

# MAINE STATE LEGISLATURE

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



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

Senate Legislative Record  
One Hundred and Thirtieth Legislature  
State of Maine

Daily Edition

Second Regular Session  
beginning January 5, 2022

beginning at Page 1311

STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE

In Senate Chamber  
Wednesday  
February 23, 2022

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

Prayer by Senator Anne M. Carney of Cumberland County.

**SENATOR CARNEY:** Thank you. Good morning, colleagues. The prayer today will be an excerpt from a poem by Edna St. Vincent Millay. She was a Maine poet who, as a young girl, lived in very difficult circumstances, became a writer and activist and won a Pulitzer Prize for her poetry. She wrote *Renascence* as a teenager and loved this poem because it's deeply rooted in her every day life and yet, at the same time, stretches beyond her imagination.

All I could see from where I stood  
was three long mountains and a wood.  
I turned and looked another way,  
and saw three islands in a bay.  
So with my eyes I traced the line  
of the horizon, thin and fine,  
straight around till I was come  
back to where I'd started from  
and all I saw from where I stood  
was three long mountains and a wood.  
Over these things I could not see;  
these were the things that bounded me  
and I could touch them with my hand,  
almost, I thought, from where I stand.  
and all at once things seemed so small  
my breath came short, and scarce at all.  
But, sure, the sky is big, I said;  
miles and miles above my head;  
So here upon my back I'll lie  
and look my fill into the sky  
and so I looked, and, after all,  
the sky was not so very tall.  
The sky, I said, must somewhere stop,  
And, sure enough, I see the top!  
The sky, I thought, is not so grand;  
I almost could touch it with my hand  
and reaching up my hand to try,  
I screamed to feel it touch the sky.  
I screamed and, lo, infinity  
came down and settled over me;  
Thank you.

Pledge of Allegiance led by Senator Scott W. Cyrway of Kennebec County.

Reading of the Journal of Wednesday, February 16, 2022.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator VITELLI of Sagadahoc, the following Joint Order:  
S.P. 716

Ordered, the House concurring, that when the Senate and House adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order:

H.P. 1481

ORDERED, the Senate concurring, that the Joint Standing Committee on State and Local Government report out a bill related to the Review of the State Government Evaluation Act required under the Maine Revised Statutes, Title 3, section 963.

Comes from the House, **READ and PASSED.**

**READ and PASSED,** in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 1050

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE

February 16, 2022

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

Dear Secretary Grant:

Pursuant to my authority under House Rule 201.1 (l) (a), I am temporarily appointing Representative Rachel Talbot Ross of Portland to the Joint Standing Committee on Criminal Justice and Public Safety, replacing Representative Braden Sharpe of Durham, effective Thursday, February 17th. The appointment will expire at the end of the day on February 17th.

Please do not hesitate to contact me should you have any questions regarding this appointment.

Sincerely,

S/Ryan M. Fecteau  
Speaker of the House

READ and ORDERED PLACED ON FILE.

---

The Following Communication: S.C. 1048

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

February 15, 2022

The Honorable Troy D. Jackson  
President of the Senate  
The Honorable Ryan Fecteau  
Speaker of the House  
130th Legislature  
State House Augusta, ME 04333

Dear President Jackson and Speaker Fecteau:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the State Board of Education under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the State Board of Education by letter dated April 30, 2021 of its intent to conduct a review. The State Board of Education submitted its report in November of 2021 and presented the report to the committee on January 13, 2022.

The committee has reviewed the report and finds that the State Board of Education is operating within its statutory authority.

Sincerely,

S/Sen. Joseph Rafferty  
Senate Chair

S/Rep. Michael F. Brennan  
House Chair

READ and ORDERED PLACED ON FILE.

---

The Following Communication: S.C. 1049

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

February 15, 2022

The Honorable Troy D. Jackson  
President of the Senate  
The Honorable Ryan Fecteau  
Speaker of the House  
130th Legislature  
State House  
Augusta, ME 04333

Dear President Jackson and Speaker Fecteau:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Department of Education under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Department of Education by letter dated April 30, 2021 of its intent to conduct a review. The Department of Education submitted its report in November of 2021 and presented the report to the committee on January 13, 2022.

During its review, the committee requested additional information from the Department of Education regarding the relationship between the Department of Education and Department of Corrections in their respective responsibilities, oversight, and funding of the education of juveniles in correctional facilities in this State. The Department of Education will be submitting a separate report related to this topic later this session, and the committee looks forward to continuing conversations with the Department of Education on this important issue.

The committee has concluded its review of the report and finds that the Department of Education is operating within its statutory authority. In addition, the committee commends the Department of Education for their extraordinary work over the last two years. The Department of Education has shown great leadership in the State and nationally, and in particular have received national recognition for the MOOSE (Maine Opportunity for Online Sustained Education) Learning Module Library, which provides free access to a-synchronous, interdisciplinary, project-based learning. Despite the challenges and disruptions brought on by the COVID-19 pandemic, Commissioner Makin and Department of Education staff have worked tirelessly to encourage and support students and educators throughout the State.

Sincerely,

S/Sen. Joseph Rafferty  
Senate Chair

S/Rep. Michael F. Brennan  
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1053

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

February 18, 2022

Honorable Troy Dale Jackson, President of the Senate  
Honorable Ryan Michael Fecteau, Speaker of the House  
130th Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1789 An Act To Modernize Funding of Publicly  
Funded Tuition Students Attending Career and  
Technical Education Programs (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. Joseph E. Rafferty S/Rep. Michael F. Brennan  
Senate Chair House Chair

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

The Following Communication: S.C. 1052

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON TAXATION**

February 17, 2022

Honorable Troy Dale Jackson, President of the Senate  
Honorable Ryan Michael Fecteau, Speaker of the House  
130th Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Taxation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 276 An Act To Improve and Update Maine's Tax  
Laws  
L.D. 392 An Act To Amend the Tax Laws

This is notification of the Committee's action.

Sincerely,

S/Sen. Ben Chipman S/Rep. Maureen F. Terry  
Senate Chair House Chair

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

The Following Communication: S.C. 1047

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON TRANSPORTATION**

February 15, 2022

Honorable Troy Dale Jackson, President of the Senate  
Honorable Ryan Michael Fecteau, Speaker of the House  
130th Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Transportation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 410 An Act To Provide Funding for the  
Reconstruction of Route 161 from Fort Kent to  
Caribou  
L.D. 1833 Resolve, To Exempt Specialty or Recognition  
Registration Plates Already in the Process of  
Being Created from the Moratorium on the  
Approval of New Motor Vehicle Registration  
Plates (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. Bill Diamond S/Rep. Danny Martin  
Senate Chair House Chair

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

The Following Communication: S.C. 1051

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 17, 2022

Honorable Troy Dale Jackson, President of the Senate  
Honorable Ryan Michael Fecteau, Speaker of the House  
130th Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Veterans and Legal Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 421      An Act To Increase the Number of Plants a Medical Marijuana Caregiver May Cultivate
- L.D. 1948      An Act To Enhance Access to, Education Regarding and Patient and Community Safety in Maine's Marijuana Programs (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. Craig V. Hickman  
Senate Chair

S/Rep. Chris Caiazzo  
House Chair

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

---

#### SENATE PAPERS

Bill "An Act To Establish a Disaster Relief Fund for Potato Farmers Adversely Affected by Drought Conditions"  
S.P. 717 L.D. 1998

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative MARTIN of Eagle Lake and Senator: DILL of Penobscot, Representatives: MARTIN of Sinclair, McCREA of Fort Fairfield, O'NEIL of Saco, WHITE of Mars Hill.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator DILL of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

---

#### ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later (2/10/22)  
Assigned matter:

**JOINT RESOLUTION** - Nan Heald, of Portland, Executive Director of Pine Tree Legal Assistance. Ms. Heald worked for decades to ensure that state and federal laws affecting poor people were upheld and to address systemic barriers to justice. In 1985, she joined Pine Tree Legal Assistance as a staff attorney in its Native American Unit, where her primary responsibility was to redress the exclusion of the Aroostook Band of Micmacs from the 1980 Maine Indian Claims Settlement Act, which was eventually redressed through federal legislation. In 1990, she became executive director, serving until her death. Under her leadership, the agency became a nationally recognized leader in innovative uses of technology to advance access to justice and legal aid. She expanded access to legal aid for many vulnerable populations, including children, victims of domestic violence and sexual assault and low-income veterans, and started a clinic for low-income taxpayers, a nationally recognized foreclosure and consumer program and a housing discrimination program. She served on the Legal Services Corporation Eviction Task Force, Veterans Task Force and Task Force on Pro Bono, as well as on the Advisory Committee of Providers to Maine's Justice Action Group, the Maine Judicial Branch Advisory Committee on Fees and the American Bar Association Veterans Legal Services Commission. In 2011, she was honored by the White House as a Champion of Change. In 2015, she earned the American Bar Association Grassroots Advocacy Award and in 2018 became a Fellow of the American Bar Foundation. She also received the American Civil Liberties Union Justice Louis Scolnik Award in 2010 and the Maine Justice Foundation Howard H. Dana Award in 2018, among other recognitions. Ms. Heald will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

SLS 664

Tabled - February 10, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **ADOPTION**

(In Senate, February 10, 2022, **READ**.)

The Joint Resolution was **READ**.

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

Senator **CARNEY:** Thank you, Mr. President. I rise to speak to the sentiment and to let my colleagues know a little bit about Nan. Nan Heald served for 32 years as the Executive Director of the Pine Tree Legal Assistance. When you stepped into her office, as I did many times, you were greeted by a chair that was pulled right up to her desk in anticipation of a good conversation. There was a bowl of fresh fruit on the corner of her desk and on the wall behind her was the sign from Heald Camps, the business her family ran in Arrowsic. Nan's office told you a lot about her. She was interested to hear from you. She had great empathy and she cared about our state and Mainers in a deep and personal way. Pine Tree Legal Assistance, which she led for so long and so well, is a civil legal service - provides civil legal services to Mainers with little or no financial resources and has done so since 1967. Nan would often describe Pine Tree as the 'emergency room of the legal community.' In a 2012 letter to Maine's Governor about state funding for legal aid Nan reflected on growing up in the western mountains of Maine and the neighbors

in her community who dealt with domestic violence, disability, and child abuse. She wrote that they were silenced by their families, by the community, by the school and that working at Pine Tree, in Nan's words, 'is about making sure that laws are enforced for my former classmates and neighbors and that they got someone to help them tell their story, especially when they couldn't do it on their own. Most folks Pine Tree sees are in crisis. We patch them up and send them on their way but we do as much preventive work as possible to also keep them safe and able to live independently going forward.' Pine Tree Legal Assistance grew under Nan's leadership a strong reputation of excellence both in Maine and nationally. There are two programs you've probably heard about. One is the Foreclosure Project that exposed the unlawful handling of foreclosures and led to national reform of the foreclosure process. The other is Stateside Legal, a program that benefited veterans and Maine families across the country. In 2009, Pine Tree Legal secured funding from the Legal Services Corporation to build and maintain the nation's first website focusing specifically on the legal needs of veterans and their families. Under Nan's leadership Pine Tree Legal also developed excellent on-line legal information that has been used and accessed by people throughout the country. When you go on to Pine Tree Legal's website looking for legal help you get assisted by a bot whose name is Moose. Moose is also the mascot of Pine Tree Legal Assistance and Moose will help you get access to justice. Nan received many accolades and awards for her service to Maine and as a national leader in insuring access to justice for people with low or no income. Most important to her, though, was the day to day work on behalf of each one of our constituents, ensuring that they received the justice to which they are entitled under our laws, even if they cannot afford legal representation. I wish to express our sympathies to Nan's family and colleagues who have joined us today and would like to present them with the Legislative *sentiment. May I present it to them now?*

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair would very much like to ask the family and friends of Nan Heald that's in the rear of the Chamber to rise and accept the condolences of the Maine State Senate. Family and friends please accept that.

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

#### REPORTS OF COMMITTEES

##### House

##### Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing the Department of Agriculture, Conservation and Forestry To Convey Certain Land in Aroostook County and Penobscot County  
H.P. 1307 L.D. 1756

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-767).

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-767).

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-767) **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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission (EMERGENCY)

H.P. 1347 L.D. 1805

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-766).

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-766).

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-766) **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 Regarding Abandoned Motor Vehicle Storage Fees"

H.P. 1386 L.D. 1876

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (H-765).

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"** (H-765).

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

Bill **READ ONCE**.

Committee Amendment "A" (H-765) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Promote Labor Education through the University of Maine System"

H.P. 1349 L.D. 1816

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-763)**.

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-763)**.

Reports **READ**.

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

**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 the pending motion and the bill in front of you. The Education Committee heard wonderful and deeply moving testimony on the potential for the creation of this new center and the really amazing heartfelt

energy behind it. I really urge everyone to go through, if you have a chance, to take a look at some of the testimony that's in the folder and really see, you know, the heart that's behind this measure. It would create an opportunity for workers throughout Maine and especially, you know, create an area for folks to be able to study and be able to retrain. So, I urge you to follow my light and I hope you'll support this important mission.

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

Senator **WOODSOME:** Thank you, Mr. President. I serve on the Education Committee and, a little bit of background, I taught for 35 years. I was a Union President several times, in fact I started a union in 1973, and I have issues with this bill. I look at all the different issues before the Education Committee and the needs of Maine students, teachers, universities, community colleges, etcetera, etcetera. I look at all the issues and the human rights - not human rights, health - help me out, HHS, child abuse. We have so many things that need to be addressed and I think we need to make some priorities on where the monies go. This bill is under \$1 million. Certainly honors a great man who promoted unions in the state of Maine for many years but I just feel that there are other areas. We've come out of a pandemic of two years. The federal government stepped up and we got a little bit flush in money right now but that money is not going to continue on and I ask you to look forward to the needs of the Maine people and the children of Maine and vote **Ought Not to Pass**.

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 Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I do support the bill. I wish there was one bullet that said that all the leadership of the University of Maine had to take the course after they'd given it to the adjunct professors who barely get any pay. They don't get any benefits or retirement. It seems like it might be a good thing for them to learn. So, I hope we pass this and then find a way to make them pay attention.

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

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, I rise to support the pending motion. I'll just share a brief constituent letter to me from last week. 'I am writing to ask you to support an important bill that will strengthen labor education at the University of Maine and University of Southern Maine. L.D. 1816 will establish a new labor and community education center at USM named in honor of the late Maine labor historian, Dr. Charles A. Scontras. Dr. Scontras devoted his life to researching and promoting the history of collective struggles of Maine workers and our ongoing efforts for rights, dignity, and organization in the work place. L.D. 1816 will also increase funding for the University of Maine's Bureau of Labor Education to expand its important work. The Labor Center at USM will provide livelong community-based labor education, research, and



outreach. It will offer labor education for students, unions, and, especially, the community at large. It will host regular trainings and workshops, working class oral history projects, conferences, symposia, speakers, and films that all address issues of concern to Maine's working people. The bill has received strong public support and it is supported by the University of Maine. I want to know your position on this bill. Thank you. Cheryl Thompson of Winthrop.' My position on this bill is strong, I support it. Former President Abraham Lincoln told us that labor proceeds capital and deserves the much higher consideration. So, with that, I urge my colleagues to vote in favor of the motion. Thank you, Mr. President.

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

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, as the lead on the Labor and Housing Committee, I can assure you that the labor unions are doing very well. They're organized, educated, and a ready-to-go special interest group. But do we want to have the University of Maine forced into teaching the edict of special interest groups? There are many special interest groups that come to all of our different committees and are more than anxious to have their views shared to students in our university system. I think by passing this bill today we would be opening the door to requiring special interest group's positions to be taught throughout our university system and I see that as a very bad idea. We should stick to the curriculum of majors that are being taught. 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 (#561)

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

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

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

Bill READ ONCE.

Committee Amendment "A" (H-763) 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 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Prohibit Discrimination Based on the Sex of an Individual

H.P. 242 L.D. 344

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-764).

Signed:

Senators:

CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner  
BABBDIGE 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.)

Comes from the House with the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the RESOLUTION PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-764).

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. Honored colleagues, I just wish to speak very briefly to the pending motion to note that this Senate has a tradition of voting in favor of the Equal Rights Amendment and passing a two-thirds vote in favor of the Amendment. I would urge my colleagues to continue to support the equality of our mothers, our daughters, and all of the women in our lives by supporting the pending motion. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Colleagues in the Senate, we stood here two years ago and passed this by two-thirds, working with my colleagues across the aisle, or jumbled up in the Senate or wherever we are now. You know, I was so proud. It doesn't matter if it takes a long time, as long as we keep saying it needs to be done and trying to bring people along with us who recognize that. It doesn't matter if other areas of law have been adjusted because they should be and it would be nice to have an overall statement of support for not judging people by what they carry in their pants, and I don't mean their pocket. So, it's time to do this again. So, let's do it. Let's move it forward. Let's get it on the books. Let's make sure all our children grow up knowing that we're all equal, regardless of our gender or anything else that we present as a public face to our fellow humans. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, I rise today in strong support of the Equal Rights Amendment again. I arrived in Maine in the year 1974, the same year that Maine ratified the federal Equal Rights Amendment. It was an exciting time. Women like me hoped our Constitution, the foundation of our democracy, might finally recognize the truth, that women hold the same inherent dignity and are entitled to the same rights and protections under the law as men are. But that effort at the federal level ultimately fell short. Individuals like Phyllis Schlafly hammered out their worst-case scenarios for what would happen if the ERA was passed. We might have same-sex marriage, women might even serve on the frontlines of our military. Indeed, we have advanced towards equality but women still face discrimination every day. Nearly five decades later we're hearing yet another set of scare tactics. These scenarios have not played out in other states, the other 26 United States that have ERA provisions in their state constitutions. An equal rights clause in our constitution will make it clear that discrimination in employment, insurance, education, the areas important to women's freedom and to our full participation in society, shall not be tolerated. It is the most basic and necessary acknowledgement that women have the right to exist in our society with the same independent rights and dignity as men. It's an acknowledgement that we are all wholly human in the eyes of our law, regardless of gender. To quote the Maine Human Rights Commission Executive Director, Amy Sneirson, 'The Constitution was created by men for men. The default is that discrimination that is not prohibited is legal.' When our country was founded

women didn't have the right to get an education, own property, manage their own finances, or vote. Our Constitution, the very foundation of our democracy, was not written with an eye towards equal treatment and protection of genders. Over the years states like Maine have put in place other piecemeal legal protections to prevent discrimination but our Constitution has not been amended to reflect that all women and men are equal members of our society. The Equal Rights Amendment before you today represents a forward looking affirmative stance. Here in the State House we see laws change all the time but those changes must occur within the parameters set by our Constitution. It is imperative that our Constitution, the foundation of our laws, clearly and explicitly states that the policies we shape cannot promote, encourage, or permit discrimination. We work for the people of Maine and the people of Maine should be able to decide what they want in their Constitution. Today, I ask that you follow my light and give them that opportunity. Thank you, Mr. President.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the House, Senate, when my Grammie Hurd and Grammie Smith turned 21 they were not allowed to vote. They did not have equal rights. But things have changed and today I speak as an empowered and confident woman in opposition to L.D. 344. Since the introduction of the ERA effort nationally over 50 years ago, numerous state and federal laws have been passed to prevent discrimination against women. In the meantime, courts have interpreted some state ERAs in ways that supporters of these measures never imagined. While I support equal rights, I am concerned about the unintended consequences of the federal Equal Rights Amendment as well as L.D. 344. In Maine, men and women are equal under the law but should not be viewed as identical or interchangeable. We do not require that the law treat men and women the same in all instances. Think of examples such as college, homeless living, sports, even prison. Vulnerable periods where the distinctions are important.

Our culture can and must see the biological and very real differences between men and women. In numerous examples, Maine law recognizes that men and women are, in fact, different and acknowledging these differences sometimes creates opportunities for women to rise, compete, and succeed. It is clear that recognizing this difference has led to the growth of opportunities for women, a growth L.D. 344 would destroy. L.D. 344 would erase gains made by Title IX. Under Title IX - Title IX is a federal civil rights law that says no institution of higher education can discriminate against anybody on the basis of their sex and gender. Initially drafted to ensure equal opportunity for women in sports, today Title IX applies to all forms of sexual harassment and assault, domestic violence, dating violence, and stalking. Title IX concerns opportunity, safety, fairness, and accountability. We think of Title IX as effecting college but, in fact, it covers all educational settings. Combined with the protections of the 14<sup>th</sup> Amendment, Maine L.D. 344 is simply not needed. I have described the opportunities and protections of Title IX but I must also positively speak of the changes made within our cultures since my Grammie's days. Changes made by the growth of a society that has come to see that men and women are equal just as they are uniquely different. Our society sees

women with more opportunities than ever and we see the unique nature of women in leadership in all parts of society. We can list an almost endless group of women in all fields who lead, invent, build, and work hard.

I believe most Americans, and certainly most Maine citizens, view women as equal to men. However, their difference is important, as evidenced by the current controversy at the University of Pennsylvania. Lia Thomas, a biological male in the University of Pennsylvania, did not rise to the top of male competitions but once allowed to swim with female athletes has broken many college women swimming records. The Washington Post reported on January 10, 2020 that Lia's fastest 200 yard freestyle time before this year was 1 minute 39.31 seconds. This season Thomas posted 1 minute 41.93 seconds, a 2.6% drop. That's the fastest time of any other female swimmer this year, .64 seconds faster than Olympian Torri Huske. If you have watched swimming events and know how close finishes are, imagine that Tomas won a December 2021 event by 38 seconds over the second place finisher. Now let's imagine an ERA law, L.D. 344, that would seek to end all distinctions between male and female. It would force the end of women's basketball. The WNBA would be illegal. Envision women and men playing for the limited spots on the basketball teams. Can you foresee many women playing in the NBA? In college?

The Equal Rights Amendment is a poorly worded amendment to the U.S. Constitution that would restrict all laws and practices that make any distinctions based on gender or an account of sex. Under the ERA, men and women could not be treated differently, even if the different treatment is due to physical differences. Men and women would, thus, compete for teams, jobs, resources, and benefits. It is important though that I take time to speak here of the real purpose of L.D. 344, which is to put abortion rights into the Maine Constitution to ensure taxpayer funding to remove all limits to abortion. You will not read those words anywhere in the text but by using the phrase 'sex discrimination' legal scholars have reasoned that the ERA would eliminate all abortion restrictions, including federal and state bans on partial birth abortions and other hideous practices. It would provide a new constitutional basis for abortion and end conscience protections for nurses, doctors, and hospitals who do not want to participate in performing abortions. It would threaten tax exemptions for private religious schools that do not believe in abortion and, through their teaching practices, discourage abortion.

In closing, I see the laws are already in place to protect women's rights. The time of my grandmother's lack of equality has passed. The 14<sup>th</sup> Amendment of the U.S. Constitution guarantees equal protection for everyone under the law. The 14<sup>th</sup> Amendment has successfully been used in cases of discrimination to protect the rights of women and will continue to do so. Instead of passing another law, people simply need to acknowledge the unique nature of women and their skills and accomplishments. I ask you to vote in opposition to L.D. 344 and join me in supporting women, women's rights, and plain common sense.

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

Senator **RAFFERTY:** Thank you, Mr. President. Fellow members of the Senate, I rise today in support of L.D. 344, otherwise known as the Equal Rights Amendment. I'll attempt to

keep my comments brief but, being totally honest and new to the Senate in the 130<sup>th</sup> Legislature, I'm amazed that we continue to have these discussions nearly 100 years after the Amendment was first introduced. The simply underlying principle behind the ERA is sex should not determine the legal rights of men or women. I'm a retired educator, currently serving as a Senate Chair in the Education and Cultural Affairs Committee. Throughout my career, anyone in education will tell you that if you treated anyone differently based on sex your career would be short. Educators have had their own form of the ERA since 1972. It was called Title IX. I won't read that. We've heard that title read or described moments ago. I believe that there's a lot of similarities between the two. In similar fashion to ERA, Title IX faced much opposition back in 1972, 1973. Fortunately for all of us, it has endured and students both male and female for the last 50 years benefited from valuable opportunity and lessons as a result. They've learned to expect equal treatment. When I enter these Chambers, I know that the eyes of my former students, current students, and former students that are now my constituents are on me. I'm living proof to that point and will leave these Chambers today and be able to say to them and the four generations of women in my life, starting with my Mom; my wife, Norma; my three sisters; my three daughters, Kelly, Tracy, and Danielle; and my granddaughter, Evelyn, today I was proud to vote in support of L.D. 344 because I believe you are my equal. I ask that you follow my light in support of L.D. 344 and walk from these Chambers today with your head held high knowing you did the right thing. Thank you very much.

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

Senator **SANBORN:** Thank you, Mr. President. Men and women of the Senate, as you've heard, the federal ERA was introduced in 1923, 99 years ago, and some of my good friends in this Body would argue that's no longer needed today because there are laws in place, because Title IX is in place. Men and women of the Senate, in 1974 this great state of Maine ratified that federal ERA and we've made lots of other changes to our state Constitution since then as well and so I'm quite baffled today as to why we are sitting here in 2022 discussing whether it's necessary to put this into the Constitution. One of my good friends across the aisle just made an impassioned argument that there are already laws in place to protect women's rights and that we just don't need to do anything because the 14<sup>th</sup> Amendment is enough but I ask you to think about the most recent change that this Body and the people of the state of Maine made to our Constitution. It happened just this past year. We amended the Maine Constitution to include a right to food. Ladies and gentlemen of the Senate, the Maine Constitution doesn't guarantee women equal rights but it's important to protect our right to food. Is that under attack? Are there not laws already in place to protect our food supply? Of course there are, but we felt it was so fundamental and so basic to our rights that we had to describe it in the Constitution in broad terms that can be used in the future to invalidate laws related to agriculture potentially, related to animal health. It could be used in the future in innumerable ways. We're not sure how, but we all agreed that it was so fundamental that we should inscribe into our Constitution and I rise today embarrassed that we felt that it was important to put that into the Constitution and yet in 99 years we have not made that clear statement in our founding document either at the federal level or at the state level that women and

men are intitled to the equal rights under the law that we all agree they are. We simply need to put that into our Constitution and move forward and stop having this debate that we've been having for the last 99 years. Men and women of the Senate, I'm going to be proud today to vote in favor of L.D. 344 and I hope that many of you will also do so. Thank you.

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

Senator **BALDACCI:** Thank you, Mr. President. I would just reiterate some of the remarks that have been made. This is 2022 and I can't believe we're still debating this issue. This is, frankly, the easiest vote of my elected career and people watching me today are my mother, who co-managed a business for 30 years with my Dad; my sisters; my wife; and my kids. I understand the heartfelt feelings of the opponents but to give into fears, to give into wild speculation, is not what we are here to do. The state Constitution, any state Constitution, the U.S. Constitution, is meant to be a repository of our fundamental principles. There should not be any greater fundamental principle that we are equal, we are equal before the law, we are equal in all things that are relevant to building a life. Every person is different but before the law and their attempts to build their own lives they should not be forced into second class citizenship. This is 2022. Voting no on this bill is voting yes for discrimination, for unequal pay, for hostile work environments, for not respecting one half of our fellow members of our society. We have a moral duty to pass this amendment and to indicate that our fundamental principles include the equal rights for all people. Thank you.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, I think there's some confusion about what's being discussed here today. We're not talking about the federal Equal Rights Amendment. I support the federal Equal Rights Amendment. I supported it 30 years ago. I support it today. The reason is that there's nothing in the federal Constitution that guarantees individual rights. The Bill of Rights and other provisions of the Constitution talk about what government can and cannot do and it protects rights that way. It does not declare equality under the law. The Maine Constitution is different. In fact, the good Senator from Penobscot, Senator Baldacci, said that a vote against this measure is a vote for discrimination. It's a vote for all kinds of horrible things. Morally, if we do this we're bankrupt. Under Article I, section 1 of the Maine Constitution there are words that are not reflected in the federal Constitution in the least and I'll read them. 'All people are born equally free and independent and have certain natural inherent unalienable rights among which are those of enjoying and defending life and liberty, equality, possessing and protecting property, and of pursuing and obtaining safety and happiness.' Maybe those words were not as eloquent as the good Senator from Penobscot's and as direct but they accomplish the end. All people, regardless of personal characteristics, whatever they may be, sexual orientation, gender, social economic class, are equally protected under Maine's Constitution. That does not bear the same as the federal Constitution. We're not debating an Equal Rights Amendment to the federal Constitution. If we were, and we could, we don't need to because it's already been adopted. We may have to adopt it

again but I would be arguing for it. I voted for the right to food. I support a right to a clean and healthy environment. These are measures I believe should be reflected in the Constitution because they are not addressed in the Constitution. Equality under the law for all Maine people is guaranteed under Article I, section 1. It's the first language in our Constitution and I think it says a lot for the people of Maine. Thank you.

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

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, both the 5<sup>th</sup> and the 14<sup>th</sup> Amendment of the U.S. Constitution already provides every citizen equal protection of their right to life, liberty, and property. There also already exists state and federal law that prohibits sex discrimination. There are numerous laws in virtually every area of American life, including employment, education, credit eligibility, housing, public accommodation, and more, that prohibit sex discrimination. Our laws are gender neutral. Women are not, in any way, less equal or treated differently under any single law that we have. They are treated no differently than men. A Constitutional Amendment to create equality is unnecessary and it's dangerous. It's dangerous because of that uncertainty that it will create in all of our other laws. Our Constitution is bedrock to all other laws that we have in our state. All of them rest on the foundation of our Constitution. It is not wild speculation when the U.S. Supreme Court Justice Ruth Bader Ginsburg wrote in a report called Sex Bias and the U.S. Code, writing that the federal ERA will change 800 federal laws, including the elimination of social security benefits for wives and widows. If we place this broad amendment in our Maine Constitution we will not know the full effect, including unintended consequences, until it gets litigated in the courts.

It's dangerous also because it will create a higher right to abortion. We all enjoy the anticipation and excitement of an expectant mother's ultrasound photos on social media and yet with abortion rights we make the distinction on whether that life is precious and to be celebrated or to have his first breath not because he has a right to life for his own sake but whether or not that little baby boy or girl is wanted. There are four states where the ERA has been used in the courts for abortion rights. In fact, New Mexico, when the Legislature tried to stop using taxpayer dollars for abortions, the Supreme Court of New Mexico used its Equal Rights Amendment to block that attempt. The same thing happened just recently in Pennsylvania.

The ERA Amendment is also dangerous because the societal changes surrounding the debate have drastically changed. This is not the same fight as it was in our grandmother's day. An Equal Rights Amendment will very likely be used to insert and create new gender and binary definitions. In the final work session on this bill, the bill sponsor, herself, stated in committee that this bill would cover everyone and that the ERA Amendment will apply to all who identify as women. This puts into jeopardy women-only spaces like sports just as we have seen in newspaper headlines all across the U.S. recently. The Title IX opportunities that were, in fact, mentioned here today by some of our colleagues, those are opportunities that have allowed women athletes to go after their dreams and be greatly successful in the sports arena but those can disappear. The people of Maine are not in favor of erasing women or women-only spaces. They do not want their daughters competing in sports against natural born men nor do they want them forced to share

their locker rooms but if this law goes out to the people they will hear the word equality and the good people of Maine will likely vote for it because the spin will be laid on so thick that they may not be able to see through the language that we all support to the consequences that they would never want to support. No one is in favor of discrimination. We all support equality. However, the focus of today's Equal Rights Amendment is not what it once was. The underlying focus is to enshrine in our Constitution the exact opposite of protection of natural born women as an immutable characteristic. This Constitutional Amendment will harm the very people, our daughters, that we seek to protect by it. For the sake of all women of every age, the born and the unborn, I ask you to vote against the pending motion. Thank you.

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

Senator **DAUGHTRY:** Thank you, Mr. President. I rise today in favor and in strong support of the pending motion before us. As a young woman and as a small business owner in, well to put it frankly, a rather male dominated field and as an elected official in an increasing less male dominated field, the fight for equal rights has always been on the forefront of my mind. I entered this building, I think, around somewhere between 1992-1994, I think the good Senator Diamond and good Senator Bennett were probably here at that time. I came in as an honorary page and I can still remember the excitement. I got to come in with one of my surrogate mothers, the late great Charlene Rydell. I can remember getting my first pin in the Clerk's Office. I can remember the late Millie McFarland was actually the first person to give me a taste of white chocolate and it was just the most incredible thing. Now at the age of 5 or 6 you're not thinking about Constitutional Amendments. You're not thinking about necessarily every piece and word of text in front of you. You remember the joy. You remember the highlights. So, I remember getting some pretty amazing pins and some white chocolate. I also remember walking around these hallways and looking at the pictures and noticing that a lot of them were missing people who looked like me. I can remember spending time on many of my trips up here with Charlene playing find the women and I can remember asking 'You know, why does this picture have no one?' and having it explained by many of the folks in the hallways that this was before women were allowed to run. This was before women were allowed to vote and, suddenly, you can see on the walls a little bit of shifting started as women start to slowly but surely take their rightful place, equally, under this dome. Here in this very State House, that I still pinch myself every single morning like all of you, that I get to come in here, serve people, serve my community, serve the state, and now get to be on those photos and to be one of the women when I get to play find the women. I've been proud to support, vote for, and even sponsor bills that improve equal access to housing, education, healthcare, and employment. But let's be frank. In Maine, women still only earn 83¢ for every \$1 that their male colleagues make. This wage gap only widens when racial demographics are factored in. Economic experts tell us that if this trend continues Maine won't close the gender wage gap until 2060. Just think about that, 2060. I'm not even going to do the math on how old I'm going to be when that happens. By then an entire generation of workers will have entered and retired from the workforce. But this is bigger than just about women's paychecks. This is about everyone's rights.

As Chair of the Commission Working to Create a Paid Family Medical Leave policy for Maine, equality and fairness are at the center of our conversations because we know that right now many companies do offer paid family medical leave but the ones that do most often offer less time off for paternity leave than they do for maternity leave. Do fathers not just deserve as much time to bond with their new child as mothers? It's a side of gender discrimination that's not often thought of but it's just as important. The United States lags behind 76% of countries around the world with constitutions that guarantee equal rights for women. Maine can take a stand for at least 1/50<sup>th</sup> of the women, men, and everyone of this great state.

I've heard the arguments against the Equal Rights Amendment for many, many, many years, as had my mother who I know is home watching now and I wouldn't be here without her, as well as my grandmother, my aunts, and this amazing trailblazing woman I get to sit next to every single day. They have all heard the same faceless, overblown fears we've heard for generations about why women shouldn't be allowed to do certain things. But what would happen if we gave women equal rights under our Maine Constitution? The same thing that happened when we let women wear pants or drive or work or go to college or play sports or open their own bank account or own their own brewery or vote. Twenty-six other states have done exactly this. Last time I checked, the sky hasn't fallen and the potential outcomes that have been fearfully forewarned over and over again have yet to occur because they are exactly that. They are based on faceless fears. At the end of the day, equal rights is the fundamental basis of freedoms and the original cornerstone of our country and our state. I urge my fellow Senators to follow my light. This is a big deal. This is not just another conversation. This is about taking a stand for equality. It's about recognizing that everyone at every single desk when we go to press that button that our vote means just as much as everyone else. I beg you and urge you and plead with you to vote for this so that one day I won't have to sit down with my future children and tell them about all of the times that we were told that we were not equal under the eyes of this state. Thank you, Mr. President.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I wasn't going to speak today but I feel just common sense situation here and I think that we have been listening and I hear that we shouldn't worry about what the future's going to be. We just want to have equal rights. I hear the numbers of women compared to men. If I look around here about 50% is women, 50% is men. I think that many of us in Maine have - my wife earns more money than I did as a person. So, I'm just saying that what I'm concerned about is, and this is just as a person that just lives a normal life - and I've got a neighbor down the road. His daughter is in 8<sup>th</sup> grade, she's looking at being a freshman next year. Great basketball player. In fact, she wants to be the Cindy Blodgett of when we had her here in Maine. This could take her out from even getting a scholarship. It could have her changes of being in women's basketball taken away. That's just one instance. I watched on TV where some runners, and I've watched this person that had a male physical look to them but ran in women's run and just out ran every country there was in no time and I'm saying 'What are we doing to the women?' In fact, I think the women are going to take a backseat here and I don't

think that everybody's looking at. I think it's going to actually set you back as women. I'm fighting for you. I want to see you do what you're doing right now. I don't want to see these girls' dreams taken away. They have some - I mean this girl's name is Ashley and she just dreams of being that top person and she just loves the sport and I can see it just being taken away from that person and she'll become somebody if we vote for this. Is this going to affect her? I guess that's the question I have to ask. Is that going to affect this young lady to make what she wants to be? I cannot vote for this because I don't know that and I know a lot of people just say don't worry about what the future's going to bring because that's what is up to everybody else. Well, once we do this then, every little nook and cranny, people will make it fit to what they want and it's really going to hurt. It's going to hurt and I just, from a common sense approach here, and I'm not reciting any laws, nothing. I'm just looking at the common person here. So, that's why I'm asking you to vote no against this right now because it just doesn't fit for what we're doing. I don't want to see these women taken away their goals and dreams and that is what this is doing. So, thank you, Mr. President, and, ladies and gentlemen, I hope that - you know, I hear all the good things about equal rights and I believe in equal rights and I really think that that's what we want. We all want that. I want that for everybody here. It's not that we don't want to - I just want to make sure my daughter or my granddaughter will reach those dreams just like everybody else. I think that we're going be taking the girl's dreams away. Thank you.

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

Senator **CARNEY:** Thank you, Mr. President. Thank you for allowing me to speak a second time. I want to refocus our discussion on the issue before us. The issue before us is whether we are willing to let the voters of Maine, the people whose lives are affected every day by the language in our Constitution, to decide whether our Constitution will contain an Equal Rights Amendment. I want to focus on the current language of the Constitution which when it was enacted and until 1987 actually read 'all men are born equally free and independent and have certain natural inherent and unalienable rights.' What we're deciding today is something different. We're deciding whether we will send to the voters of Maine a Constitutional Amendment that doesn't speak to inherent rights but speaks to actual rights. What are the rights that we are entitled to under the law? So, the language that is before us, and that I think we should send to the voters, speaks to rights under the law. It reads 'equality of rights under the law may not be denied or abridged by the state or any political subdivision of the state based on the sex of an individual.' That's very different than a statement about inherent rights that, at the time it was made, did not apply to women. I ask my colleagues to support the pending motion even if you disagree with it because the real issue is what do the people of Maine want. What will voters cast their ballots in favor of? Will they cast their ballots in favor of equality for women in Maine? I hope so but, again, it's not my decision or your decision. My decision today is whether I'm going to put that matter to the people of our state and trust in their decision. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President. I, too, appreciate your indulgence for allowing me to speak a second time and I just want to say, briefly, to correct the record that 13 is not half of 35, so we are not yet half of this Body as women and the other thing I would point out is, in spite of Title IX and its importance in making opportunities for sports available to women, the Women's World Cup soccer team only recently got a court order that corrects the fact that they were earning \$4 million to the men's \$38 million in their sport and that, to me, is also not equal. So, again, I would just urge all of my colleagues to stand for equality, to really show that you believe that all people, men and women, deserve equal rights under the law and pass this amendment. 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 (#562)

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

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

22 Senators having voted in the affirmative and 12 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**.

Resolution **READ ONCE**.

Committee Amendment "A" (H-764) **READ** and **ADOPTED**, in concurrence.

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

---

Senate

Ought to Pass

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board"  
S.P. 598 L.D. 1743

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

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

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

Sent down for concurrence.

---

**Ought to Pass As Amended**

Senator **RAFFERTY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Reestablish the Task Force To Study the Creation of a Comprehensive Career and Technical Education System (EMERGENCY)

S.P. 267 L.D. 680

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-418)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-418) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator **BRENNER** for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Ensure That Building Codes Allow the Installation and Use of Products and Equipment That Use Certain Federally Regulated Refrigerants"

S.P. 680 L.D. 1940

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-421)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-421) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator **SANBORN** for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Clarify the Appeals Process for Decisions Related to the Maine Health Insurance Marketplace"

S.P. 655 L.D. 1837

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-420)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-420) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator **MIRAMANT** for the Committee on **MARINE RESOURCES** on Bill "An Act To Ensure Compliance with the Interstate Fishery Management Plan for American Lobster"

S.P. 597 L.D. 1742

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-422)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-422) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator **HICKMAN** for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Make Permanent the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91"

S.P. 609 L.D. 1751

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-419)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-419) **READ** and **ADOPTED**.

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

Sent down for concurrence.

**ENACTORS**

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

**Resolve**

Resolve, To Create the Commission To Examine Reestablishing Parole

H.P. 610 L.D. 842  
(H "A" H-736; H "C" H-754  
to C "A" H-717)

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

---

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

---

Senate at Ease.

The Senate was called to order by the President.

---

Off Record Remarks

---

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

**SENATE PAPERS**

Bill "An Act To Update the Designation of Vietnam War Remembrance Day" (EMERGENCY)  
S.P. 718 L.D. 2000

Presented by Senator HICKMAN of Kennebec.  
Cosponsored by Representative KINNEY of Knox and Senator: FARRIN of Somerset, Representative: CALAZZO of Scarborough.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

On motion by Senator BALDACCIO of Penobscot, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Ordered sent down forthwith for concurrence.

---

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

**SENATE PAPERS**

Bill "An Act To Fund and Support the Veterans Homes in Caribou and Machias and Require Legislative Approval for the Establishment and Closure of Veterans Homes"  
S.P. 719 L.D. 2001

Presented by President JACKSON of Aroostook.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator HICKMAN of Kennebec, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

---

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

**PAPERS FROM THE HOUSE**

**House Papers**

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023" (EMERGENCY)

H.P. 1483 L.D. 1996

Comes from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator DIAMOND of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

**Pursuant to Public Law  
Joint Standing Committee on Labor and Housing**

The **Joint Standing Committee on Labor and Housing**, pursuant to Public Law, chapter 405, section 1, subsection 6 asked leave to report that the accompanying Bill "An Act To Implement Certain Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security"  
H.P. 1484 L.D. 1997

Be **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218.

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



**REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

## ORDERS

### Joint Resolution

Joint Resolution in Memoriam:

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

The Honorable Donna Doore, of Augusta, a member of the Maine House of Representatives, who represented House District #85. Representative Doore worked for the State of Maine for most of her career and served as a union steward. She was elected to the Augusta School Board for 3 terms and the Augusta City Council representing Ward 2 for 3 terms. She also served her community as a volunteer little league coach and with the MaineGeneral Auxiliary. Elected to 4 terms as a Representative, she was a member of the 127th, 128th, 129th and 130th Legislatures and served on the Joint Standing Committees on State and Local Government, Labor and Housing, and Labor, Commerce, Research and Economic Development. She was an advocate for workers' rights and livable wages, affordable education and health care for all Maine people. Representative Doore will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

SLS 694

Sponsored by Senator **POULIOT** of Kennebec.  
Cosponsored by Senators: **BAILEY** of York, **BALDACCI** of Penobscot, **BENNETT** of Oxford, **BLACK** of Franklin, **BREEN** of Cumberland, **BRENNER** of Cumberland, **CARNEY** of Cumberland, **CHIPMAN** of Cumberland, **CLAXTON** of Androscoggin, **CURRY** of Waldo, **CYRWAY** of Kennebec, **DAUGHTRY** of Cumberland, **DAVIS** of Piscataquis, **DESCHAMBAULT** of York, **DIAMOND** of Cumberland, **DILL** of Penobscot, **FARRIN** of Somerset, **GUERIN** of Penobscot, **HICKMAN** of Kennebec, President **JACKSON** of Aroostook, **KEIM** of Oxford, **LAWRENCE** of York, **LIBBY** of Androscoggin, **MAXMIN** of Lincoln, **MIRAMANT** of Knox, **MOORE** of Washington, **RAFFERTY** of York, **ROSEN** of Hancock, **SANBORN** of Cumberland, **STEWART** of Aroostook, **TIMBERLAKE** of Androscoggin, **VITELLI** of Sagadahoc, **WOODSOME** of York, Representatives: **ALLEY** of Beals, **ANDREWS** of Paris, **ARATA** of New Gloucester, **ARFORD** of Brunswick, **AUSTIN** of Gray, **BABBIDGE** of Kennebunk, **BELL** of Yarmouth, **BERNARD** of Caribou, **BERRY** of Bowdoinham, **BICKFORD** of Auburn, **BLIER** of Buxton, **BLUME** of York, **BOYLE** of Gorham, **BRADSTREET** of Vassalboro, **BRENNAN** of Portland, **BROOKS** of Lewiston, **BRYANT** of Windham, **CAIAZZO** of Scarborough, **CARDONE** of Bangor, **CARLOW** of Buxton, **CARMICHAEL** of Greenbush, **CEBRA** of Naples, **CLOUTIER** of Lewiston, **COLLAMORE** of Pittsfield, **COLLINGS** of Portland,

**CONNOR** of Lewiston, **COPELAND** of Saco, **COREY** of Windham, **COSTAIN** of Plymouth, **CRAFTS** of Newcastle, **CRAVEN** of Lewiston, **CROCKETT** of Portland, **CUDDY** of Winterport, **DILLINGHAM** of Oxford, **DODGE** of Belfast, **DOLLOFF** of Milton Township, **DOUDERA** of Camden, **DOWNES** of Bucksport, **DRINKWATER** of Milford, **DUCHARME** of Madison, **DUNPHY** of Old Town, **EVANGELOS** of Friendship, **EVANS** of Dover-Foxcroft, **FAULKINGHAM** of Winter Harbor, **FAY** of Raymond, Speaker **FECTEAU** of Biddeford, **FOSTER** of Dexter, **GEIGER** of Rockland, **GERE** of Kennebunkport, **GIFFORD** of Lincoln, **GRAMLICH** of Old Orchard Beach, **GREENWOOD** of Wales, **GRIFFIN** of Levant, **GRIGNON** of Athens, **GROHOSKI** of Ellsworth, **HAGGAN** of Hampden, **HALL** of Wilton, **HANLEY** of Pittston, **HARNETT** of Gardiner, **HARRINGTON** of Sanford, **HASENFUS** of Readfield, **HEAD** of Bethel, **HEPLER** of Woolwich, **HUTCHINS** of Penobscot, **HYMANSON** of York, **JAVNER** of Chester, **KESSLER** of South Portland, **KINNEY** of Knox, **KRYZAK** of Acton, **LANDRY** of Farmington, **LaROCHELLE** of Augusta, **LEMELIN** of Chelsea, **LIBBY** of Auburn, **LOOKNER** of Portland, **LYFORD** of Eddington, **LYMAN** of Livermore Falls, **MADIGAN** of Waterville, **MARTIN** of Eagle Lake, **MARTIN** of Sinclair, **MARTIN** of Greene, **MASON** of Lisbon, **MATHIESON** of Kittery, **MATLACK** of St. George, **McCREA** of Fort Fairfield, **McCREIGHT** of Harpswell, **McDONALD** of Stonington, **MELARAGNO** of Auburn, **MEYER** of Eliot, **MILLETT** of Waterford, **MILLETT** of Cape Elizabeth, **MORALES** of South Portland, **MORIARTY** of Cumberland, **MORRIS** of Turner, **NADEAU** of Winslow, **NEWELL** of the Passamaquoddy Tribe, **NEWMAN** of Belgrade, **O'CONNELL** of Brewer, **O'CONNOR** of Berwick, **O'NEIL** of Saco, **ORDWAY** of Standish, **OSHER** of Orono, **PARRY** of Arundel, **PAULHUS** of Bath, **PEBWORTH** of Blue Hill, **PERKINS** of Oakland, **PERRY** of Calais, **PERRY** of Bangor, **PICKETT** of Dixfield, **PIERCE** of Falmouth, **PLUECKER** of Warren, **POIRIER** of Skowhegan, **PRESCOTT** of Waterboro, **QUINT** of Hodgdon, **RECKITT** of South Portland, **RIELLY** of Westbrook, **RISEMAN** of Harrison, **ROBERTS** of South Berwick, **ROCHE** of Wells, **ROEDER** of Bangor, **RUDNICKI** of Fairfield, **SACHS** of Freeport, **SALISBURY** of Westbrook, **SAMPSON** of Alfred, **SHARPE** of Durham, **SHEEHAN** of Biddeford, **SKOLFIELD** of Weld, **STANLEY** of Medway, **STEARNS** of Guilford, **STETKIS** of Canaan, **STOVER** of Boothbay, **SUPICA** of Bangor, **SYLVESTER** of Portland, **TALBOT ROSS** of Portland, **TEPLER** of Topsham, **TERRY** of Gorham, **THERIAULT** of China, **THORNE** of Carmel, **TUCKER** of Brunswick, **TUELL** of East Machias, **UNDERWOOD** of Presque Isle, **WADSWORTH** of Hiram, **WARREN** of Hallowell, **WARREN** of Scarborough, **WHITE** of Waterville, **WHITE** of Mars Hill, **WILLIAMS** of Bar Harbor, **WOOD** of Portland, **ZAGER** of Portland, **ZEIGLER** of Montville.

The Joint Resolution was **READ**.

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

Senator **POULIOT:** Mr. President, men and women of the Senate, cancer sucks. Donna Doore was a warrior who fought and sadly lost her battle with cancer, taken from us all too soon. But Donna left us with many great things. Leading her community in multiple capacities over decades, Donna was not one to shy away from the call to serve and she did so right up until her last day on this temporary place that we call home. While many people in her circumstance, battling this terrible disease, would

have taken a pass, Donna did not and in doing so she leaves a legacy and example for us all to strive toward, a legacy of service above self. I will miss Donna and her infectious smile. Thank you, Mr. President.

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

Senator **MIRAMANT:** Thank you, Mr. President. Colleagues in the Senate and family of our wonderful former-Representative Doore, Donna was so amazing as a colleague and mentor but what I liked was going to events with her that dealt with labor, that folks that she worked with knew that she represented them. She brought a smile to their face. She brought enthusiasm and energy to the room. It was just a treat and the annual event that I used to see her at outside of here was in my district in Rockport so I got to introduce her to a lot of people and they still speak about that really infectious, energetic woman they would meet and she kept that even as she struggled with cancer. She kept her wit and humor and her great cooking skills when she brought the dish of American Chop Suey. It's one she liked to share with us all. Oh, so good. One day she said, 'I have to go. I have to go but I don't want you to miss this,' so I trailed her out to the car eating some of it on the way just to be able to try it. After that I was hooked and she brought it for me again. But in all those ways, she liked everybody, she didn't pass all my bills but it didn't matter. When I walked into the committee room there she was, 'Dave,' and it was such a treat and I'm going to miss her a lot here for the short time I have left but the memory of her I'll take with me. That will never change and I just am grateful that her family shared her with us, everyone, not just us here in the Senate, in the Legislature, but all around the state. We'll miss her.

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

Senator **CARNEY:** Thank you, Mr. President. I, too, rise to speak to the amazing colleague that we lost. Representative Doore was one of three self-described Golden Girls on the Labor and Housing Committee when I served in the 129<sup>th</sup> and I hear some laughter and it is true, that was a sitcom and Representative Doore kept us laughing through all of the intense work that we did on the committee. But she was also golden in a different way. She was golden in mind and spirit. Her steadfast support for workers was remarkable. She also helped the committee see legislation from the worker's perspective. She worked tirelessly on behalf of the committee and, in fact, I would describe her as the first - or as the initiator of the hybrid meeting format because when she was unable to be with us because of her medical reasons she would listen to the committee from home and let committee members know her thoughts on bills and also questions to ask by sending us emails and texts. She never wavered in her dedication to the work of this Legislature. I would also just note that I think she was most golden in her treatment of her colleagues and the non-partisan staff of the Legislature. She respected us, treated us with kindness, and brought a smile to our faces every single day.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to rise in honor my late friend, Donna Doore. She was an incredible champion for other state workers and an incredible champion for labor. But, most importantly, she was just pure, utter radiance. She could be ferocious, firm, and friendly all at the same time. She is quite possibly one of the warmest people that I've ever met in my life and, you know, as the good Representative from Augusta said, you know, cancer does suck. It still doesn't feel real that she's gone. She was one of those presences that could fill a room in the most wonderful way and she could make every one feel heard and felt like they just belonged just with a smile. She also had this way when we was in caucus. I remember she would do this thing with her hands, almost like she was directing us all to feel joy with her. So, my charge to all of us as we leave today, and I try to do this every day, it's hard, you know, our jobs are really, really difficult. We carry the weight of our, you know, selves, our lives, our committees, our regions on our backs. So, I think my charge to all of us is to remember to be present in the moment and try to just take one 30 second maybe of the joy that Donna carried in her life and it will make all of our days a heck of a lot better. I'm going to miss her a lot.

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

Senator **HICKMAN:** Thank you, Mr. President. Donna had a heart bigger than Texas, a big and abiding love for public service and the working people, and a reverence for life that compelled her to smile and laugh loudly through health challenge after health challenge after health challenge. She would always whisper in my ear 'it's back.' I served three terms with her in the House and I never forget when my Mother died she stopped me in the middle of the House and she hugged me and she said, 'Welcome to the club' and she always checked in with me as I sorted out that grief. She was very close friends with a neighbor of mine and so she'd drive her convertible down the road, past the farm stand, and always stopped to hang out with me when she saw me there. One day we sat and I guess she didn't know it was what it was but I let her know that my husband was dealing also with a new diagnosis of cancer and she immediately went and found him and took a walk and that was a great resource for him and she checked in with him as well all the time. So, we both miss her very much. We know she fought as long as she could and cancer sucks. I wish her family the best in their grief and I know that she's got a lot of people who love her and so we miss her and know she's dancing with the angels now. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

---

**RECESSED** until the sound of the bell.

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

---

Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1487

**JOINT RESOLUTION  
RECOGNIZING THE ACHIEVEMENTS AND  
CONTRIBUTIONS OF ASHLEY BRYAN**

WHEREAS, Ashley Frederick Bryan, born in Harlem in New York City in 1923, the 2nd oldest of 6 children of immigrant parents from Antigua, a renowned author and illustrator and a resident of the State of Maine for over 60 years, died on February 4, 2022 at 98 years of age; and

WHEREAS, while a student at Cooper Union in New York City in 1942, Mr. Bryan was drafted to serve in a segregated battalion of the United States Army, with which he participated in the D-Day invasion, landing at Omaha Beach, and documented his experiences through writing and art; he told this important and inspiring story in 2019 in his celebrated memoir "Infinite Hope: A Black Artist's Journey from World War II to Peace"; and

WHEREAS, Mr. Bryan later studied art around the world and went on to a long teaching career at Queens College, Philadelphia College of Art, Lafayette College and Dartmouth College, but in the summer of 1946, he visited Maine for the first time as a student and, upon viewing the mountains of Mount Desert Island and the Cranberry Isles, decided this was where he wanted to live; and

WHEREAS, after coming to live on Little Cranberry Island, Mr. Bryan enriched the lives of island residents, visitors and schoolchildren in Maine and around the world with over 50 books, including "Beautiful Blackbird" and "Freedom Over Me," which were a force for bringing people of color and issues of racial diversity into children's literature and for introducing children of all backgrounds to African American poetry and folktales; and

WHEREAS, a child of the Great Depression who let nothing go to waste, Mr. Bryan used debris washed up on the shores of the Cranberry Isles to create puppets and stained-glass windows that have been displayed in museums around the country and are now on permanent display in the Ashley Bryan Storyteller Pavilion in Islesford on Little Cranberry Island; and

WHEREAS, Mr. Bryan illuminated the African American experience and cultural heritage through his art, for which he has been recognized by universities and institutions internationally and which paved the way for African American writers and illustrators, creating opportunities for greater diversity in the world of children's literature; and

WHEREAS, Mr. Bryan received the Coretta Scott King-Virginia Hamilton Lifetime Achievement Award, the Laura Ingalls Wilder Award, several Coretta Scott King Awards and a Newbery Honor, as well as many other recognitions, including the renaming of the Islesford school as the Ashley Bryan School in celebration of his love of children and commitment to education, and in September 2021, the Farnsworth Art Museum announced

Mr. Bryan as the recipient of the 2022 Maine in America Award, which recognized outstanding contributions to Maine's role in American art and is the museum's highest honor; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the Second Regular Session, take this occasion to recognize the achievements and contributions of Ashley Bryan and to offer his family and friends our condolences upon his passing.

Comes from the House, **READ** and **ADOPTED**.

The Joint Resolution was **READ**.

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

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, I rise to speak briefly in memory and in the honor of Ashley Bryan whom I had the privilege of knowing in several different capacities. My father, who is an English professor, was responsible for bringing Ashley to Lafayette College, where he taught a class in Black American poetry, which I was privileged to participate in, and it was Ashley who really brought poetry to life for me and showed me that poetry is music, that it's an art form that is meant to be heard, that it is a spoken oral tradition with great impact when delivered and that it plays an incredibly important role in Black American life and experience. In addition to that gift that he gave me, I also had the opportunity several years, many years, later of visiting him with my parents and my 5-year old son at his home, his island home, here in Maine. What I remember of that visit are two incredible images. One is that in addition to being an artist, a story teller, and an author, he was also a collector of toys and his room was just - his house was full of antique toys of all kinds and, as the mother of a 5-year old, I was a bit nervous to be in such a treasure-trove of toys that my son, obviously, was drawn to. But Ashley was incredibly generous and kind and guided my son to the ones that he was allowed to play with and away from those that were so precious that he should definitely not touch them. So, that's one image that I just am grateful for. The other was, it was summertime, and as we approached his house with the wheelbarrow with our overnight bags in it, which is an island tradition, we came to his garden and it was full of summer flowers of all colors, bright, cheerful. In the middle of his garden was this easel and the painting that he was working on that was just as bright, just as colorful, and live and vibrant as the flowers in his garden were. It was just a delight to see. So, I want to just leave you all with this little piece from one his many books. It's the Ashley Bryan's ABC of African American Poetry. We all know about the ABC books. This is his version where he borrows from poets and includes his art in illustrating it. I'll just share with you one of the letters, the letter F, in which he writes, 'There are words like freedom, sweet and wonderful to say. On my heartstrings freedom sings all day, every day,' and these are the words of the poet Langston Hughes, which he took to illustrate the letter F and I'll be happy to show you the image at a later time. As my father said in giving me this book, we've been happier knowing him. Thank you, Mr. President.

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

---

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Require Civil Rights Officers at Law Enforcement Agencies"

H.P. 1486 L.D. 1999

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

On motion by Senator **DESCHAMBAULT** of York, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

---

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

**PAPERS FROM THE HOUSE**

**Pursuant to Statute**

**Joint Standing Committee on State and Local Government**

The **Joint Standing Committee on State and Local Government**, pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2 asked leave to report that the accompanying Bill "An Act To Eliminate Inactive Boards and Commissions"

H.P. 1488 L.D. 2002

Be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed pursuant to Joint Rule 218, in concurrence.

---

Off Record Remarks

---

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, until the Call of the President of the Senate and the Speaker of the House in memory of and lasting tribute to Nan Heald of Portland and the Honorable Donna Doore of Augusta.