers. In that committee were judges, prosecutors, defense attorneys, and also what they did is they conducted six youth-focused groups, six, throughout the state because, let's not forget, this is not just about South Portland. This is the youth in the state of Maine. They conducted six focus groups plus with detained and committed youth. They held town hall meetings. I went to these, even the one up in Bangor after a hard day's work. It was Portland, Lewiston, Augusta, and Bangor and they were well-attended. The findings and recommendations of the system assessment are intended to be a roadmap, exactly what this bill is asking to do, get a plan. Well, I would offer to you, there is a plan in the works. The Commissioner has been before

the Committee on Criminal Justice and Public Safety every time we've asked him to come in and explain how far are you.

I think my fellow Senator Hickman did state what I wanted to also let you know. There is a difference between detained and committed. I want you to know, and you know, that I've worked for the Department and I started working with juveniles pre-criminal code, pre-juvenile criminal code, that was passed in 1974. Some of you might be old enough to recall, if you ever drove by at that time, Boy's Training Center. Your Dad would point up and say 'if you don't go to school you're going to be in that place.' Why? Because before the juvenile code changed you could be sent there for being incorrigible, which was defined as anyone who messed up, any child who messed up in a foster home, was deemed incorrigible. Truant and a runaway. Those were the reasons they went there. Yes, the population for the Boy's Training Center was almost 300. I started at Stevens School for Girls over that ridge. Over 100. When the criminal code passed, within six months that population went down in half. But look what we have.

I want you to know what the criminal code did. You could not be sent away and there were judges, there were sheriffs, there were police chiefs. If you were a troubled child in the community they sent you away. To be at Long Creek someone has to send you there and it's a judge. Long Creek just doesn't open the door and they come in. They're not really kids that don't have a place to go. They would have had to be brought before the judge for committing an offense, a crime, punishable if they were an adult. So, that's who is in there. Of the 27 people, or young people, that are there about half of them, I think it's 16, are committed and 11 are detained. Detained means they may have been picked up on Saturday. They wait to go before the judge and the judge determines, no different as an adult, whether to bail them or not. The average length of stay in detention is three days or less. Of the youth that are detained, 45% the alleged offense was not a crime against a person. Therefore, 55% was. In 47% of the cases, as I said, they were held for three days. The committed youth, 26% of youth came to Long Creek from a residential placement that may have been inappropriate at the time for that young person. Also, 42% of the committed cases, the adjudicated offense was not a crime against a person. I just want to say that I know I feel like I'm talking about another bill but, no, it's basic information. The same kind of information this bill will need. The Department of Corrections, I have to tell you, I can't think of a better word but it's a bad word so I won't say it, was not considered a department that other departments wanted to work with. Why? Education has a reputation of kicking the kids out. Suspensions, be out in the community and they end up in Corrections. They're on a path right now, and have been for three years, in bringing down the population and finding programs in the community. I'd like to tell you that what is happening now with the Office of Children and Family Services, Dr. Landry, Commissioner Liberty, and Education meet together and they are working on a plan. So, I've got something to let you know, as some of you might know, the doors have opened. There's classification with all those students. You assess them and you decide where they should be best served. Right now, there are no girls at Long Creek. All of them, I'm going to guess is about six or seven, are in a house not far from Long Creek and transitioning back home. In July, another home is opening up, or facility, I don't know what to call it, in Auburn in July for boys, eight of them. So, that leaves another half dozen at Long Creek. Guess what? They can't go out, and I need to also tell you, for

the very serious crimes judges can leave you there until age 21. So, these aren't the children everybody wants to talk about but there's movement towards doing something different, reaching out to the community and the community now is accepting the Department of Corrections coming out there with those youth. So, what we've got going right now in the Department of Corrections is a hybrid. For me, it's the silo, much maligned word, but the silos are going down and they are reaching out. So, that's why I motioned Ought Not to Pass. I find this particular bill, as well intended as it is, unnecessary. It's moving forward and will continue to move forward. I urge you to please follow my light.

**THE PRESIDENT:** The pending question before the Senate is Acceptance Report "B", Ought Not to Pass Report. Is the Senate ready for the question?

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#328)**

YEAS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, FARRIN, GUERIN, LUCHINI, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DILL, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, MR. PRESIDENT

EXCUSED: Senator: KEIM

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** Report "**B**", **OUGHT NOT TO PASS**, in **NON-CONCURRENCE**, **FAILED**.

Report "**A**", **OUGHT TO PASS**, **ACCEPTED**, in concurrence.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Prohibit Evictions until 90 Days after the End of the Governor's Declaration of Emergency" (EMERGENCY)  
H.P. 921 L.D. 1255

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

Signed:

Senators:  
CARNEY of Cumberland  
KEIM of Oxford  
SANBORN of Cumberland

Representatives:  
HAGGAN of Hampden  
LIBBY of Auburn  
POIRIER of Skowhegan  
THORNE of Carmel

The Minority of the same Committee reported **Ought to Pass**.

Signed:

Representatives:  
HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

(Representative **NEWELL** of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass** Report.)

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

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

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**Divided Report**

Eleven members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Storage Requirements for Consumer Fireworks"  
H.P. 133 L.D. 180

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-557)**.

Signed:

Senators:  
DESCHAMBAULT of York  
CYRWAY of Kennebec  
LAWRENCE of York

Representatives:

WARREN of Hallowell  
COSTAIN of Plymouth  
LOOKNER of Portland  
MORALES of South Portland  
PICKETT of Dixfield  
PLUECKER of Warren  
RUDNICKI of Fairfield  
SHARPE of Durham

One member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass**.

Signed:

Representative:

NEWMAN of Belgrade

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

Representative:

RECKITT of South Portland

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED, READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-557)**.

Reports **READ**.

On motion by Senator **DESCHAMBAULT** of York, Report "A", **OUGHT TO PASS AS AMENDED, ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-557) **READ and ADOPTED**, in concurrence.

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

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**Divided Report**

Six members of the Committee on **LABOR AND HOUSING** on Bill "An Act To End At-will Employment"

H.P. 398 L.D. 553

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-481)**.

Signed:

Representatives:

SYLVESTER of Portland  
CUDDY of Winterport  
GERE of Kennebunkport  
PEBWORTH of Blue Hill

ROEDER of Bangor  
WARREN of Scarborough

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
MORRIS of Turner

Two members of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-482)**.

Signed:

Senators:

HICKMAN of Kennebec  
MIRAMANT of Knox

Comes from the House with Report "C", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-482), READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-482)**.

Reports **READ**.

On motion by Senator **HICKMAN** of Kennebec, Report "B", **OUGHT NOT TO PASS, ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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**Senate**

**Ought to Pass As Amended**

Senator SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Maine Pharmacy Act"

S.P. 11 L.D. 4

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-256)**.

Report **READ and ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-256) **READ and ADOPTED**.

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

Sent down for concurrence.

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Senator DIAMOND for the Committee on **TRANSPORTATION** on Resolve, To Place a Temporary Moratorium on the Approval of Any New Motor Vehicle Registration Plates and Initiate a Registration Plate Working Group (EMERGENCY)

S.P. 511 L.D. 1618

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-254)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-254) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance the ConnectMaine Authority's Capacity To Provide World-class Internet"

S.P. 477 L.D. 1484

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-248)**.

Signed:

Senators:

LAWRENCE of York  
STEWART of Aroostook  
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham  
CUDDY of Winterport  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-249)**.

Signed:

Representatives:

CARLOW of Buxton  
FOSTER of Dexter  
WADSWORTH of Hiram

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-248)** Report.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, I am the prime sponsor of this bill but I'm honored that this bill is co-sponsored by my fellow co-chair in the Legislature's Broadband caucus, the Senator from Lincoln, Senator Maxmin, and Representative Berry, and Representative Skolfield. This bill has the support of the Maine Broadband Coalition. I was honored that the Executive herself personally testified on behalf of this bi-partisan measure in front of the Energy, Utilities, and Technology Committee. Over the past several months I've been pleased to have had the opportunity to work with the Executive and the Commissioner of DECD, Heather Johnson, on the measure before you. This legislation has the promise of making every corner of Maine inviting and prosperous. The reality is that nobody will consider moving to a community without high speed, reliable internet. The very survival of many towns across our state is at stake with the decisions we make in this legislature. The pandemic has underscored the disparities of who gets to communicate and who doesn't. Nobody should be left behind in the digital age. This includes small business people trying to reach customers, students struggling to learn remotely, rural patients pursuing state of the art telehealth options, and older people trying to keep in touch with family during the pandemic. Their need is urgent. The time is now for a bold, bi-partisan initiative, which is what we have before you. Happily, we will soon receive about \$129 million in targeted broadband funding through the American Rescue Plan Act. In addition, the Executive has pledged another \$21 million in unrestricted funds to Maine, to make the total available \$150 million. This will make a substantial down payment on the estimated \$600 million that our Maine broadband plan predicts is required to accomplish the task of connecting Maine completely. These dollars available are as unprecedented as the opportunity. Such vast but vital sums spent smartly, swiftly, and wholly in the public interest is what will be provided by the legislation before us today. The goal will be accomplished through the creation of a new, nimble, quasigovernmental agency to work with private companies and public entities to ensure complete coverage of Maine as soon as possible.

I want to just tell you about some of the details. This bill will create a new agency, the Maine Connectivity Authority, the MCA, a quasi-public agency modeled after other effective task-oriented organizations such as the Maine Technology Institute. The MCA will be governed by a seven member board, including four appointed by the Governor, two recommended by the Presiding Officers and the Commissioner of the Department of Economic and Community Development. The President of the organization will be appointed by the Governor and confirmed by the Legislature, all other staffing will be determined by the President and the Board. The current Connect Maine Authority will eventually become part of this new agency. The MCA will have the strategic breadth and tactical tools to get the job done, including the ability to own real or personal property, to make and execute contracts with other entities, to build and maintain dark fiber, to issue revenue bonds and other debt instruments, to hold

securities and equity instruments, and to collect fees and provide financing. Very importantly, the MCA will be able to collect data about current internet availability, making sure the confidentiality of that information is protected. The MCA will report annually to this Legislature on its progress and in 2030, eight and a half years from now, the Authority will be assessed in a sunset review by the Legislature, so there will be a specific decision made about the Agency's continuation, abolishment, or transformation.

Obviously, during this pandemic we've learned much and we've lost much. We've learned, again, our need to see, talk, and have long intermittent conversations with our loved ones. This has been especially poignant for isolated people. We have learned, again, that the ability of someone with mobility issues, getting along in years, and who lives in a rural area to look in the eye of a top doctor is tremendously liberating, hopeful, and enlivening. Wide spread high-speed internet will help stanch the brain-drain of young professionals leaving the state for jobs and help people in Maine build futures here. We all know stories of our kids and grandkids being kicked out of their offices in New York and Boston and told 'you must go work remotely.' Many, as we know, are taking the chance to move back to Maine, to their families, and to our small towns, and to our magnificent outdoors. We can, and we must, cease this unique moment and embrace this opportunity. In my view, it is the big, hairy, audacious goal for this Legislature and we can set Maine apart and launch a brighter, more prosperous future with our support of this legislation. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Colleagues of the Senate, those are wonderful words. This is a wonderful goal. I mean, it's so well-articulated by my colleague and I sat on the Energy Committee for a couple of years and I watched what these supposed utilities, and I know they're not but people think they are. They think they are because they provide a service that's essential nowadays. It's not power, it's connection to the world. It's the ability to do our jobs. It's the ability to attract people to this state, to get our children educated. It's essential. But they're not officially utilities. They're not like some of the other companies, using our utility laws to reach in our pockets and take every last dollar while they're using our laws against us when we never expected that to happen. They are companies that we expect to do that. But when we buy 100 mg download and whatever up and we get 5 when we're paying for 100, they are cheating us. They're stealing from us. I don't care what they are, utilities or not utilities. They're horrible, rotten companies and there's not one that's excluded from our list right now. They've been cheating the people of Maine for years. Where other places get a little extra bandwidth on their fiber while they're expanding and share it with their communities, we get cable that runs by us. We get fiber that runs by us and they won't connect because they don't see enough profits. They have enough profits to take us to court to make sure we're paying our bill for the service we're not getting. They don't fix their utility lines that they're responsible for. They say, 'no, that belongs to another utility. Oh no, this.' When a blind person walks by with a seeing eye dog, that's when the truck will be there. Sit around all day waiting when you have a job. Give me a break. This is wonderful. A committee to watch these people cheat us again. I'm hoping they won't. I'm tired of it. I'm tired of the complaints from people and we're doing all we

can. We're going to get lots of money and if we just take it and let it flow through, and give it to these companies that have been cheating us for so long, I'll be ashamed that I was here, but I will not have been silent.

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

Senator **LAWRENCE:** Thank you, Mr. President. This is, indeed, a great day for the Maine Senate. This bill is a fruition of many, many years of working in the Legislature against tremendous obstacles to extend broadband to rural Maine. Many people in this Body have fought very hard for rural Mainers, to get internet and broadband into those areas, and if this pandemic has taught us anything, this is a crucial, absolutely essential part of our infrastructure. I want to thank the good Senator from Knox for his remarks and I want to thank the good Senator from Oxford, who has joined strongly in this effort since he came back to the Senate to make this a bi-partisan effort to get internet and broadband into rural Maine. Please join with me in supporting this important legislation and, Mr. President, when the vote is taken I request the yeas and nays.

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

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" (S-248) Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#329)**

**YEAS:** Senators: BAILEY, BALDACCI, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

**NAYS:** Senators: None

**EXCUSED:** Senator: KEIM

34 Senators having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-248) Report PREVAILED.**

**Bill READ ONCE.**

Committee Amendment "A" (S-248) **READ** and **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-248)**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Increase Prescription Drug Pricing Transparency" S.P. 274 L.D. 686

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-255)**.

Signed:

Senators:

- SANBORN of Cumberland
- BRENNER of Cumberland

Representatives:

- TEPLER of Topsham
- ARFORD of Brunswick
- BROOKS of Lewiston
- EVANS of Dover-Foxcroft
- MATHIESON of Kittery
- MELARAGNO of Auburn

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

Signed:

Senator:

- STEWART of Aroostook

Representatives:

- BLIER of Buxton
- CONNOR of Lewiston
- MORRIS of Turner
- QUINT of Hodgdon

Reports **READ**.

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

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**Divided Report**

The Majority of the Joint Select Committee on **INLAND FISHERIES & WILDLIFE AND MARINE RESOURCES** on Bill "An Act To Protect Endangered Species Whose Life Cycles Include Maine Land or Waters"

S.P. 298 L.D. 883

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

Signed:

Senators:

- DILL of Penobscot
- BLACK of Franklin
- MAXMIN of Lincoln

Representatives:

- LANDRY of Farmington
- ALLEY of Beals
- HEPLER of Woolwich
- LYFORD of Eddington
- MARTIN of Eagle Lake
- MARTIN of Sinclair
- MASON of Lisbon
- NADEAU of Winslow
- ORDWAY of Standish
- THERIAULT of China
- McCREIGHT of Harpswell
- McDONALD of Stonington
- CRAFTS of Newcastle
- HUTCHINS of Penobscot
- STANLEY of Medway
- THORNE of Carmel

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-241)**.

Signed:

Senators:

- CURRY of Waldo
- MIRAMANT of Knox

Reports **READ**.

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

Sent down for concurrence.

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Senate at Ease.

The Senate was called to order by the President.

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**ENACTORS**

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

**Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food

H.P. 61 L.D. 95  
(C "A" H-124)

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

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**Emergency Measure**

An Act To Make Technical Changes to the Maine Medical Use of Marijuana Act

S.P. 295 L.D. 881  
(C "A" S-231)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 2 Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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**Acts**

An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture

S.P. 58 L.D. 125  
(C "B" S-185)

An Act To Amend the Laws Governing Proof of Financial Responsibility with Respect to Motor Vehicles

S.P. 151 L.D. 368  
(C "A" S-208)

An Act To Protect Consumers against Predatory Lending Practices

S.P. 205 L.D. 522  
(C "A" S-65)

An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access

H.P. 695 L.D. 939  
(C "A" H-468)

An Act To Protect State Workers from Exposure to Harmful Substances

H.P. 770 L.D. 1042

An Act To Promote Public Safety by Allowing Lighted Signs on Certain Vehicles

S.P. 385 L.D. 1122  
(C "A" S-214)

An Act To Authorize Remote Participation in Maine State Cultural Affairs Council Meetings

S.P. 397 L.D. 1224

An Act To Preserve Fair Housing in Maine

H.P. 929 L.D. 1269  
(C "A" H-476)

An Act To Improve Access to Certain Injectable Medications Approved by the Federal Food and Drug Administration

S.P. 413 L.D. 1293  
(C "A" S-220)

An Act To Regulate Insurance Carrier Practice or Facility-wide Prepayment Review

S.P. 423 L.D. 1317  
(C "A" S-207)

An Act To Amend the Laws Governing Elections

S.P. 450 L.D. 1363  
(C "A" S-209)

An Act Directing the Maine Center for Disease Control and Prevention To Release Annually Public Health Data Regarding Certain Fatalities and Hospitalizations

H.P. 1026 L.D. 1392  
(C "A" H-477)

An Act To Reform Payments to Legislators by Political Action Committees and Ballot Question Committees

S.P. 514 L.D. 1621  
(C "A" S-196)

An Act To Improve the Disability Retirement Program of the Maine Public Employees Retirement System

S.P. 529 L.D. 1644  
(C "A" S-216)

An Act To Amend the Occupational Therapy Licensing Statutes

S.P. 531 L.D. 1646  
(C "A" S-206)

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

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An Act To Create the Maine Rental Assistance and Guarantee Program

H.P. 347 L.D. 473  
(C "A" H-488)

On motion by Senator **BREEN** of Cumberland, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

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An Act To Support Farms and Address Food Insecurity

H.P. 503 L.D. 691  
(C "A" H-487)

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

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An Act Regarding Violation of a Protective Order  
S.P. 117 L.D. 803  
(C "A" S-204)

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

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An Act To Reduce Lung Cancer Rates in Maine by Creating a Voluntary Radon Testing and Mitigation Program for Landlords, Homeowners and Home Builders  
S.P. 203 L.D. 819  
(C "A" S-228)

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

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An Act Regarding the Outdoor Release or Abandonment of Balloons  
H.P. 761 L.D. 1023  
(S "B" S-232 to C "A" H-137)

On motion by Senator **BREEN** of Cumberland, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

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An Act To Update the Voter Registration Process  
H.P. 804 L.D. 1126  
(C "A" H-461)

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

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An Act Regarding the Waiting Period for Compensation for Incapacity To Work under the Maine Workers' Compensation Act of 1992  
H.P. 1046 L.D. 1430  
(C "A" H-478)

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

An Act To Promote Energy-efficient Affordable Housing  
H.P. 1227 L.D. 1656  
(C "A" H-479)

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

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An Act To Amend Legislative Expenses Reimbursement and Allowances  
S.P. 541 L.D. 1680  
(C "A" S-230)

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

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**Resolves**

Resolve, Directing the Department of Education To Review Diversity, Equity and Inclusion Training and Other Professional Development for School Staff  
S.P. 247 L.D. 633  
(C "A" S-211)

Resolve, To Direct the Office of Marijuana Policy To Convene Stakeholder Meetings Regarding the Maine Medical Use of Marijuana Program  
S.P. 296 L.D. 882  
(C "A" S-213)

Resolve, To Direct the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations To Study and Propose Solutions to Disparities in Access to Prenatal Care in the State  
S.P. 376 L.D. 1113  
(S "A" S-159 to C "A" S-116)

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

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Resolve, Directing the Department of Health and Human Services To Conduct a Review of Rules Governing In-home Personal Care Assistance Services  
S.P. 310 L.D. 958  
(C "A" S-227)

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



Resolve, To Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Homes  
S.P. 374 L.D. 1112  
(C "A" S-226)

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

Resolve, To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities

H.P. 912 L.D. 1246  
(C "A" H-475)

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

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

## ORDERS OF THE DAY

### Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/2/21) matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the Popular Election of Maine Constitutional Officers

S.P. 288 L.D. 874

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-108)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - June 2, 2021 by Senator **BALDACCI** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

(In Senate, June 2, 2021, Reports **READ**.)

On motion by Senator **POULIOT** of Kennebec, 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 Penobscot, Senator Baldacci.

Senator **BALDACCI:** I just want to speak briefly on this item because it has to do with amending the Constitution. When Maine first became a state in 1820, we adopted a decidedly Jeffersonian constitution that limited the Executive power and enlarged the sphere of the Legislature. It was also in those days that Legislatures elected the U.S. Senate. But in 1919 that was changed by the U.S. Constitution. It is now 2021 and it is time to let people decide all of their own leaders and to allow for the popular election of our Constitutional Officers. These are public offices, not positions in a political party, and, regardless of which party is in control, the popular election of these officers does not favor any party over the other. It merely favors that the public will choose and that the people are the deciders. Forty-three states elect their own Attorney General. Thirty-six states elect their own Secretary of State. Thirty-five states elect their own Treasurer. Encouraging a more wide open, competitive political environment instead of one that is more insular and concentrated is not only in keeping with the best traditions of our country but will strengthen our system and actually enhance these offices' ability to directly communicate with the public and be held accountable to the public and to the Legislature. Voting for this amendment to the U.S. Constitution is a vote to allow the people of Maine, your constituents, to make those decisions. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#330)

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, FARRIN, GUERIN, HICKMAN, LAWRENCE, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BREEN, DESCHAMBAULT, DIAMOND, DILL, LIBBY, LUCHINI, SANBORN

EXCUSED: Senator: KEIM

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-108) **READ** and **ADOPTED**.

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

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "B" (S-250) **READ**.

On motion by Senator **POULIOT** of Kennebec, 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 (#331)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, DESCHAMBAULT, DILL, FARRIN, GUERIN, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senator: KEIM

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ADOPT** Senate Amendment "B" (S-250) **PREVAILED**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-108) AND SENATE AMENDMENT "B" (S-250).**

Ordered sent down forthwith for concurrence.

\_\_\_\_\_ The Chair laid before the Senate the following Tabled and Later Assigned (6/8/21) matter:

SENATE REPORT - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Address the Windfall Elimination Provision"

S.P. 148 L.D. 341

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-203)**

Tabled - June 8, 2021 by Senator **HICKMAN** of Kennebec

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 8, 2021, Report **READ**.)

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-203) **READ**.

On motion by Senator **STEWART** of Aroostook, Senate Amendment "A" (S-251) to Committee Amendment "A" (S-203) **READ** and **ADOPTED**.

Committee Amendment "A" (S-203) as Amended by Senate Amendment "A" (S-251) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-203) AS AMENDED BY SENATE AMENDMENT "A" (S-251)** thereto.

Ordered sent down forthwith for concurrence.

\_\_\_\_\_ The Chair laid before the Senate the following Tabled and Later Assigned (6/9/21) matter:

SENATE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Laws Governing Unemployment Compensation"

S.P. 507 L.D. 1564

Report **"A" - Ought to Pass as Amended by Committee Amendment "A" (S-223)** (7 members)

Report **"B" - Ought to Pass as Amended by Committee Amendment "B" (S-224)** (4 members)

Report **"C" - Ought to Pass as Amended by Committee Amendment "C" (S-225)** (1 member)

Tabled - June 9, 2021 by Senator **HICKMAN** of Kennebec

Pending - **ACCEPTANCE OF ANY REPORT**

(In Senate, June 9, 2021, Reports **READ**.)

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-223)**.

On motion by Senator **POULIOT** of Kennebec, 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 Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. I believe I would need to wait until after the roll call.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, unemployment benefits are paid with the contributions from Maine's employers who know better than anyone the importance of a strong and happy workforce. As all of us in this Chamber know very well, we have

a staffing problem throughout the state. While some people chose to spend their summer on unemployment, forcing others to work longer hours, services to be reduced, and businesses to suffer and sometimes close permanently. The day of reckoning is coming and if we do not make wise and thoughtful decisions there may not be enough jobs to come back to when the unemployment gravy train runs out. Our unemployment system definitely needs improvement, but now is not the time to hurriedly pass unemployment reform without the input from the business community, which is the case in this bill. As the Maine Retail Association testified, it might be prudent and helpful if there was a vehicle carried over where all stakeholders could have a comprehensive discussion about the needs of both employers and employees. Maine is a state where reasonable people can come together and address the needs of businesses and the people they employ in both good times and in times like the recent situation which tested us all. Please join me in voting against the pending motion so we can hear the voices of all parties in a thoughtful, thorough manner.

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

Senator **SANBORN:** Thank you, Mr. President. Mr. President, I rise briefly just to say, personally as a business owner, that I really hope that we will pass this bill right now. One of the worst days in my career was March 16<sup>th</sup>. It was a Monday and I'll remember until the day I die that it was a Monday and that the date was March 16<sup>th</sup>, kind of the way you remember September 11<sup>th</sup> or remember where you were the day Kennedy died, if you're of another generation. On that day I had to contact each of my employees and lay them off because we were going to close our business for an indefinite amount of time due to a deadly pandemic. None of us, even four days before when we had a crisis manager's meeting, could have imagined what was going to cause the closure of our business. I assured my employees, because I'd had a great conversation with a wonderful former member of this Chamber who used to Chair the Labor Committee, I had had this great conversation with former-Senator Bellows. She assured me that unemployment would be available and that my folks should just apply for unemployment because I had expressed my anxiety to her about having to lay people off. So, I laid them off. I tried to show them how they could apply for unemployment and tried to help them navigate that system. Mr. President, that system is deeply broken and it is time for us to fix it. It is not time for us to talk about fixing it or to talk about maybe bringing together a group who might talk about maybe fixing it. It is time for us to fix it. So, let's pass this bill and I imagine there will be more work to do next year to continue to fix this system.

Over the course of the months that followed March 16<sup>th</sup>, I assisted dozens of my constituents and, frankly, some of your constituents around the state because I was writing a morning newsletter every morning, trying to give people information about how to navigate, whether they had been laid off or whether they were a business owner trying to navigate the federal help that was available to them, and the challenges were exceptional. Families who were really worried they were going to lose their homes because they knew they were going to get unemployment but they didn't know when it would finally come through. We've got to reform this system. We have to do it now. Please join me in voting in favor of this report.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (S-223). Is the Senate ready for the question?

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#332)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

**NAYS:** Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

**EXCUSED:** Senator: LIBBY

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-223) PREVAILED.**

**Bill READ ONCE.**

Committee Amendment "A" (S-223) **READ.**

On motion by Senator **VITELLI** of Sagadahoc, Senate Amendment "A" (S-243) to Committee Amendment "A" (S-223) **READ.**

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

Senator **VITELLI:** Thank you, Mr. President. Colleagues in the Senate, I rise in support of the pending motion and of this legislation. The past year, as we all know, saw mass unemployment with many Mainers turning to unemployment insurance for the first time. These Mainers were confronted with a system that was both unprepared to meet the sudden surge in demand and out of sync with the needs of many Mainers. Along with many of my colleagues, I spent hours over many weeks helping constituents move through this process. To address the issues that arose, I worked closely with the Department of Labor, with the Administration, and with Speaker Fecteau to consider all the concerns we heard from Maine workers and the Maine business community, and having fluted several commonsense

fixes in this bill. Our UI system must be well-equipped to help Maine workers get back into the workforce, to be self-sufficient contributors to our economy, as soon as possible. To that end, this bill implements a pilot project to help applicants through the reemployment process. The bill also increases the amount of partial unemployment benefits one can receive to encourage people to take part-time or temporary work when they can find it. This bill convenes a stakeholder group to examine the UI system for ways to make things easier for applicants and for businesses and employers. The bill also puts in place more support for families and children. If a parent loses their job, Maine children should not be the ones to pay the price. Maine kids shouldn't lose the roof over their head or stare down at an empty dinner plate while their parent looks for ways to get back to work. The past year-plus has illustrated how important it is to have a safety net that is in touch with the needs of Mainers and that is best equipped to help people get back on their feet as soon as possible. This bill will make some commonsense changes to help us build that safety net. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** Mr. President, ladies and gentlemen of the Senate, I think the thing that concerns me here is what concerned me in the beginning of this bill, that the people that are employing all of the people in the state of Maine were left out of this conversation. The employers haven't had a seat at the table during this whole discussion, which is something that I've heard and bothers me, and I'm not disagreeing that maybe this bill has some validity to it but I'm not convinced that the way it's being processed is the correct way that we help the people of Maine. As someone who's also had employees and lived through this last over a year now, it's very concerning about the way this is working out. The state of Maine needs employees working today. I'm not convinced that we need to do this at this point in time. I think that the unemployment system needs to be fixed but I'm not sure this is the way it needs to be done. So, with that, I'll ask for a roll call on the pending motion.

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 Somerset, Senator Farrin.

Senator **FARRIN:** Thank you, Mr. President. Permission to ask a question through the Chair?

**THE PRESIDENT:** The Senator from Somerset, Senator Farrin, would like to ask a question through the Chair. Absolutely.

Senator **FARRIN:** Thank you, Mr. President. I know we've had numerous amendments through this and I've tried to look at the fiscal notes and I saw anywhere between \$6 to \$17 million and I'd be interested if anyone could ask the question: is that fiscal note being passed along to the businesses in the state of Maine?

**THE PRESIDENT:** The Senator from Somerset, Senator Farrin, has posed a question through the Chair to anyone who may

answer. The Chair recognizes the Senator from Kennebec, Senator Hickman.

Senator **HICKMAN:** Thank you, Mr. President. According to the fiscal note on the bill, the changes that are expected in this bill will not result in an increase in the unemployment tax schedule. I will also say that the Chief Executive is going to plan to transfer \$80 million into the trust fund that would help to minimize that. So, the answer is we'd be in good stead and the employers would not have to pay any more money. Thank you.

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

Senator **BREEN:** Thank you, Mr. President. I just want to remind the Body that between the CARES Act and two recent budgets, three recent budgets rather, that the Chief Executive and the Legislature have made sure that no employers pay anything more as a result of increased unemployment benefits. We have put huge sums of money into the unemployment trust fund, \$400 million in the last calendar year and, as the good Senator Hickman mentioned, there is more coming, so I want to make sure that this Body understands that our objective to hold employers harmless monetarily for pandemic related payouts of unemployment benefits is being met. Thank you.

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

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, to answer my good friend from Somerset County, I would say there is no current cost to businesses but the temporary federal money from the Recovery Act is going to run out and if we do not reform our unemployment system to get people back to work the businesses are not going to be there to employ them and the employers are definitely going to be holding the tab.

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

Senator **BENNETT:** Thank you, Mr. President. We are debating the Senate Amendment proposed by the Senator from Sagadahoc? That's not the bill? Not the committee amendment?

**THE PRESIDENT:** The Chair would answer in the affirmative. We are debating the amendment.

Senator **BENNETT:** Thank you. Request permission to pose a question through the Chair relating to the amendment.

**THE PRESIDENT:** I'm sorry, Senator Bennett, to me, I didn't hear your question.

Senator **BENNETT:** I haven't asked a question. I was requesting permission to do so.

**THE PRESIDENT:** I told you I didn't hear it.

Senator **BENNETT:** I'll take your confusion as an acquiescent. Thank you so much. I wondered if there's some substantial changes within this amendment, which looks interesting to me as

a member. I was wondering if there was any fiscal analysis done on this amendment as it relates to the committee amendment? Thank you.

**THE PRESIDENT:** The Senator from Oxford, Senator Bennett, has posed a question through the Chair to anyone that may answer. The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. I will attempt to answer what I understand the question to be, which is that the amendment addresses the navigator pilot project and the impact of funding the navigator project will be zero to the State budget because it's required that the money come from outside federal sources and grants. So, there is no fiscal impact associated with this amendment.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Again, ladies and gentlemen of the Senate, I rise to just say that the federal monies are going to run out and I rise to say that there is a day of reckoning coming in the future, whether it be this month or six months from now or a year from now, but we're going to have to pay this bill eventually and we can't keep saying it's coming out of the federal money or out of this pot, it's coming out of our pockets and we have to remember the day of reckoning is coming.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in strong support of this amendment. I rise both as a small business owner and also as a Legislator. Like the good Senator from Cumberland, Senator Sanborn, I, too, was placed in that impossible position in 2020, actually the day after, on March 17<sup>th</sup>, a day I will also never forget, and I got to see firsthand what it was like to navigate this for my employees. Also, as a Legislator, I got to see firsthand what I saw as a day of reckoning, as all of us had all of our constituents, who were trying to navigate what is clearly a broken unemployment system, reach out to us. My heart still breaks over some of the stories I've heard from members and from constituents of mine who are struggling on how to be able to survive. They couldn't access the benefits that they had been paying into. All of us, you know, as individuals as well as, you know, businesses had been paying into the system and they are unable to access this. So, I think that day of reckoning has come and what is clear is that this bill in front of us and this Senate amendment is an excellent first step to reevaluating and restructuring our unemployment system so it is fair for everyone, from those who are just starting out in their first job, to folks who are starting their first small business, to folks who are looking at the later part of their jobs. This is the right thing to do and I urge you to support this motion.

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

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I apologize for rising again but I just

wanted to make clear that the Senate amendment does not have an impact but the benefit increases in the bill do have a fiscal impact on employers.

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

Senator **VITELLI:** Yes, thank you, Mr. President. I, too, apologize for rising once again on this subject but I did want to address, make sure that it was understood that the navigator program is a pilot project, so the funding is not ongoing. It will happen once and that will be it. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Adoption of Senate Amendment "A" (S-243) to Committee Amendment "A" (S-223). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#333)

**YEAS:** Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

**NAYS:** Senators: BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

**EXCUSED:** Senator: LIBBY

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **VITELLI** of Sagadahoc to **ADOPT** Senate Amendment "A" (S-243) to Committee Amendment "A" (S-223) **PREVAILED**.

Committee Amendment "A" (S-223) as Amended by Senate Amendment "A" (S-243) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-223) AS AMENDED BY SENATE AMENDMENT "A" (S-243)** thereto.

Ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/9/21) matter:

An Act To Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19

H.P. 731 L.D. 993

Tabled - June 9, 2021 by Senator **DAUGHTRY** of Cumberland

Pending - **ENACTMENT**, in concurrence

(In House, June 8, 2021, **PASSED TO BE ENACTED**.)

(In Senate, June 9, 2021, **FAILED ENACTMENT**, in **NON-CONCURRENCE**. On motion by Senator **DAUGHTRY** of Cumberland, **RECONSIDERED**.)

On motion by Senator **DAUGHTRY** of Cumberland, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-262) **READ** and **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-262)**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/13/13) matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require That Private Schools That Enroll 60 Percent or More Publicly Funded Students Meet Certain Requirements"

H.P. 1243 L.D. 1672

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (H-463)** (8 members)

Report "**B**" - **Ought Not to Pass** (4 members)

Report "**C**" - **Ought to Pass as Amended by Committee Amendment "B" (H-464)** (1 member)

Tabled - June 10, 2021 by Senator **RAFFERTY** of York

Pending - **ACCEPTANCE OF ANY REPORT**

(In House, June 9, 2021, Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-463)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-463)**.)

(In Senate, June 10, 2021, Reports **READ**.)

Senator **RAFFERTY** of York moved the Senate **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-463)**, in concurrence.

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

Senator **BENNETT**: Thank you, Mr. President. I rise in opposition to the pending motion. I believe this bill is not ready for consideration and it could be destructive to some of the most storied institutions that we have across Maine. I'd like to read, briefly, from the Head of School, Erin Mayo. She is the Head of School of Fryeburg Academy, one of the independent 60-40 schools that this bill would affect. She writes that she leads one of the oldest high schools in the nation, founded in 1792, nearly three decades prior to Maine statehood, with the same civic democratic spirit that would come to animate public educations more than 50 years later. 'Early community leaders in Fryeburg,' she writes, 'embrace the obligation to educate their community's youth, boys and girls, from the very beginning by establishing and funding the secondary school.' The kind of story and partnership between Fryeburg, the community, and the school characterizes all remain town academies. They're historically unique. She writes, 'We are private schools that serve the public good. Our independence has enabled us to continually to evolve and customize our problems in response to the needs of those we serve. The legislation proposed,' she says, 'would grievously, needlessly undermine that independence, disserve the 5,500 Maine students enrolled in town academies, and ignore and invalidate centuries of local decision making.' I share her concerns. I believe this bill, in its current form, is destructive and undermines the mission of these storied institutions. MRSA 2A, Section 6209 already addresses the legitimate accountability concerns of Section A and B in this bill. They are legitimate concerns but students annually do participate in state-wide assessments and the curricular of these schools do meet the parameters for essential instruction and opportunities in the areas stipulated. Section C provision is already addressed in MRSA 20A, Section 2901, which ensures that Maine's private schools meet the hygiene health and safety established by applicable rule and law. Section D is not necessary because all of these schools are already subject to Maine Human Rights Act and other multiple anti-discriminatory laws and regulations. Like Fryeburg Academy, many town academies do admit a comprehensive regional mix of students and do meet a broad range of special education needs through a fully staffed special education program. I believe this bill creates a lot of perverse results that weren't thought through well. The committee amendment was added at the last minute with no input from the independent schools and, as a result, the new language from the amendment is clumsily drafted and could create an irrational result. This bill, while well intentioned in trying to address an illegitimate issue at one of these schools, was not properly vetted. The committee amendment is over broad and destructive for these important institutions. For that reason, I encourage you to vote against the pending motion. I ask for the yeas and nays.

On motion by Senator **BENNETT** of Oxford, 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 Rafferty.

Senator **RAFFERTY**: Thank you, Mr. President and ladies and gentlemen of the Senate. I rise today in support of the L.D. 1672 and it is An Act to Require That Private Schools That Enroll 60% or More Publicly Funded Students Meet Certain Requirements. The requirements that this bill is asking is that students in 60-40

schools are assured the same levels of health and safety requirements applicable to public schools. Sixty-four schools do, in fact, currently receive no less than 81% of public funds in the form of taxes, tuition up to as much as 99%. The second request is that the publicly funded schools that receive 85% or more of public funds, that they would serve and include all students, not some students. They are not going to choose who they take. They're going to take all students. They are receiving, in fact, public funds. As I said, no less than 81% and up to as high as 99%. So, all we're asking is that they are held to same rules and regulations as publicly funded schools are now. The bill provides these new requirements beginning in the year 2023. If a parent pulls up to any school in the state of Maine they have the same expectations as to the child's health and safety. No one child is any more or less important than the next. As confirmation to our beliefs that all children are equally valued by this Body and entitled to a safe learning environment, regardless of which school building they walk into, public or private, I ask that you follow my light and vote Ought to Pass as Amended on L.D. 1672. Thank you.

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

Senator **MOORE:** Thank you, Mr. President. I just want to make just a small comment. I appreciate the Senator's comments, both Senator Bennett and Senator Rafferty. I did want to point out that the sponsor of this bill actually put the bill in because of listening to conversations that we had with various children from various schools. She worked very closely with the Department to be sure that the wording was, indeed, meeting the needs to solve some of the issues that we were hearing from our children that were attending these schools. It was not taken lightly. This bill, she put it in very early on and it took a long time for the wording to come together. So, it wasn't something that she did haphazardly. So, I did want to point that out and I appreciate her work on this bill. Thank you.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in support of the pending motion. We're lucky in Maine to have so many diverse educational opportunities for our students and we're particularly fortunate to have our town academies, which often in statute are referred to as our 60-40 schools. But the heart of this bill isn't about that type of institution. Really, the heart of this bill is ensuring that students get equal access to education across our state, regardless of where they are. There's a thing that's part of our federal law called FAPE, free and appropriate public education. All Maine students should be able to get access to the overwhelming majority of the schools in their district. So, this bill and this amendment says that if a private school takes 85% or more public funding, so often times this is, you know, the only public school for these students in their area, that school should have to take these students. That means if you are the parent of a student with disabilities that your child has the opportunity to attend the same school as their friends and colleagues. This is about equity. Also, the Senator from Oxford says that this amendment came from nowhere. I want to be clear that this amendment came in response from testimony in our public

hearing that was heard from our committee. As the good Senator from Washington said, the bill sponsor worked on this bill diligently, taking in feedback from all different sources, and it narrows the original language to make sure that it really gets at the heart of what we're discussing. This is a bill about ensuring that our students have equal access, that regardless of who they are, what their learning needs are, or what their background is, that they are able to get the best darn education that their town and their school, regardless of what type of school it is, best education possible. I urge you to strongly support the amendment before you.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Maxmin.

Senator **MAXMIN:** Thank you, Mr. President and colleagues of the Senate. I rise in opposition to this motion. I am alum of an academy, as the only public school available to me, and I have been working extensively with the Head of Schools at many of the academies around the state who have very serious concerns about this bill and how it will create an unfair and burdensome mandate on our academies. Just to read a couple of sentences from my Head of School that I represent. 'The slight of hand in this bill is that in the language,' sorry, 'the language is mostly repeated in other statutes currently in law. We do meet health and safety. We do participate in Maine learning results and our scores are publicly posted on the DOE site and we do ensure all students graduate meeting core subject requirements like all Maine high schools and we guarantee support for CTE pathways and students and provide SPED services.' The difference comes in Part D, where they insert the word alignment with. This is not required in current statute if we are accredited by NEASC. It's accredited if you are a private school that is not accredited by NEASC. In other words, this is creating a new set of mandates for these schools that are already in a precarious position and I understand the intent of the bill and its origin, but I think it is unnecessarily impacting other important schools in our state. Thank you.

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

Senator **HICKMAN:** Thank you, Mr. President. Mr. President, women and men of the Senate, I rise in support of the pending motion. As the lead co-sponsor of the bill in this Chamber, I saw how much work the bill sponsor put into this. The word perverse was used earlier today on the floor of the Senate. I haven't heard that one in a long time and I will say that the reasons why this bill are in front of us are so perverse that if I began to read about them on the floor of the Senate, Mr. President, you would gavel me into silence. This bill is about accountability, that's all, and so I am in strong support of it and I urge my colleagues in the Senate to pass the pending motion. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (H-463). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#334)**

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

YEAS: Senators: BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, MOORE, RAFFERTY, ROSEN, SANBORN, VITELLI, PRESIDENT JACKSON

\_\_\_\_\_  
Senate at Ease.

The Senate was called to order by the President.

NAYS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, LUCHINI, MAXMIN, MIRAMANT, POULIOT, STEWART, TIMBERLAKE, WOODSOME

\_\_\_\_\_  
Off Record Remarks

EXCUSED: Senator: LIBBY

\_\_\_\_\_  
**RECESSED** until 5:00 in the afternoon.

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-463)**, in concurrence, **PREVAILED**.

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

Bill **READ ONCE**.

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

Committee Amendment "A" (H-463) **READ** and **ADOPTED**, in concurrence.

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-463)**, in concurrence.

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Allow Maine Nonprofit Corporations To Hold Meetings Electronically"

S.P. 271 L.D. 683

\_\_\_\_\_  
The Chair laid before the Senate the following Tabled and Later Assigned (6/10/21) matter:

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Create Parity between Private Schools and Public Schools Regarding Career and Technical Education Tuition Rates"

H.P. 298 L.D. 414

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-507)** (3 members)

Tabled - June 10, 2021 by Senator **RAFFERTY** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 9, 2021, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 10, 2021, Reports **READ**.)

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-258)**.

Signed:

Senators:

CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-259)**.

Signed:

Senator:

KEIM of Oxford



Representatives:  
LIBBY of Auburn  
POIRIER of Skowhegan  
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (S-258)** Report.)

Reports **READ**.

On motion by Senator **CARNEY** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-258)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-258) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-258)**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Prevent Homelessness by Establishing an Eviction Mediation Program"

S.P. 485 L.D. 1508

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-257)**.

Signed:

Senators:  
CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:  
HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:

Senator:  
KEIM of Oxford

Representatives:  
HAGGAN of Hampden  
LIBBY of Auburn

POIRIER of Skowhegan  
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Reports **READ**.

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

On motion by Senator **POULIOT** of Kennebec, 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 esteemed colleagues of the Senate, eviction has long-term and devastating consequences for Maine families with low income. When a family loses a home due to eviction the family typically loses furniture, clothing, toys, indeed most of the family's possessions are lost because there is no place to put them. Once a judgment of eviction is entered it appears on a tenant's rental history report and limits or eliminates their options for renting a safe and secure home in the future. L.D. 1508 incorporates some of the lessons learned from the pandemic. When the Maine courts resumed eviction cases in November 2020 a landlord was required to include an information sheet with the summons and complaint served on the tenant. The information sheet contained a clear description of the court process, information about rental assistance, how to attend free weekly information sessions conducted by Pine Tree Legal Assistance, and information about free legal help that might be available to tenants with low income. The information sheets served a useful purpose. It helped everyone understand how the eviction would proceed in court. It also pointed the parties to resources that could help avoid the avoidable evictions, cases in which either the law or the facts would not support an eviction judgement for cases where rental assistance was available to pay overdue rent. Legal help for tenants with low income also made a big difference. A study conducted by the Maine Affordable Housing Coalition showed that landlords are much more likely to have legal representation in eviction cases than tenants and much more likely to prevail in eviction cases in Maine courts but when tenants had legal advice the outcome of eviction proceedings was equally balanced between landlords and tenants. Further studies have revealed that eviction filings are disproportionately effecting neighborhoods with higher numbers of renters who are Black and people of color. The preliminary analysis suggests that communities of color are bearing a disproportionate burden of eviction activity in Maine's most diverse areas.

L.D. 1508 will reduce homelessness by providing information and resources to tenants facing eviction. Primarily, the bill will require a more detailed information sheet that includes the court process as well as resources tenants can access for rental support, legal information, representation, housing counseling, and also a form to request court mediation services. The bill

originally proposed to provide legal representation for Mainers with low incomes through a General Fund appropriation. It also proposed a mediation program. The courts are not able to expand mediation at this point, so that has been stricken. In addition, I'm grateful that Maine Housing is partnering with Pine Tree Legal Assistance to provide funding so that tenants who need help remaining housed have access to legal assistance, understand their rights and the eviction process, and, if eligible, receive rental assistance. The two organizations will work with cultural brokers to ensure that Maine communities of color, who are disproportionately affected by COVID-19 and face eviction at a higher rate, have access to resources and assistance in their language of choice. Maine Housing will use federal emergency rental assistance funds to support this work. Thank you for your consideration, colleagues. I urge you to support the pending Ought to Pass as Amended motion.

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

Senator **STEWART:** Thank you very much, Mr. President. I wonder if I could pose a question through the Chair?

**THE PRESIDENT:** The Senator may proceed.

Senator **STEWART:** Thank you, Mr. President. I was trying to follow along with what the amendment does on the bill and, in full disclosure, was lobbied out in the hallway on the way in and was informed then that the bill is pared down to the point where it is essentially just a notice requirement and I'm wondering if there's somebody that can speak specifically to what exactly it is that we're voting on here now. To my understand, that's substantially different than what the underlying bill was.

**THE PRESIDENT:** The Senator from Aroostook, Senator Stewart, has posed a question through the Chair. The only thing I'd like to make sure is that we're not talking about the possible future amendment. Is there anyone that may answer? The Chair recognizes the Senator from Cumberland, Senator Carney.

Senator **CARNEY:** I'd like to answer the question, Mr. President. That is correct. The original bill included a lot of process-oriented provisions which the Judicial Branch was not able to accommodate given everything that that branch of government is doing right now and so the bill currently contains simply a requirement of the information sheet that will be distributed in residential foreclosure - excuse me - in residential eviction matters.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

## ROLL CALL (#335)

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

**NAYS:** Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MIRAMANT, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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" (S-257) **READ**.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "A" (S-265) to Committee Amendment "A" (S-257) **READ** and **ADOPTED**.

Committee Amendment "A" (S-257) as Amended by Senate Amendment "A" (S-265) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-257) AS AMENDED BY SENATE AMENDMENT "A" (S-265)** thereto.

Sent down forthwith for concurrence.

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

## REPORTS OF COMMITTEES

### Senate

#### Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Clarifying the Acceptance of Public Funding by Community Benefit Organizations"

S.P. 293 L.D. 879

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

Signed:

Senators:  
CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-260)**.

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden  
LIBBY of Auburn  
POIRIER of Skowhegan  
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

Reports **READ**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Prevent Discrimination against Domestic Violence Victims"  
S.P. 422 L.D. 1294

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-261)**.

Signed:

Senators:

CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner  
BABBIDGE of Kennebunk  
EVANGELOS of Friendship  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden  
LIBBY of Auburn  
POIRIER of Skowhegan  
THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill would expand the protected classes of the Maine Human Rights Act to include one of victimhood. As standing, the Maine Human Rights Act to include people who use a court process seems inconsistent with the purpose of this Maine Human Rights Act and we would have to add, if we do expand the act, to include victimhood. Why are we creating a protected class for only domestic violence victims? Why not victims of other crimes, such as elder abuse or fraud or any other of the terrible events to which people are subjected? The genesis of domestic violence does not typically arise from one's status. It is largely situational and temporary. Current law already provides protections for domestic violence victims and requires employers to grant reasonable and necessary leave from work for an employee because the employee or the employee's spouse or children are victims of domestic or sexual violence. So, when the situation arises of domestic violence, we do have to wonder how long are they in this class of protected. Is it until the court order is over or is it continued for many years? So, there are some questions around this bill and whether the expansion is appropriate and why we would be considering some victims over others. I urge you to oppose the pending motion.

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

Senator **BAILEY:** Thank you, Mr. President. Men and women of the Senate, just a few points of clarification. This bill does not add a protected class to the Maine Human Rights Act. It only prohibits discrimination against domestic violence victims, which are defined as someone who has had a final protection from abuse order from the courts in the limited areas of employment and housing. It is enforced through the Maine Human Rights Commission but it is not expanding protected classes and it is not adding a protected class. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#336)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

**NAYS:** Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

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

Bill **READ ONCE**.

Committee Amendment "A" (S-261) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

An Act To Clarify the Law Enforcement Powers of the Bureau of Parks and Lands

H.P. 484 L.D. 657  
(C "A" H-518)

In Senate, June 10, 2021, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-518)**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Minority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **INSISTED**.

**Non-Concurrent Matter**

An Act To Establish the Maine Forest Advisory Board  
H.P. 1154 L.D. 1549  
(C "A" H-519)

In Senate, June 10, 2021, the Majority **OUGHT NOT TO PASS** Report **FAILED**. Subsequently, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-519)**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

On motion by Senator **HICKMAN** of Kennebec, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-519)**, in in concurrence.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (H-519)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-268) to Committee Amendment "A" (H-519) **READ**.

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

Senator **HICKMAN:** Thank you, Mr. President. This simply amendment adds a representative of a state-wide organization representing sportsmen in the state to the Maine Forest Advisory Board. Thank you, Mr. President.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "A" (S-268) to Committee Amendment "A" (H-519) **ADOPTED**.

Committee Amendment "A" (H-519) as Amended by Senate Amendment "A" (S-268) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-519) AS AMENDED BY SENATE AMENDMENT "A" (S-268)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants

S.P. 64 L.D. 129

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-264)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-264) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Change the Standard for Assessing Risk of Serious Harm"  
H.P. 590 L.D. 785

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-562)**.

Signed:

Senators:

- CARNEY of Cumberland
- KEIM of Oxford
- SANBORN of Cumberland

Representatives:

- HARNETT of Gardiner
- BABBIDGE of Kennebunk
- EVANGELOS of Friendship
- MORIARTY of Cumberland
- RECKITT of South Portland
- SHEEHAN of Biddeford

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

Signed:

Representatives:

- HAGGAN of Hampden
- LIBBY of Auburn
- POIRIER of Skowhegan

THORNE of Carmel

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended Report**.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED Report READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-562)**.

Reports **READ**.

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

Committee Amendment "A" (H-562) **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 Combat Hunger by Creating a Tax Credit of 10 Percent of Wholesale Market Prices up to \$5,000 Annually for Businesses Engaged in Food Production for Donations of Food to Tax-exempt Organizations"

H.P. 183 L.D. 262

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-564)**.

Signed:

Senators:

- CHIPMAN of Cumberland
- LIBBY of Androscoggin

Representatives:

- TERRY of Gorham
- COLLINGS of Portland
- GRAMLICH of Old Orchard Beach
- MATLACK of St. George
- PERRY of Bangor
- SACHS of Freeport

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

Signed:

Representatives:

- BICKFORD of Auburn
- CARMICHAEL of Greenbush
- HANLEY of Pittston
- KRYZAK of Acton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-564)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-564) **READ** and **ADOPTED**, in concurrence.

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

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Accidental Drug Overdose Death Review Panel" (EMERGENCY)

H.P. 1273 L.D. 1718

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

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

**Ought to Pass As Amended**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Implement the Recommendations of the Commission To Study Long-term Care Workforce Issues" (EMERGENCY)

H.P. 1170 L.D. 1573

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-563)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-563)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-563) **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 Regarding the State Employee Health Commission"

H.P. 967 L.D. 1311

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-565)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-565)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-565) **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 **TRANSPORTATION** on Bill "An Act To Provide That Inspections of New Motor Vehicles Are Valid for 2 Years"

H.P. 200 L.D. 284

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-566)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-566) **READ** and **ADOPTED**, in concurrence.

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

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

**ENACTORS**

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

**Emergency Measure**

An Act To Repeal the Pesticide Container Fee and the Tick Laboratory and Pest Management Fund

S.P. 141 L.D. 808  
(C "A" S-217)

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

**Emergency Measure**

An Act Regarding Winter Maintenance on Private Roads in the Town of Windham

H.P. 1278 L.D. 1723  
(H "A" H-526 to C "A" H-503)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

**Emergency Measure**

An Act To Create the Belgrade Water District

H.P. 1281 L.D. 1731  
(C "A" H-517)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

**Emergency Measure**

An Act To Protect Data Privacy and Security in Elections

H.P. 672 L.D. 916  
(C "A" H-513)

Comes from the House, **FAILED ENACTMENT**.

On motion by Senator **LUCHINI** of Hancock, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-513)**, in concurrence.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-513), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-266) to Committee Amendment "A" (H-513) **READ**.

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

Senator **LUCHINI:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, this amendment, which I'm putting forth today, just strips the emergency from this bill where it failed enactment in the other Body. Again, this bill relates to Maine's central voter registration system and the data that's on it, which is generally confidential, and it seeks to keep it that way. So, the amendment before us just strips that emergency preamble. Thank you.

On motion by Senator **LUCHINI** of Hancock, Senate Amendment "A" (S-266) to Committee Amendment "A" (H-513) **ADOPTED**.

Committee Amendment "A" (H-513) as Amended by Senate Amendment "A" (S-266) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-513) AS AMENDED BY SENATE AMENDMENT "A" (S-266)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

**Emergency Resolve**

Resolve, Directing the Department of Education and the Department of Health and Human Services To Study a Centralized Billing Process for Developmental and School-based Services Covered by the MaineCare Program and Other Insurers and Report on Updates to the Child Find Process

H.P. 91 L.D. 135  
(C "A" H-496)

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

**Emergency Resolve**

Resolve, Directing the Department of Education To Develop a Plan for the Provision of Early Intervention Services

H.P. 176 L.D. 255  
(C "A" H-504)

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

**Acts**

An Act Regarding Sentencing Options for a Person Convicted of a Crime Committed While Serving a Term of Imprisonment

S.P. 109 L.D. 801  
(C "A" S-242)

An Act To Improve Affordable Housing Options and Services To Address Homelessness

S.P. 305 L.D. 953  
(C "A" S-237)

An Act To Support Arrearage Management Programs through Unused Kilowatt-hour Credits Derived from Net Energy Billing Arrangements

H.P. 763 L.D. 1025  
(C "A" H-509)

An Act To Support the Continued Access to Solar Energy and Battery Storage by Maine Homes and Businesses

S.P. 361 L.D. 1100  
(C "A" S-229)

An Act To Improve Access to HIV Prevention Medications

S.P. 378 L.D. 1115  
(C "A" S-239)

An Act To Require Vehicle Safety within the Funeral Industry

H.P. 889 L.D. 1214  
(C "A" H-516)

An Act To Add a Faculty Member and Nonfaculty Staff Member to the Board of Trustees of the University of Maine System

H.P. 919 L.D. 1253  
(C "A" H-508)

An Act Regarding Controlled Entry Areas within Retail Marijuana Stores

H.P. 1050 L.D. 1434  
(C "A" H-514)

An Act To Provide Fairness in Communications from Pharmacy Benefits Managers

H.P. 1066 L.D. 1450  
(C "A" H-493)

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

An Act To Support the Trades through a Tax Credit for Apprenticeship Programs

S.P. 102 L.D. 241  
(C "A" S-238)

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

An Act To Set a Minimum Wage for School Support Staff

H.P. 539 L.D. 734  
(C "A" H-135)

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

An Act To Create an Access to Justice Income Tax Credit

H.P. 724 L.D. 978  
(C "A" H-497)

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

An Act To Reduce Property Taxes for Maine Residents

S.P. 339 L.D. 1071  
(C "A" S-235)

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

An Act To Provide Climate Change Transition Assistance for Maine's Energy-intensive Businesses

H.P. 1159 L.D. 1554  
(C "A" H-510)

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

An Act To Strengthen Maine's Agriculture, Food and Forest Economy

H.P. 1162 L.D. 1565  
(C "A" H-520)

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

An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater

H.P. 1189 L.D. 1600  
(C "A" H-494)

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

An Act To Implement the Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security

H.P. 1192 L.D. 1603  
(C "A" H-495)

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

**Resolve**



Resolve, Directing the Board of Pesticides Control To Gather Information Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in the State

H.P. 185 L.D. 264  
(C "A" H-522)

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

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

## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To End the Maine Information and Analysis Center Program"

H.P. 938 L.D. 1278

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

Signed:

Senators:

DESCHAMBAULT of York  
CYRWAY of Kennebec  
LAWRENCE of York

Representatives:

COSTAIN of Plymouth  
NEWMAN of Belgrade  
PICKETT of Dixfield  
RECKITT of South Portland  
RUDNICKI of Fairfield  
SHARPE of Durham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-229)**.

Signed:

Representatives:

WARREN of Hallowell  
LOOKNER of Portland  
MORALES of South Portland  
PLUECKER of Warren

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**.

Reports **READ**.

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

Senator **DESCHAMBAULT:** Thank you. Colleagues, for many people listening they've heard the term MIAC and I thought I'd just spell it out. MIAC is the Information and Analysis Center centered in the Maine State Police. I will begin by telling you that every state in the country has at least one fusion center. Massachusetts has two. Florida, Texas, and California probably have, I think, three or four each. So, what is a fusion center and why are we talking about this? 9/11 2001, something happened and began, I would think, in Portland, Maine, and that was what we all know what happened. Following that, of course, everybody got excited over that because that was from another country and it was terrorism. Some members in Washington knew about it but never passed on that kind of information. A few years later President Bush created the Homeland Security and part of it was to create a sharing of information that is centralized in Washington, D.C. and that is why every state in the union has a fusion center. In our state, again, it is centralized with the State Police. The fusion centers are part of an important nation-wide information sharing network that ensures a variety of threats effecting Mainers are communicated quickly and efficiently. They do that by sending bulletins to your police chiefs, your sheriffs, and also to other partners because it affects, or could affect, we see what happened in Texas, the power grid or any kind of computer grid and a threat. That is called domestic terrorism. If Maine were to lose its fusion center it would set Maine back decades by losing the ability to receive and share information. We would become siloed. Think about that for a second. We would be siloed. Where Maine is located the Atlantic Ocean one side, one state on the other side, and up by Aroostook County is Canada. Say it another way, Maine's network would go dark. We would be cut off by the rest of the country. Additionally, we would weaken the entire safety net by eliminating a critical piece of the nationwide network. Please don't forget to remember that some of the terrorist work that executed the attack of the Twin Towers on that fateful day traveled through Maine. Public safety is improved when law enforcement, public safety, and the private sector partners share information and communicate frequently. History has taught us that attacks such as 9/11 terrorists attacks can occur when there is a failure in sharing information. Many times, failures by public safety and government agencies to adequately prevent and respond to violence and crime can be traced to a breakdown in information sharing and a lack of communication. The information sharing process is crucial to ensuring that those charged with protecting our communities have the best and most recent intelligence.

Our Criminal Justice and Public Safety Committee had an opportunity to extensively review MIAC operations, its policies, its procedures, and budget through various work sessions and public hearings, many public hearings. The Department of Public Safety has answered all of our questions and concerns and have provided all records that we requested. MIAC operates under multiple layers of federal and state oversight, multiple layers of oversight, and regulations to include annual privacy audits. Its activities are overseen by an advisory board, a newly created advisory, I would say an improved advisory board, since

Commissioner Sauschuck came onboard. The layers of federal - excuse me, its activities are overseen by the advisory board, comprised of members of the private sector, the Attorney General's Office, law enforcement, emergency management, and homeland security community. As a matter of fact, the Chair is an attorney and she specializes in privacy issues. At the public hearing on this bill, there was broad support from MIAC, from a variety of agencies, and federal, state, and local and private. They talked about the importance of the unit to their communities and for public safety and those included, as you can well guess, the Maine Sheriff's Association, the Maine Chief of Police Association, the Maine Warden Association, the Adjutant General Farnham, Maine's Homeland Security Advisor, the Federal Bureau of Investigation testified, and the Advisory Board testified. I will conclude, by all accounts our state is one of the safest in the country with one of the lowest crime rates. We value our way of life. This is due in large part to the professionalism and hard work of our law enforcement agencies in Maine communicating and sharing information. MIAC is a large, important part of that process. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Colleagues of the Senate, the different law enforcement agencies have had to adjust since September of 2001 and the FBI was the first to have to adjust since flight instructors are saying, 'We've got these people that want to learn to fly, want to learn to take off. They want to learn to fly the plane. They don't care about learning to land. Seems a bit odd.' Don't worry about it. So, yes, hopefully that agency tightened up. We believe they did. They claim they did. They certainly come before us and support other law enforcement agencies because it's a growth industry. They pray on fears and promise something different, but most of the time they're just monitoring stuff and following up on tapes to assign blame after to prevent problems. So, here we have, back in May, the reports from the newspaper. The activities of MIAC working against the Maine people. There's not much crime. You're right, it's a safe place. There are many conscientious law enforcement people working hard for us in the right areas. This isn't one of them. They get bored, they start going after people who aren't doing anything because they've got to do something. They're getting paid to do it. So, 80 of these fusion centers in 50 states and federal FBI and CIA from around the world looking around the world. So, they've been trying to coordinate their stuff. I do not believe that every state that ought to have two or three should get them and I don't think Maine needs one. So, a U.S. Senate report in 2012 concluded fusion centers produced intelligence 'of uneven quality, often times shoddy, rarely timely, sometimes endangering citizens' civil liberties and privacy act protections, occasionally taken from already published public sources, and more often they've not related to terrorism.' After this review, there was supposed to be some changes made and financial support changed. So, there's been no meaningful action on these centers but Maine finally said, 'Let's do something about it.' In the other Body, they took a different approach and it worked out. I'd like to see us do something different with this and I don't believe anybody asked for a roll call so, please, I'd like a roll call. Thank you, Mr. President.

On motion by Senator **MIRAMANT** of Knox, 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 (#337)**

**YEAS:** Senators: **BALDACCI, BLACK, BREEN, BRENNER, CARNEY, CLAXTON, CURRY, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, LAWRENCE, LIBBY, LUCHINI, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON**

**NAYS:** Senators: **BAILEY, BENNETT, CHIPMAN, DAUGHTRY, MAXMIN, MIRAMANT**

29 Senators having voted in the affirmative and 6 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

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**HELD MATTER**

An Act To Strengthen the Ability of Public Employers and Unions To Negotiate

H.P. 325 L.D. 449

(In House, June 10, 2021, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-540).**)

(In Senate, June 14, 2021, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-175) AND HOUSE AMENDMENT "A" (H-540), in NON-CONCURRENCE.**)

On motion by Senator **VITELLI** of Sagadahoc, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-175) AND HOUSE AMENDMENT "A" (H-540), in NON-CONCURRENCE.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-175), in **NON-CONCURRENCE.**

On further motion by same Senator, Committee Amendment "A" (H-175) **INDEFINITELY POSTPONED**, in concurrence.

**PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-540), in concurrence.**

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Senate at Ease.

The Senate was called to order by the President.

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Off Record Remarks

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### ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (5/19/21) matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow Municipalities To Prohibit Firearms at Voting Places"

S.P. 123 L.D. 805

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-80)** (6 members)

Tabled - May 19, 2021 by Senator **BALDACCI** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On motion by Senator **BREEN** of Cumberland, 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 (#338)

YEAS: Senators: **BALDACCI, BENNETT, BLACK, BRENNER, CLAXTON, CURRY, CYRWAY, DAVIS, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, LUCHINI, MAXMIN, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON**

NAYS: Senators: **BAILEY, BREEN, CARNEY, CHIPMAN, DAUGHTRY, DESCHAMBAULT, LAWRENCE, LIBBY, MIRAMANT, SANBORN**

25 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/2/21) matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Ban the Surveillance of Firearm Purchases"

S.P. 299 L.D. 884

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-120)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 2, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On motion by Senator **POULIOT** of Kennebec, 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 Arostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise today in opposition to the pending motion. This is my bill that went before the Criminal Justice and Public Safety Committee. Earlier today you heard some talk about the Maine Information Analysis Center, so I won't go into a dive on the significance of that program and the good that it does for our state. There's also mention of the fact that in the last year or so they ran into some trouble and some opposition that came from a whistleblower report which specifically dealt with an allegation around the surveillance, specifically of firearm purchases, that are done lawfully, legally by people in the state of Maine. I put this bill in as that's a serious concern. If that, in fact, was the case, that the government is creating a de facto registry using federal background check data on firearms that are purchased legally by law abiding citizens in the state of Maine, to create a registry without any sort of check and balance. That fundamental question and whether or not that was happening is playing out in the courts right now, so I'm going to try to not weigh in too heavily on that discussion. What I will say, however, is that the merits behind this bill and the reason why I put it in, and why I hope we can reject the pending motion and pass it today, is because it puts safeguards in place that would prevent the organization from doing it going forward while still allowing them to do their job, to help stop the bad people that want to cause us harm and engage in terrorist activity and possibly harm Maine citizens. I think that this is a really good compromise solution. I worked heavily with the Department of Public Safety on this bill, specifically members from MIAC, to ensure that they are still able to do the parts that we want them to do with regard to surveillance and counterterrorism efforts, while also ensuring that the Second Amendment rights of people in the state of Maine are not being unnecessarily infringed upon. So with that, I hope that you will join me in rejecting the pending

motion so that we can move on to a different one that I think is much better, Mr. President. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Minority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#339)**

YEAS: Senators: BAILEY, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, DAUGHTRY, DESCHAMBAULT, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BALDICCI, BENNETT, BLACK, CURRY, CYRWAY, DAVIS, DILL, FARRIN, GUERIN, KEIM, MAXMIN, MIRAMANT, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **FAILED**.

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-120) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/7/21) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Ensure the Right to Self-defense Exists outside the Home by Removing the Requirement To Retreat"

H.P. 816 L.D. 1138

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-342)** (5 members)

Tabled - June 7, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 3, 2021, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

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

On motion by Senator **POULIOT** of Kennebec, 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 (#340)**

YEAS: Senators: BAILEY, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BALDACCI, BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, WOODSOME

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/13/13) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Restrict Maine Law Enforcement Participation in Federal Firearm Confiscation or Buy-back Programs without Legislative Approval" H.P. 857 L.D. 1179

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-319)** (5 members)

Tabled - June 7, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 3, 2021, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

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

On motion by Senator **POULIOT** of Kennebec, 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 (#341)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, HICKMAN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/7/21) matter:

HOUSE REPORTS - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Establish Appliance Energy and Water Standards"  
H.P. 696 L.D. 940

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-298)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - June 7, 2021 by Senator **BRENNER** of Cumberland

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

(In House, June 3, 2021, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-298)**.)

(In Senate, June 7, 2021, Reports **READ**.)

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

Bill **READ ONCE**.

Committee Amendment "A" (H-39) **READ**.

On motion by Senator **BRENNER** of Cumberland, Senate Amendment "A" (S-267) to Committee Amendment "A" (H-298) **READ** and **ADOPTED**.

Committee Amendment "A" (H-298) as Amended by Senate Amendment "A" (S-267) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-298) AS AMENDED BY SENATE AMENDMENT "A" (S-267)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/7/21) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Definition of 'Machine Gun' To Include Bump Stock Devices"  
H.P. 722 L.D. 976

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass** (4 members)

Tabled - June 9, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 8, 2021, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 9, 2021, Reports **READ**.)

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

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The Chair laid before the Senate the following Tabled and Later Assigned (6/9/21) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect the Firearm Use and Possession Rights of Maine Citizens during an Emergency" (EMERGENCY)  
H.P. 781 L.D. 1052

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

Minority - **Ought to Pass** (5 members)

Tabled - June 9, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 8, 2021, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 9, 2021, Reports **READ**.)

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

Senator **DESCHAMBAULT:** Mr. President, I would accept a standing ovation after today.

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

**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. My seatmate is a little tired, so I would ask for a roll call.

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Off Record Remarks

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On motion by Senator **DAVIS** of Piscataquis, 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 Aroostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the pending motion in hopes that we can move forward with the subsequent motion in favor of this bill. What this bill seeks to do is to prevent an incident from occurring such that we saw at the beginning of the pandemic where FFLs were forced to close during the state of emergency, the same as other businesses, but the difference is what they are selling are products that are protected by the Second Amendment, specifically in Maine to a higher degree than what you see in most other states, particularly with regard to the Constitutional protections imbedded therein. I would submit to this Body that during a state of emergency is when our Second Amendment rights should count the most, not the least. That's when we should be even more diligent about them, not less. So, for those reasons I hope that we will reject the pending motion and move on to a subsequent one. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#342)**

**YEAS:** Senators: BAILEY, BREEN, CARNEY, CHIPMAN, DAUGHTRY, DESCHAMBAULT, LAWRENCE, LIBBY, LUCHINI, MIRAMANT, SANBORN, VITELLI

**NAYS:** Senators: BALDACCI, BENNETT, BLACK, BRENNER, CLAXTON, CURRY, CYRWAY, DAVIS, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, MAXMIN, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

12 Senators having voted in the affirmative and 23 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **FAILED**.

The Minority **OUGHT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/9/21) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Background Checks for the Sale of Firearms"  
H.P. 737 L.D. 999

Majority - **Ought to Pass** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 9, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 8, 2021, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, June 9, 2021, Reports **READ**.)

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

On motion by Senator **POULIOT** of Kennebec, 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 (#343)**

**YEAS:** Senators: BALDACCI, BENNETT, BLACK, BRENNER, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, LAWRENCE, LUCHINI, MAXMIN, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

**NAYS:** Senators: BAILEY, BREEN, CARNEY, CHIPMAN, LIBBY, MIRAMANT, SANBORN

28 Senators having voted in the affirmative and 7 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

The Chair laid before the Senate the following Tabled and Later Assigned (6/10/21) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm"

H.P. 564 L.D. 759

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-292)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - June 10, 2021 by Senator **DESCHAMBAULT** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, June 10, 2021, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-292)**.)

(In Senate, June 10, 2021, Reports **READ**.)

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

Senator **DESCHAMBAULT:** The last one. Mr. President, I move - no it isn't. Mr. President, I move the reading of item 25 of Unfinished Business, excuse me, that's the Majority, Ought to Pass as Amended. Wow, I'm messing this up here. In concurrence. Thank you.

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

On motion by Senator **POULIOT** of Kennebec, 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 Kennebec, Senator Cyrway.

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I haven't spoken on too many bills but this one was very important to me. I'm on Criminal Justice and I listened very carefully because just about two weeks before I retired after 25 years of patrol I had a 17 year old pointing a 9 mm at me out of an upstairs window while I was in the driveway next to my cruiser. I was by myself. Didn't have any back up. Everybody was at the gun range. In fact, it was the same day that Sheriff Liberty got shot in the back accidentally by another officer at the range. So, I had no back up. So, those things do happen. Accidents happen and this is what I'm trying to say, that accidents happen. You know, I've heard in my area, in Waterville, we had a parent that accidentally backed over his child with a pick-up truck. Sometimes accidents happen and you put the parent away for a long time. You know, they're heartbroken as much as anybody in these situations. I listened carefully on this bill and the L.D. number is 759 and it says An Act to Amend the Child Endangerment Laws to Include Certain Unauthorized Access to a Loaded Firearm. This bill, you know, as law enforcement officers we care about everyone. When we go to a scene we go there thinking that we've got to take care of the situation but we want to take care of everybody in a safe manner and we want to get home. We have children. We have family. We all care about each other. So, this is, to me, is not a party issue. This is a safety issue and it's a very serious bill and at first when I looked at it I said, 'Wow, this is probably going to be a pretty good bill.' So, I listened and there was a lot of people emotionally involved in this and I understand it because I was one of them. My family was one of them. They, you know. So, it's very serious. I listened and then I also listened to two organizations, CLAC, the Criminal Law Advisory Commission, and also the Maine Association of Criminal Defense Lawyers. Now, they analyze the criminal code constantly and they come to Criminal Justice and they go and tell us exactly what they come up with and the Maine Association of Criminal Defense Lawyers has 20 members plus on it and also the CLAC group has like 5 or 6 and they meet, they discuss them, and they analyze it, and then they come back to us and tell us what they come up with and so this is what - I mean John Pelletier I've known since I started in law enforcement and I've known Walt McKee before I even started in law enforcement and I have the highest respect for them and I know that they are going to be up front with me and they're not going to lie and they're not going to tell me something that's not true. So, anyways, in the letter that was written from Maine Association of Criminal Defense Lawyers it says that they oppose this bill and the reason here is simple. If a loaded firearm is stored or left in a place where a child is likely to gain access to that firearm and bad things then happen, such conduct is already considered reckless and would be considered to be the crime of endangering the welfare of a child or reckless conduct. Like the Criminal Law Advisory Commission, which John Pelletier came and told us, and also Walt McKee with the Maine Association of Criminal Defense Lawyers, believes that adding crimes that address specific conduct that is already criminalized under the broader provisions of the criminal code already is unnecessary and duplicative. It also adds confusion, and that's the key word, it adds confusion to the already broad statute that fully criminalizes the very conduct that this bill appears to be focused on and this

last sentence really says it all. It says, 'The last thing we need is more confusion,' that word again, confusion, 'in the criminal code, especially when Maine law already makes the very conduct at issue here unquestionably criminal already.' This amendment, most amendments that I've seen have a goal and the goal is to improve the bill and to have it add more confusion in the criminal code would really be worse, especially in a serious matter such as this, when it effects families. I mean, can you just imagine if you put yourself in that situation, you were the father or you were the mother, and that happens to your child. Nothing worse is going - it's going to hit you like a rock and for us to make it more confusing and then try to make something out of it that isn't or make it worse, it's not fair to the children, to the families, and to the parents. So, I am saying that this bill has great intentions but it just doesn't cut the mustard. We just cannot do it. I beg you because I've been there and I don't want that to happen to any family. Thank you. Thank you, Mr. President.

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

Senator **LAWRENCE:** Thank you, Mr. President, men and women of the Senate. And I respectfully disagree with my good colleague from Kennebec. This does not confuse the criminal code. It, in fact, makes it clearer because it's not clear that you can prosecute under that circumstance of recklessly endangering the welfare of a child. I want to make something clear about this bill. This does not criminalize it for a parent. If this happens to a parent and their child uses the firearm, this is in a non-parent situation and it says if you negligently, negligently meaning if you do what a reasonable person would not do, if you do not follow the conduct that a reasonable person would follow, and you allow a child that comes into your home, not your child but a child that comes into your home, to gain access to a loaded firearm, one that doesn't have a safety lock on it but a loaded firearm, and that child then uses it to commit a certain act, you have committed a Class D crime. That's the essence. It clarifies a clearer definition of what this circumstance of child endangerment is. The same thing, criminal negligence is the same thing. If you go out and operate a motor vehicle in a criminally negligent manner, you're responsible for your conduct. If you want to fire a gun, a firearm, this puts the burden on the firearm owner to have safety procedures in place. If you keep it loaded in your home you've got to have a trigger lock on it, you've got to have something safe. You've got to do what a reasonable person would do to keep it away from a child. We'd expect the same thing with motor vehicles. We expect the same kind of conduct in any other circumstance. This just allows a clearer path to hold people accountable who are not doing the reasonable thing for the loaded firearm. Thank you.

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

Senator **DESCHAMBAULT:** I want to thank my York County fellow Senator, Senator Lawrence, for clarifying that. I also, unfortunately, have to correct someone who's become a good, dear friend and a member and the Republican Lead of the Criminal Justice and Public Safety Committee. What Senator Cyrway read was the original amendment. CLAC came in opposition. They specifically focused on the original bill that says 'is likely to do harm.' Likely is not a word that is used in any kind

of statute. So, the new statute basically said that this amendment amends the provision to specify that storing or leaving a loaded firearm on premises under a person's control with criminal negligence in a manner that allows a child to gain access to that firearm. So, the wording changed and Mr. Pelletier assisted the sponsor in changing it so that it would pass in an amendment form. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. I just wanted to clarify that the mother of my incident, she is a school teacher, a very nice lady, and her boyfriend, she had a boyfriend that lived with her in her new home, and he was the one that owned the firearms and it was taken care of. So, it wasn't necessarily a parent but the same thing happens. It effects the family and also this - it was taken care of back then and that was 2012. So, I'm just saying that this bill already exists and we're just adding something that was not, to me, something that we needed to add and it's just causing more confusion. So, thank you. Also, if we could have a roll call, I'd like to request a roll call.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#344)**

**YEAS:** Senators: BAILEY, BALDACCI, BRENNER, CARNEY, CHIPMAN, CLAXTON, DAUGHTRY, DESCHAMBAULT, DILL, LAWRENCE, LUCHINI, MAXMIN, MIRAMANT, SANBORN, VITELLI

**NAYS:** Senators: BENNETT, BLACK, BREEN, CURRY, CYRWAY, DAVIS, DIAMOND, FARRIN, GUERIN, HICKMAN, KEIM, LIBBY, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

15 Senators having voted in the affirmative and 20 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDMENT** Report, in concurrence, **FAILED**.

The Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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Off Record Remarks

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**RECESSED** until the sound of the bell.

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

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

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

An Act To Create the Small Business Capital Savings Account Program

S.P. 537 L.D. 1650  
(C "A" S-245)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-245)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In Senate, June 10, 2021, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-245)**, in **NON-CONCURRENCE**.

Senator **VITELLI** of Sagadahoc moved the Senate **INSIST**.

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

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, in the interest of time, I will try to be brief. I don't want to get between us and dinner. So, to recap, L.D. 1650 is my bill. It creates a two year pilot project, a pilot program in Maine, to allow small businesses in farming, fishing, and forestry, in those industries, to roll their profits over to be able to create, basically, a savings account that they could use in the good years. Would really appreciate the support of those who supported this measure on the first time. It was unanimously supported down the hall. I hope that we can continue that momentum here tonight and, Mr. President, I would move that we Recede and Concur.

Senator **STEWART** of Aroostook moved the Senate **RECEDE** and **CONCUR**.

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

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I rise in opposition to the pending motion. Just as a reminder, we debated this bill, I think on the last legislative day. My friend and colleague from Aroostook made, I think, passionate arguments for this effort to create a pilot project. My arguments against are that this bill is not yet ready for prime time. It selects a few winners to the detriment of many folks who may not be eligible for this very rich benefit, very rich, new, untested benefit. I also suggested this program would be duplicative to a current capital investment tax credit that Maine has, that's already matched by the feds. It's a fairly seamless program. So for that reason, I am opposing this motion. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Recede and Concur. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#345)**

**YEAS:** Senators: **BALDACCI, BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, HICKMAN, KEIM, LUCHINI, MAXMIN, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME**

**NAYS:** Senators: **BAILEY, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, LAWRENCE, LIBBY, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON**

17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **STEWART** of Aroostook to **RECEDE** and **CONCUR FAILED**.

On motion by Senator **STEWART** of Aroostook, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Prohibit Untraceable and Undetectable Firearms"

H.P. 1070 L.D. 1454

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-577)**.

Signed:

Senators:

DESCHAMBAULT of York  
LAWRENCE of York

Representatives:

WARREN of Hallowell  
LOOKNER of Portland  
MORALES of South Portland  
RECKITT of South Portland  
SHARPE of Durham

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RUDNICKI of Fairfield

Comes from the House with the Minority **UGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Majority **UGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**

On motion by Senator **POULIOT** of Kennebec, 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 (#346)**

YEAS: Senators: BAILEY, BREEN, CARNEY, CHIPMAN, DAUGHTRY, DESCHAMBAULT, DILL, LAWRENCE, LIBBY, MIRAMANT, SANBORN, VITELLI

NAYS: Senators: BALDACCI, BENNETT, BLACK, BRENNER, CLAXTON, CURRY, CYRWAY, DAVIS, DIAMOND, FARRIN, GUERIN, HICKMAN, KEIM, LUCHINI, MAXMIN, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

12 Senators having voted in the affirmative and 23 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **UGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **FAILED**.

The Minority **UGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

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Off Record Remarks

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On motion by Senator **DAVIS** of Piscataquis, **ADJOURNED** until Tuesday, June 15, 2021 at 10:00 in the morning.