

MAINE STATE LEGISLATURE

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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

STATE OF MAINE
130TH LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE

In Senate Chamber
Tuesday
March 29, 2022

March 29, 2022

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

Senate called to order by President Pro Tem David R. Miramant of Knox County.

Dear Secretary Grant,

Prayer by Reverend Lara Campbell of First Parish Unitarian Universalist Church of Kennebunk.

Pursuant to my authority under Senate Rule 201.3, please be advised that I appoint the Senator from Knox County, Senator David Miramant, to serve as President Pro Tem to convene the Senate on Tuesday, March 29, 2022.

Please let me know if you have any questions.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

REVEREND CAMPBELL: Good morning. First of all, I want to thank Senator Deschambault, wherever you are, for the invitation to be with you this morning. The world that we live in is constantly in motion and we are continually inundated with the voices and opinions of others. To lead with integrity, we must also make space for stillness and for the quiet to hear our own voice and truth with clarity and so I invite you in to a moment of quiet now and to join me in the spirit of prayer and reflection. May we hold fast to the hopes and the dreams of those we serve, knowing that we are all connected and understanding that the wellbeing of one impacts the wellbeing of many. May we use the gifts that we have been given responsibly, speaking our truth with love and respect and listening with an open mind and heart. May we be patient and forgiving of ourselves and others, realizing that mistakes are inevitable and perfection is impossible. May we choose to invest our time, resources, and goodwill into acts that nurture justice, equity, compassion, and peace, striving to bring healing rather than harm to all living beings and our planet. May we put aside our individual differences and desires for personal gain, reaching across barriers, physical and psychological, to ensure that the work is done. Spirit of love and life, God of many names, help us all to lend a hand, to light the way, to build beloved community, both here and at home. Let us be guided by a universal love as we go about the challenging and rewarding work that we are called to. Let us give thanks on this day and every day. Blessed be and amen.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Amend the Enforcement Provisions of the Law Governing Earned Paid Leave (EMERGENCY)
H.P. 1356 L.D. 1823
(C "A" H-780)

In Senate, March 22, 2022, on motion by Senator **DAUGHTRY** of Cumberland, 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-780)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-780) AND HOUSE AMENDMENT "A" (H-831)**, in **NON-CONCURRENCE**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **RECEDED** and **CONCURRED**.

Pledge of Allegiance led by Senator Benjamin M. Chipman of Cumberland County.

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

Reading of the Journal of Thursday, March 24, 2022.

REPORTS OF COMMITTEES

Off Record Remarks

Senate

The Following Communication: S.C. 1212

Ought to Pass As Amended

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-468)**.

Report **READ**.

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

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just wanted to rise and say quickly that I think it's fitting that today is the national Vietnam Veterans Remembrance Day. This bill is designed to try and help the Caribou and Machias nursing home and, quite literally, all of them and so I think we'll have another discussion about this later on in the week, but I definitely wanted to let the veterans that live in these homes, and certainly the workers too, let them know that the Maine Legislature's trying to do everything we can to save these facilities and keep them up and running and make sure that people know they'll have a home and that they'll have a place to work in those homes and that's basically all I wanted to say for now, Mr. President. Thank you very much.

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-468) **READ**.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "A" (S-473) to Committee Amendment "A" (S-468) **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Knox, I'm going to upgrade everyone. You're all Senators from Knox now. The Chair recognizes the Senator from Kennebec, Senator Hickman.

Senator **HICKMAN:** Thank you, Mr. President. I just briefly want to let everyone know that the amendment in front of you replaces section 9 of the Committee Amendment with a process for notification and closure that the committee voted unanimously to include in the bill. There was a little bit of miscommunication after the language review and so what ended up in the printed Committee Amendment wasn't what we voted on. So, this amendment replaces it with what we voted on. Thank you, Mr. President.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "A" (S-473) to Committee Amendment "A" (S-468) **ADOPTED**.

Committee Amendment "A" (S-468) as Amended by Senate Amendment "A" (S-473) thereto, **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-468) AS AMENDED BY SENATE AMENDMENT "A" (S-473) thereto.

Ordered sent down forthwith for concurrence.

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

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

Luke Briggs, of Augusta, a senior at Cony High School and a player on the boys basketball team, who recently scored his 1,000th career point. We extend our congratulations and best wishes;

SLS 840

Sponsored by Senator **POULIOT** of Kennebec. Cosponsored by Representatives: **BRADSTREET** of Vassalboro, **LaROCHELLE** of Augusta.

The Joint Order was **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Knox, Senator Pouliot.

Senator **POULIOT:** Thank you, Mr. President Pro Tem. While Knox is a beautiful place, I will still hold firm to representing the people of Kennebec. Good morning, Mr. President Pro Tem, ladies and gentlemen of the Senate, it is my honor and privilege to have Luke Briggs, a senior at Cony High School, with us here today. Scoring 1,000 points in basketball is no easy feat, I can't even dribble and run at the same time, and it shows the hard work and dedication that Luke has put in. He was the captain of his team, a semi-finalist for Mr. Basketball, first team all KVAC, and played in the Senior McDonald's All Star Game. The good news doesn't end there. Luke will be continuing to play basketball at Southern Maine Community College next year and will work to help the Sea Wolves defend their national title. This is a huge win for Maine and I only wish more students would stay here in Maine and take the opportunity to attend one of our exemplary post-secondary educational institutions. This is truly a win-win for all of us. Again, congratulations, Luke, and best wishes on continued success. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the Chamber Luke Briggs; his parents, Darrell and Marybeth; and coach T.J. Maines of Augusta. They are the guests today of the Senator from Kennebec, Senator Pouliot. Would the guests please rise and accept the greetings of the Maine Senate.

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

COMMUNICATIONS

The Following Communication: S.C. 1190

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

March 21, 2022

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Appointment of Perry A. Ellsworth of Strong to the Maine Land Use Planning Commission

Dear President Jackson:

I am nominating Perry A. Ellsworth of Strong for appointment to the Maine Land Use Planning Commission.

Pursuant to Title 12 MRSA § 683-A, this Appointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Agriculture, Conservation and Forestry

Thank you.
Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1191

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

March 21, 2022

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Appointment of Frederick A. Onion of Wayne to the Finance Authority of Maine

Dear President Jackson:

I am nominating Frederick A. Onion of Wayne for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

Thank you.
Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1192

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

March 21, 2022

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: State Workforce Board

Dear President Jackson:

Pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of Tracey Cooley of Pittsfield for reappointment to the State Workforce Board at the request of the nominee.

This nomination is currently pending before the Joint Standing Committee on Labor and Housing

Thank you for your assistance in this matter.
Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1210

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

March 24, 2022

EXCUSED: Senators: MOORE, TIMBERLAKE

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Noel Bonam** of Portland for appointment as a Commissioner of the Maine State Housing Authority was **CONFIRMED**.

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

Off Record Remarks

The Following Communication: S.C. 1199

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Luann Ballesteros of Glenburn, for reappointment to the State Workforce Board.

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

YEAS	Senators	3	Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec
	Representatives	8	Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Gere, T. of Kennebunkport, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor, Warren, S. of Scarborough
NAYS		0	

ABSENT 2 Rep. Drinkwater, G. of
Milford, Rep. Prescott, D. of
Waterboro

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Luann Ballesteros of Glenburn, for reappointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Chair noted the absence of the Senator from Lincoln, Senator **MAXMIN**, and the Senator from Penobscot, Senator **BALDACCI**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#638)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN,
BRENNER, CARNEY, CHIPMAN, CLAXTON,
CURRY, CYRWAY, DAUGHTRY, DAVIS,
DESCHAMBAULT, DIAMOND, DILL, FARRIN,
GUERIN, HICKMAN, JACKSON, KEIM,
LAWRENCE, LIBBY, POULIOT, RAFFERTY,
ROSEN, SANBORN, STEWART, VITELLI,
WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE,
TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Luann Ballesteros** of Glenburn for reappointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1200

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Aileen Huang-Saad of Falmouth, for appointment to the State Workforce Board.

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

YEAS	Senators	3	Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec
	Representatives	6	Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Pebworth, S. of Blue Hill, Roeder, A. of Bangor, Warren, S. of Scarborough
NAYS		0	
ABSENT		4	Rep. Drinkwater, G. of Milford, Rep. Gere, T. of Kennebunkport, Rep. Morris, J. of Turner, Rep. Prescott, D. of Waterboro

Nine members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Aileen Huang-Saad of Falmouth, for appointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#639)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, JACKSON, KEIM, LAWRENCE, LIBBY, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, VITELLI, WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE, TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Aileen Huang-Saad** of Falmouth for appointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1201

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Guy Langevin of Scarborough, for reappointment to the State Workforce Board.

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

YEAS	Senators	3	Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec
	Representatives	8	Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Gere, T. of Kennebunkport, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor, Warren, S. of Scarborough

NAYS 0

ABSENT 2 Rep. Drinkwater, G. of
Milford, Rep. Prescott, D. of
Waterboro

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Guy Langevin of Scarborough, for reappointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#640)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN,
BRENNER, CARNEY, CHIPMAN, CLAXTON,
CURRY, CYRWAY, DAUGHTRY, DAVIS,
DESCHAMBAULT, DIAMOND, DILL, FARRIN,
GUERIN, HICKMAN, JACKSON, KEIM,
LAWRENCE, LIBBY, POULIOT, RAFFERTY,
ROSEN, SANBORN, STEWART, VITELLI,
WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE,
TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Guy Langevin** of Scarborough for reappointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1202

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Gordon McAleer of Rockport, for appointment to the State Workforce Board.

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

YEAS Senators 3 Daughtry, M. of Cumberland,
Guerin, S. of Penobscot,
Hickman, C. of Kennebec

Representatives 6 Sylvester, M. of Portland,
Bradstreet, D. of Vassalboro,
Cuddy, S. of Winterport,
Pebworth, S. of Blue Hill,
Roeder, A. of Bangor,
Warren, S. of Scarborough

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Gordon McAleer** of Rockport for appointment to the State Workforce Board was **CONFIRMED**.

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

NAYS 0

ABSENT 4 Rep. Drinkwater, G. of
Milford, Rep. Gere, T. of
Kennebunkport, Rep. Morris,
J. of Turner, Rep. Prescott,
D. of Waterboro

The Following Communication: S.C. 1203

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Christopher S. Morley of Dedham, for appointment to the State Workforce Board.

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

YEAS Senators 2 Daughtry, M. of Cumberland,
Guerin, S. of Penobscot

Representatives 6 Sylvester, M. of Portland,
Bradstreet, D. of Vassalboro,
Cuddy, S. of Winterport,
Pebworth, S. of Blue Hill,
Roeder, A. of Bangor,
Warren, S. of Scarborough

NAYS 0

ABSENT 5 Sen. Hickman, C. of
Kennebec, Rep. Drinkwater,
G. of Milford, Rep. Gere, T. of
Kennebunkport, Rep. Morris,
J. of Turner, Rep. Prescott,
D. of Waterboro

Nine members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Gordon McAleer of Rockport, for appointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#641)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN,
BRENNER, CARNEY, CHIPMAN, CLAXTON,
CURRY, CYRWAY, DAUGHTRY, DAVIS,
DESCHAMBAULT, DIAMOND, DILL, FARRIN,
GUERIN, HICKMAN, JACKSON, KEIM,
LAWRENCE, LIBBY, POULIOT, RAFFERTY,
ROSEN, SANBORN, STEWART, VITELLI,
WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE,
TIMBERLAKE

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Christopher S. Morley of Dedham, for appointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#642)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, JACKSON, KEIM, LAWRENCE, LIBBY, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, VITELLI, WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE, TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Christopher S. Morley** of Dedham for appointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1204

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Jennifer O'Leary of Brunswick, for appointment to the State Workforce Board.

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

YEAS	Senators	3	Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec
	Representatives	8	Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Gere, T. of Kennebunkport, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor, Warren, S. of Scarborough
NAYS		0	
ABSENT		2	Rep. Drinkwater, G. of Milford, Rep. Prescott, D. of Waterboro

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Jennifer O'Leary of Brunswick, for appointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#643)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, JACKSON, KEIM, LAWRENCE, LIBBY, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, VITELLI, WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE, TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jennifer O'Leary** of Brunswick for appointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1205

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of John L. Patrick of Rumford, for reappointment to the State Workforce Board.

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

YEAS Senators 3 Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec

Representatives 7 Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor, Warren, S. of Scarborough

NAYS 0

ABSENT 3 Rep. Drinkwater, G. of Milford, Rep. Gere, T. of Kennebunkport, Rep. Prescott, D. of Waterboro

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of John L. Patrick of Rumford, for reappointment to the State Workforce Board be confirmed.

Signed,

S/Mathea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#644)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, JACKSON, KEIM, LAWRENCE, LIBBY, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, VITELLI, WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE, TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John L. Patrick** of Rumford for reappointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1206

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Grant Provost of Brunswick, for reappointment to the State Workforce Board.

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

YEAS	Senators	3	Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec
	Representatives	7	Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Gere, T. of Kennebunkport, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor
NAYS		0	
ABSENT		3	Rep. Drinkwater, G. of Milford, Rep. Prescott, D. of Waterboro, Rep. Warren, S. of Scarborough

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Grant Provost of Brunswick, for reappointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#645)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN,
BRENNER, CARNEY, CHIPMAN, CLAXTON,
CURRY, CYRWAY, DAUGHTRY, DAVIS,
DESCHAMBAULT, DIAMOND, DILL, FARRIN,
GUERIN, HICKMAN, JACKSON, KEIM,
LAWRENCE, LIBBY, POULIOT, RAFFERTY,
ROSEN, SANBORN, STEWART, VITELLI,
WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE,
TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Grant Provost** of Brunswick for reappointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1207

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Jason Shedlock of South Portland, for reappointment to the State Workforce Board.

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

YEAS	Senators	3	Daughtry, M. of Cumberland, Guerin, S. of Penobscot, Hickman, C. of Kennebec
	Representatives	8	Sylvester, M. of Portland, Bradstreet, D. of Vassalboro, Cuddy, S. of Winterport, Drinkwater, G. of Milford, Gere, T. of Kennebunkport, Morris, J. of Turner, Pebworth, S. of Blue Hill, Roeder, A. of Bangor

NAYS 0

ABSENT 2 Rep. Prescott, D. of Waterboro, Rep. Warren, S. of Scarborough

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Jason Shedlock of South Portland, for reappointment to the State Workforce Board be confirmed.

Signed,

S/Matthea Elisabeth Larsen Daughtry
Senate Chair

S/Mike A. Sylvester
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#646)

YEAS: Senators: None

NAYS: Senators: BAILEY, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, JACKSON, KEIM, LAWRENCE, LIBBY, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, VITELLI, WOODSOME, PRESIDENT PRO TEM MIRAMANT

EXCUSED: Senators: BALDACCI, MAXMIN, MOORE, TIMBERLAKE

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 4 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jason Shedlock** of South Portland for reappointment to the State Workforce Board was **CONFIRMED**.

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

The Following Communication: S.C. 1208

**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING**

March 23, 2022

The Honorable Troy Dale Jackson
President of the Senate of Maine
130th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Robin Wood of West Gardiner, for appointment to the State Workforce Board.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding the Reapportionment of the Knox County Budget Committee Districts" (EMERGENCY)
H.P. 1491 L.D. 2005

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.

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Dignity for Women in Correctional Facilities"
H.P. 1276 L.D. 1721

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

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

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

Bill **READ ONCE**.

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

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Restore Funding to the State's Tobacco Prevention and Control Program" (EMERGENCY)
H.P. 1378 L.D. 1868

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

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

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

Bill **READ ONCE**.

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

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

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act Related to Hunting Dogs and Civil Trespass"
H.P. 1454 L.D. 1951

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

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

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

Bill **READ ONCE**.

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

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

The Committee on **TRANSPORTATION** on Bill "An Act Allowing Electric-powered School Buses To Have Distinctively Colored Bumpers, Wheels and Rub Rails"
H.P. 1476 L.D. 1990

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

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

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

Bill **READ ONCE**.

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

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

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

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

The Senate was called to order by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Balance Renewable Energy Development with Natural and Working Lands Conservation"

H.P. 624 L.D. 856

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

Signed:

Senators:

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

Representatives:

- O'NEIL of Saco
- BERNARD of Caribou
- HALL of Wilton
- LANDRY of Farmington
- McCREA of Fort Fairfield
- OSHER of Orono
- PLUECKER of Warren
- SKOLFIELD of Weld

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

Signed:

Representative:

- UNDERWOOD of Presque Isle

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-826)**.

Reports **READ**.

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

Bill **READ ONCE**.

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

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

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters"

H.P. 1114 L.D. 1504

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-810)**.

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-810)**.

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-810) **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 **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Implement Agency Recommendations Relating to Sea Level Rise and Climate Resilience Provided Pursuant to Resolve 2021, Chapter 67"
H.P. 1465 L.D. 1970

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

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
BOYLE of Gorham
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
TUELL of East Machias

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-825)**.

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-825) **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 **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, Regarding Legislative Review of Chapter 180: Appliance Efficiency Standards, a Late-filed Major Substantive Rule of the Department of Environmental Protection's Bureau of Air Quality (EMERGENCY)
H.P. 1507 L.D. 2026

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

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
BOYLE of Gorham
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
TUELL of East Machias

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

Reports **READ**.

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

Resolve **READ ONCE**.

On motion by Senator **BRENNER** of Cumberland, Senate Amendment "A" (S-472) **READ** and **ADOPTED**.

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

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 (#648)

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

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

EXCUSED: Senator: MOORE

24 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-472)**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Resolve, Changing the Identifying and Reporting Responsibilities and Extending the Reporting Deadline for the Identification of Places in the State with Offensive Names

H.P. 1444 L.D. 1934

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 Resolve **PASSED TO BE ENGROSSED**.

Reports **READ**.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, 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 Public Records Exceptions Related to Research and Aquaculture Leases"

H.P. 1467 L.D. 1972

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

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
HAGGAN of Hampden
LIBBY of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
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:

Representative:

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**.

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

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

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Address the Economic Impact of Federal Closures on Maine's Fixed Gear Fishing Industry" (EMERGENCY) H.P. 1405 L.D. 1898

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

Signed:

Senators:

MIRAMANT of Knox
MAXMIN of Lincoln

Representatives:

McCREIGHT of Harpswell
BLUME of York
CRAFTS of Newcastle
FAULKINGHAM of Winter Harbor
HEPLER of Woolwich
McDONALD of Stonington
STANLEY of Medway
THORNE of Carmel

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

Signed:

Representatives:

ALLEY of Beals
HUTCHINS of Penobscot

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-828)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-828) **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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Promote Equity in Policy Making by Enhancing the State's Ability To Collect, Analyze and Apply Data"

H.P. 1199 L.D. 1610

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-829)**.

Signed:

Senators:

BALDACCI of Penobscot
ROSEN of Hancock

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
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:

Representatives:

DOWNES of Bucksport
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 Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-829)**.

Reports **READ**.

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

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

Senator **BALDACCI:** Thank you, Mr. President. L.D. 1610 will help ensure that Maine has smarter data and analysis capabilities to support equitable policies, public access, and engagement. The major elements of the bill are providing the public and Maine leaders with a better understanding of our population and how it is changing over time by adding State demographic analyst positions to the State Economist Office. It will provide oversight of data collection standards, which will be improved with additional positions in the Secretary of State's Office and the Permanent Commission on the Status of Racial, Indigenous, and Tribal Populations. It will set up standards for how data is collected, stored, and accessed by establishing a State data

governance program. L.D. 1610 is an important first step towards better and smarter data collection. Achieving equity requires intentional action informed by accurate data, research, and analysis. Collecting and tracking more and better information about Maine communities will lead to better policy decisions. It will give lawmakers a full picture of how proposed laws will impact different racial groups. We need better data of our populations in Maine today. L.D. 1610 builds demographic analysis capacity in an office that uses and shares data from all across Maine state government. Maine does not have enough demographic analysis to meet the demands of modern governing. The State Economist's Office currently has a staff of two, which is not sufficient for it to fulfill its role of collecting and publishing demographic data for policy makers and the public. The hope, the desire, and objective of this bill is to make sure that, as a State government, we include, that we consider, that we respect everyone in our state in how policies will affect all Maine citizens. Thank you, Mr. President.

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 (#649)

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, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senator: MOORE

21 Senators having voted in the affirmative and 12 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, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-829) **READ** and **ADOPTED**, in concurrence.

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

Senate
Ought to Pass As Amended

Senator DESCHAMBAULT for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish the Safe Homes Program"

S.P. 660 L.D. 1861

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-461)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-461) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Expand Nursing Education Programs"

S.P. 634 L.D. 1807

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-469)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-469) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Support Improvements in Child Protective Services"

S.P. 605 L.D. 1853

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-458)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-458) **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 Regarding Pet Insurance"

S.P. 186 L.D. 482

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-460)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-460) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BALDACCI for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow the Annexation of Certain Lands by Columbia Falls"

S.P. 725 L.D. 2011

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-465)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-465) **READ** and **ADOPTED**.

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

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

Senator **BALDACCI:** Mr. President, thank you very much. I just wanted to let people know - and this is a bill that was unanimous and bipartisan support in State and Local Government. Senator Moore was the chief sponsor. I wanted people to know it is an exciting new project for Washington County. There are 2,500 acres that are being donated by the Worcester family to Columbia Falls and it's part of a larger fundraising effort to establish a veteran's recreational and educational park in Washington County. I wanted to speak on it because I felt it was very positive and the community effort that's been done in Washington County. It's really inspiring. So, I want you all to keep your eyes on Columbia Falls and I think this is a great project for the state of Maine and for veterans. Thank you.

PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Rulemaking and Pricing under the Bureau of Alcoholic Beverages and Lottery Operations"

S.P. 668 L.D. 1906

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-463)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-463) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Enact the Maine Psilocybin Services Act"

S.P. 496 L.D. 1582

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

Signed:

Senator:

MOORE of Washington

Representatives:

MEYER of Eliot
CONNOR of Lewiston
CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea
PERRY of Calais
STOVER of Boothbay

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-464)**.

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MADIGAN of Waterville
ZAGER of Portland

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Address Staffing Shortages in Critical Public Safety Jobs through Economic Incentives" S.P. 623 L.D. 1785

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-466)**.

Signed:

Senator:
CYRWAY of Kennebec

Representatives:
ROBERTS of South Berwick
ANDREWS of Paris
AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield
DUCHARME of Madison
GEIGER of Rockland
HASENFUS of Readfield
LaROCHELLE of Augusta
PEBWORTH of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-467)**.

Signed:

Senators:
CURRY of Waldo
RAFFERTY of York

Reports **READ**.

Senator **CURRY** of Waldo moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-467)** Report.

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

Senator **CURRY:** Thank you, Mr. President. Thank you, members of the Senate. L.D. 1785, I wish to speak briefly about, is a rather simple bill. We are facing a crisis, a critical shortage in workforce in law enforcement, firefighters, EMS, corrections, and the related dispatch. This bill proposes to do something rather simple. It's to allow for student loan repayment at the end of a year of service. This is - the goal of this is to attract more folks and to retain more folks. So, the basics of it, some eligible person in one of these fields, signs up with FAME Maine, who will

develop this program, and at the end of a year \$3,000 in student loan debt is paid by FAME. This is to be repeated two more times for a total of \$9,000 in student loan debt repayment. This area, this sector, had an incredibly difficult time in the last two years. We have addressed other areas and this is an area that I think needs attention. I have had the pleasure of serving as a college and university academic advisor for over, I think at this point, 15 years at various universities and in various capacities. I have worked with folks in all of these sectors in higher education. It may have been a time when folks weren't getting into any loan debt to go into these fields but currently many do. I have EMTs that are going on for advance training and they're getting certificates or they're taking courses. I have folks in law enforcement, patrol, who are looking to get promoted and are taking criminal justice associates or certificate programs or bachelor's degrees. So, - and they sit there with this debt and it's very frustrating because these are often fields where folks can get that first job, they can get entry, and then they're starting to earn enough of an income that they're not PEL grant eligible anymore. So, when they are ready to go back there's no state funding. It's all on their own savings or it's all on their own debt and this is a way for us to invest in these essential fields and to support the folks doing this critical work for Maine. So, I request that you follow my light and press green. Thank you.

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 Pouliot.

Senator **POULIOT:** Thank you, Mr. President. I think I can probably speak for the whole caucus in saying that we absolutely support the need to address the public safety jobs that are out there. The reality is this Body has already passed an update and a much needed overhaul to what will now be called the Student Loan Repayment Credit. So, we've already passed this and it's in the supplemental budget. So, hopefully we can just get it across the finish line. Thank you, Mr. President.

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

Senator **BALDACCI:** Thank you, Mr. President. As the sponsor of the bill, I just wanted to say a few words and ask for your support. I worked with local law enforcement and local firefighters in developing this bill, as well as EMS. They are fully in support of this bill. If you review almost all of the states' student loan programs, I understand there are a few that are general, but none of them address law enforcement, firefighters, emergency medical services. This would be the only one of its kind for use in those fields. There are some limited programs. If there's injuries or deaths, but in terms of general promotion of education and debt relief, this would be the only one the state has. They're almost all geared to public health, appropriately, and human services, also appropriately, but it's also important - these people do extremely important jobs and serve our communities. They serve our communities through a pandemic. They save lives all the time and, from talking to them, this will be an important message from the Senate as well as an important economic message that those jobs are valued and that their work is

respected and that we're trying to attract and retain more people for these fields, which have critical shortages. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just wanted to say that I agree with all three of these Senators. I think that, you know, this is a good gesture and I also realize that Senator Pouliot said this is already being covered. Also, I just wanted to let you know that we wanted a study, you will see the bulk of us wanted a study, because there's a lot of other parts of this, moving parts that cause less law enforcement officers applying for the positions. Same thing with firefighters. It's just an ongoing problem because of the computer age, one thing. The other is, you know, we weaken a lot of laws so it makes it much more difficult for law enforcement officers to do their job and also the firefighters, there's much more challenges that go with it. That's why we needed the study more than we needed the money for education because it's already being dealt with and we also have the situation where law enforcement officers, in many of the departments, they get not only a stipend if they get hired, they also get 3% extra pay if they go to college, 5% if they get a bachelor's degree, and also a lot of the community colleges are looking at some type of journeyman type programs for corrections and law enforcement and firefighters. So, there's a lot of things that are happening but I think the study would really help get grasp on what we really need. So, that's why I can't go for the Majority Report. Thank you, Mr. President.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in support of the motion before us. I want to make sure that folks understand that the bill in front of us covers more than just the traditional two-year and four-year diploma. It also covers professional certification, other post-secondary endeavors, as well as certifications in credentialing. This is not a bill to create more laws for first responders, as the good Senator from Kennebec alluded. It's just another stab at the apple. We have other programs for other fields, such as healthcare professionals and doctors. We're looking at one for veterinarians, for example. So why wouldn't we be trying to also give, you know, a leg up to help these sectors. Our first responders should have help, making sure that we can get more people into these fields. I'm sure any of us can talk to our local law enforcement offices and hear that, you know, across the state they're really struggling to be able to recruit people to these positions. So, I just want to say that it's also an addition. It's not in place of what was formerly known, or soon to be formerly known, as the Maine Opportunity Tax Credit. It can be used in combination to get more people into the field. Thank you.

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

Senator **CLAXTON:** Thank you, Mr. President. May I pose a question to the Chair?

THE PRESIDENT: The Senator may proceed.

Senator **CLAXTON:** Can somebody give me an idea of what the balance is in the study fund for leg council for the current cycle?

THE PRESIDENT: The Senator from Androscoggin, Senator Claxton, has posed a question through the Chair for anyone that may answer. The Chair recognizes the Senator from Cumberland, Senator Daughtry.

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, while I do not know the exact figure, I do know it's roughly in the ballpark of around \$55,000. It's a good point, that's there's not a lot of room for studies and we already have quite a few, so taking immediate action on this by supporting the Minority Report will help the field right away. Thanks.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority Ought to Pass as Amended by Committee Amendment "B" (S-467) Report. Is the Senate ready for the question?

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#650)

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

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

EXCUSED: Senators: LAWRENCE, MOORE

21 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **CURRY** of Waldo to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-467)** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "B" (S-467) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-467)**, in concurrence.

Sent down for concurrence.

Off Record Remarks

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Amend the Finance Authority of Maine Act To Allow for Remote Meetings" (EMERGENCY)

S.P. 606 L.D. 1854

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

Signed:

Senators:

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

Representatives:

- HARNETT of Gardiner
- BABBIDGE of Kennebunk
- EVANGELOS of Friendship
- HAGGAN of Hampden
- 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:

- 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.)

Reports **READ.**

On motion by Senator **CARNEY** of Cumberland, the Majority **OUGHT TO PASS** Report **ACCEPTED.**

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Prioritize the Prosecution of Child Murder Cases"
S.P. 618 L.D. 1857

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

Signed:

Representatives:

- BABBIDGE of Kennebunk
- EVANGELOS of Friendship
- HAGGAN of Hampden
- LIBBY of Auburn
- MORIARTY of Cumberland
- POIRIER of Skowhegan
- 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-459).**

Signed:

Senators:

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

Representatives:

- HARNETT of Gardiner
- RECKITT of South Portland
- SHEEHAN of Biddeford

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

Reports **READ.**

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

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

Senator **DIAMOND:** Thank you, Mr. President. I rise in support of this motion and would ask for a roll call and to speak to my motion.

On motion by Senator **DIAMOND** of Cumberland, 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 Diamond.

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this is an act to prioritize the prosecution of child homicides. What's in the bill right now is unallocated language which directs the Attorney General to formally request through the Judiciary, request not a mandate,

request through the Judiciary that they prioritize the scheduling of these trials of child homicides.

Why do we need this? Last summer, July 14th, the Government Oversight Committee was holding a hearing right after the four deaths in June, averaging one a week. So, they were holding a hearing to see if they should do some investigating of OCFS and how that all happened. At that hearing the Deputy Attorney General stated that those murders, those homicides, in June, the month before, could be as much as two years before their trials are held. In three of those cases a parent was charged with depraved indifference murder or manslaughter. So, when I heard that and talk with other people, it seemed like we needed to do something about that, we should try to expedite those, those trials. Why? Because we learn at the trials what has happened, where the system failed. At those trials, we hear the things we don't hear because of confidentiality until it's made public and we hear those from the defense side, we hear it from the prosecutorial side, and we get a chance to evaluate. But those trials are a chance for us then to make some reforms. Without that the system continues on as it is. So, waiting two years is just about like putting reforms in those places where the system failed on hold.

Let me take you back and give you a few examples. Logan Marr, who you heard about a lot, 5-year old, 2001. We learned some things at that trial. The prosecutor there, Bill Stokes, did an excellent job of bringing out all sorts of things. How she was punished. How she was put in the basement by her foster mother who, by the way, was a caseworker before so had great connections with that Department of Human Services prior to becoming Health and Human Services. So, her punishment was to be really strict so this little girl would stop acting out. Put her in the basement a few inches from a concrete wall with a curtain behind her and then duct taped her to a highchair. Now, by learning that, we learned why didn't somebody at OCFS go in and investigate those happenings because the little girl, on video, the mother would visit with her on video, she would go in and she would say in the video 'I'm being hurt by my foster mother.' But nothing was done. Ethan Henderson, in 2012, was being abused terribly. He, at his daycare, the daycare workers talked to the Office of Child and Family Services and said 'You need to look at this case.' So, in the evening, the caseworker went in to the home to look at, you know, to see how bad he might have been but he was sleeping so the caseworker said 'I'll leave.' Two days later he was dead. But those were after repeated reports and we didn't learn that until the trial. Then Marissa Kennedy in 2018. We learned at that trial how she was abused. We also learned that the neighbors, the police, the school, all were notified and notified the Department. Nothing happened. There was one visit. When on trial, the caseworker said 'I visited,' but in the home the little girl passed out, by the way, while she was there but Julio Carillo, the stepfather, was so charming 'I couldn't imagine he would do anything wrong.' So, again, we learned a lot of people were sending out signals but the system broke down. Then Kendell Chick in 2017. She was taken from her mother who was having serious drug issues, given to her grandfather, who also had drug issues, and the grandfather's girlfriend, Shawna Gatto. Shawna Gatto would beat that little girl so bad but had anybody visited? As we learned in the trial, it went for months without visiting that child, that home. If anybody had visited and seen her, with the pictures we saw, then they would have pulled her out of that house immediately. So, we can't wait on these trials for two years.

The system is broken in many cases and we need to be able to get in. We need to have a trial that treats everybody fairly, the defense, the prosecution, but in all that trial procedure we learned things. I attended those trials and, I can tell you, you come out of there a different person because of what we found out, where the failures were. So, this bill is important to a lot of people. I talked to the AG, the Deputy AG, this summer. I talked with Superior Court Justice. He agreed that if the Legislature, in this unallocated language, expressed our wishes that they would prioritize child homicides, if it's possible, if it's appropriate, he said that would make a difference. So, we can make a difference with this bill.

We have other kids, other children, who were murdered. Their trials are waiting. Jaden Harding from Brewer, father's charged with manslaughter. Hailey Goding of Old Town, waiting for a trial. Maddox Williams, we knew about this one because Maddox's grandmother testified before two committees this spring about what happened. We know a little bit about how that system failed him, how the grandmother was taking care of him and, eventually, he was put back in with the mother. Sylus Melvin in August, from Milo, 6-month old little boy. His father's charged with murder. Karson Malloy of Oakland, mother is charged with murder. These trials, obviously, there's been a break in the system for them but we need to find out where it is and how we all can work together to make the reforms and make the changes.

We keep hearing from the bureaucracy that 'We're doing better, we're doing pretty good, we're doing better.' Really? 2021 we were at 25 deaths that they reported. For some reason they didn't report the deaths in June, August, and November, which brings it to 30 deaths, a record number. The reason is that it hadn't been processed, those most recent murders hadn't been processed. But the kids are dead, so they are kids who died in 2021. When we have the trial the media finds out what happened, the public finds out what happened, and, maybe most importantly, you find out what happened because you have the power and the ability to make changes. You have the legislative control.

We've done some things in today's calendar. We've strengthened the ombudsman program. We've instituted a review and a monitoring system of OCFS for the first time. We've been trying to do that since 2019 and every single time, you remember last year on L.D. 1263 was going to move OCFS from the Department and make it its own department. That was voted out of committee 12-1 Ought Not to Pass. This Senate passed that 22-12, which was really a turning point in all of this. All of a sudden the press, the public, the legislators took notice, so I thank you for that. But this is just one bill. We get the monitoring. We've got the ombudsman. This will be the third one. Don't forget, the National Commission on Missing and Exploited Children, the Sex Trafficking bill that goes with that. So, we have a chance to tie a ribbon around all of these four important bills and probably make this the most productive legislative session in 21 years when it comes to protecting children. So, thank you, Mr. President, and I would ask you all to support the motion.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority 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 (#651)

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

NAYS: Senators: None

EXCUSED: Senator: MOORE

33 Senators having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-459) **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:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Make Changes to the Laws Regarding Licensure of Certain Individuals from Other Jurisdictions"
H.P. 1517 L.D. 2035

Comes from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion by Senator **CURRY** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed, in concurrence.

**Pursuant to Statute
Revisor of Statutes**

The **Revisor of Statutes**, pursuant to the Maine Revised Statutes, Title 1, section 94 asked leave to report that the accompanying Bill "An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine" (EMERGENCY)
H.P. 1516 L.D. 2034

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**, and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

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

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Election Laws"
S.P. 647 L.D. 1830

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-462)**.

Signed:

Senators:
HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:
CAIAZZO of Scarborough
COREY of Windham
DOLLOFF of Milton Township
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
WOOD of Portland

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

Signed:

Senator:
FARRIN of Somerset

Representatives:
HARRINGTON of Sanford
KINNEY of Knox

Reports **READ**.

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

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

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, this bill was submitted by the Secretary of State to our committee, presented by our former colleague, the Honorable Louis Luchini from Hancock, and I was a proud co-sponsor. This bill promotes the principles of equity and inclusion and increases voter participation by allowing tribal members to use an already recognized form of identification in order to register to vote, which will improve access to our elections and to our government. It also recognizes the need to ensure that those living in congregate care settings do not lose their ability to participate in our democratic processes, even in the midst of a global pandemic. Finally, it creates swifter streamline processes to avoid unnecessary delays which supports the constitutional right of Maine people to engage in the Citizen Initiative process. Women and men of the Senate, Mr. President, please join me in voting to accept the committee's Majority Report. It is bipartisan, which we applaud. Thank you, Mr. President.

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 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 (#652)

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

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

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-462) **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:

Emergency Measure

An Act Related to Oversized All-terrain Vehicles
S.P. 640 L.D. 1813
(C "A" S-452)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with 1 Senator having voted in the negative, and 33 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 Fix Inconsistencies within the Sex Offender Registration and Notification Act of 2013
S.P. 689 L.D. 1953

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 33: Family Child Care Provider Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services

H.P. 1374 L.D. 1864
(C "A" H-783)

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

Emergency Resolve

Resolve, To Address Perfluoroalkyl and Polyfluoroalkyl Substances Pollution at State-owned Solid Waste Landfills

H.P. 1385 L.D. 1875
(C "A" H-802)

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

Emergency Resolve

Resolve, Directing the Department of Health and Human Services To Review the Requirements for Certification of Micropigmentation Practitioners

H.P. 1392 L.D. 1882

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education

H.P. 1440 L.D. 1931
(C "A" H-804)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education

H.P. 1441 L.D. 1932

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

Acts

An Act To Establish the Maine State Cemetery Preservation Commission

S.P. 167 L.D. 379
(C "A" S-450)

An Act To Require Dental Plan Medical Loss Ratio Reporting and Review

S.P. 417 L.D. 1266
(C "A" S-438)

An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns and To Make a Technical Change to the Campaign Finance Laws

S.P. 614 L.D. 1754
(C "A" S-439)

An Act To Make Technical Changes to Maine Tax Laws

H.P. 1308 L.D. 1757
(C "A" H-787)

An Act Regarding Access to Telehealth Behavioral Health Services during Public Health Emergencies

H.P. 1309 L.D. 1758

An Act To Amend the Inspection Requirement for Facilities for Children and Adults with a National Accreditation

H.P. 1312 L.D. 1761

An Act To Amend the Law Regarding Expiration of Disability Plates and Placards and Fees for Recycler Licenses

H.P. 1313 L.D. 1762

An Act To Support Child Care for Working Families

H.P. 1316 L.D. 1765

An Act To Align the Child and Family Services and Child Protection Act with Federal Law

H.P. 1320 L.D. 1769

An Act To Protect Election Integrity by Regulating Possession of Ballots and Voting Machines and Devices

H.P. 1330 L.D. 1779
(C "A" H-791)

An Act To Maintain Consistency among Maine's Nondiscrimination Statutes

S.P. 624 L.D. 1786
(C "A" S-444)

An Act To Amend the Requirements of the Reorganization Plan for the Formation of Regional School Units

H.P. 1343 L.D. 1802
(C "A" H-805)

An Act To Improve Student Access to Postsecondary School Transcripts and Diplomas

S.P. 656 L.D. 1838
(C "A" S-426)

An Act To Allow the Secretary of State To Use an Electronic Lien Titling Program for the Purposes of the Maine Motor Vehicle Certificate of Title and Antitheft Act

H.P. 1364 L.D. 1843
(C "A" H-798)

An Act To Increase the Availability of Assertive Community Treatment Services

H.P. 1369 L.D. 1848
(C "A" H-799)

An Act To Clarify Inspection Requirements for Hospitals and Certain Nursing Facilities

H.P. 1370 L.D. 1849
(C "A" H-794)

An Act Regarding the Maine School Safety Center

H.P. 1380 L.D. 1870
(C "A" H-790)

An Act Related to Airboats

H.P. 1383 L.D. 1873
(C "A" H-795)

An Act To Update the Setoffs against Lottery Winnings

H.P. 1393 L.D. 1883
(C "A" H-800)

An Act To Establish the Securities Restitution Assistance Fund for Victims of Securities Violations

H.P. 1397 L.D. 1887
(C "A" H-801)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2023

H.P. 1403 L.D. 1892
(C "A" H-797)

An Act Regarding the Use of a Student Athlete's Name, Image, Likeness or Autograph

S.P. 663 L.D. 1893
(C "A" S-427)

An Act To Amend Syringe Service Programs

H.P. 1415 L.D. 1909
(C "A" H-784)

An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities

H.P. 1420 L.D. 1914
(C "A" H-792)

An Act To Enact the Interstate Counseling Compact To Address Inequities in Access to Clinical Counseling Services and Increase Maine's Provider Workforce

H.P. 1427 L.D. 1920
(C "A" H-779)

An Act To Amend Certain Laws Pertaining to the Maine Public Employees Retirement System

H.P. 1430 L.D. 1922
(C "A" H-786)

An Act To Promote Electronic Filing of State Agency and Legislative Committee Publications

H.P. 1452 L.D. 1947

An Act To Amend the Caribou Utilities District Charter To Include Broadband Services

S.P. 686 L.D. 1949

An Act To Make Changes to the Laws Governing the Child Welfare Services Ombudsman Program

S.P. 698 L.D. 1960
(C "A" S-453)

An Act To Amend the Charter of the Gray Water District

S.P. 704 L.D. 1967

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

An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System

H.P. 393 L.D. 548
(C "A" H-785)

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

An Act To Improve the Educational Opportunity Tax Credit

S.P. 70 L.D. 798
(C "A" S-449)

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

An Act To Increase Campaign Finance Transparency and Accountability in Municipal Elections

H.P. 1229 L.D. 1658
(C "A" H-793)

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

An Act To Support Employees of the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center, Including the Riverview Psychiatric Center Outpatient Services Team and the Dorothea Dix Psychiatric Center Outpatient Services Team

H.P. 1333 L.D. 1792
(C "A" H-777)

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

An Act To Establish the Maine Emergency Medical Services Community Grant Program

S.P. 645 L.D. 1859
(C "A" S-446)

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

An Act To Continue Supporting Safe Drinking Water for Maine Families

H.P. 1401 L.D. 1891
(C "A" H-796)

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

An Act To Expand Access to Justice in Rural Maine through Legal Education

S.P. 679 L.D. 1924
(C "A" S-448)

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

An Act To Provide Assistance to Areas Severely Infested with Browntail Moths

H.P. 1436 L.D. 1929
(S "A" S-436 to C "A" H-772)

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

An Act To Establish and Fund the Maine Climate Corps Program Pursuant to Recommendations in the Report Required by Resolve 2021, Chapter 25

S.P. 706 L.D. 1974
(C "A" S-440)

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

An Act To Promote Home Ownership by Reducing Education Debt

S.P. 709 L.D. 1978
(C "A" S-437)

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

An Act Relating to the Valuation of Improved Real Property
H.P. 807 L.D. 1129
(C "A" H-788)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#653)

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

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

EXCUSED: Senator: CYRWAY

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

An Act To Allow Heating Fuel and Motor Vehicle Fuel Customers To Opt Out of Paper Delivery Tickets

S.P. 666 L.D. 1896
(C "A" S-451)

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 AS AMENDED BY COMMITTEE AMENDMENT "A" (S-451)**.

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (S-451).

On further motion by same Senator, Senate Amendment "A" (S-474) to Committee Amendment "A" (S-451) **READ.**

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this is, hopefully, a quick and very easy explanation. The Department approached me after we had passed this through the chambers with input from the Maine Energy Marketers Association. They wanted to specify that the way it would work is that a fuel delivery would have to have the equipment due to the fact that this can happen very quickly. It is literally just four sentences. Says 'Notwithstanding any other provision of the section, a vendor using a bulk sales delivery system equipped with the capability of issuing an electronic receipt, ticket, or other recorded representation for a bulk sale may give a purchaser the option to receive any information required under this section through electronic means such as a cellular telephone, a computer, or email in lieu of the paper delivery ticket. If the purchaser does opt to receive information electronically, the vendor shall obtain the purchaser's consent in writing, which may be through electronic means.' So, it still requires that there's a written agreement between the different entities and provides that if the folks delivering the heating oil have a truck that is equipped with the electronic delivery method that you may have that instead of having the paper ticket. So, once again, this is coming from the industry, it's coming from the folks who are delivering our heating oil, as well as worked on by the Department. Sorry to have a whole bunch of jargon but it's a good bill and I hope you'll support this.

On motion by Senator **DAUGHTRY** of Cumberland, Senate Amendment "A" (S-474) to Committee Amendment "A" (S-451) **ADOPTED.**

Committee Amendment "A" (S-451) as Amended by Senate Amendment "A" (S-474) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-451) AS AMENDED BY SENATE AMENDMENT "A" (S-474) thereto, in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

An Act To Update Certain Water Quality Standards and To Reclassify Certain Waters of the State

S.P. 690 L.D. 1964
(C "A" S-447)

On motion by Senator **BRENNER** of Cumberland, 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 Brenner.

Senator **BRENNER:** Thank you, Mr. President. Colleagues of the Senate, I rise today to speak in support of L.D. 1964 and take a moment to celebrate the historic landmark 50 years since the passage of the Clean Water Act. Before we celebrate where we are now, I'd like to take you back in time before our very own Senator Ed Muskie led the efforts to pass the Clean Water Act. Growing up in Rumford, Senator Muskie lived along the Androscoggin, which by that time had become one of the most polluted waterways in the country. Thick white foam covered the river. The stench was unbearable. Signs along the riverbanks read 'Do not swim.' Almost no fish or wildlife inhabited the river. The pollution of the Androscoggin and the other rivers in our state was what inspired Senator Muskie to pursue new environmental protection. He recognized that we needed to act. Now, 50 years after the Clean Water Act was first passed by Congress, I couldn't be more honored to stand here before you today as the chair of the Environment and Natural Resources Committee, celebrating the incredible progress we've made. This was a unanimous report out of committee.

Today, Maine has some of the highest quality water in the country. The classification of our rivers has moved steadily upward. In 1987, 12% of our rivers and streams were classified as C, our lowest class. Today just 1% of these waters remain at C. In that same year, 6% of our waters were classified as A or AA, our highest classes, and in 2022 this has increased to 53%. We don't need statistics to know that our waterways have improved. We can see it clearly with our own eye. Wherever you go in Maine you will find crystal clear rivers and streams where you can swim, fish, or just sit back to enjoy nature. Tourists flock from all over the country to enjoy our waterways. The Androscoggin River, which once inspired Senator Muskie to seek new environmental protections, now boasts clean waters, scenic views, and excellent fisheries. It brings folks to towns along the river and supports the local economies. This river is a shining example of our success story here in Maine. Today, we will vote on L.D. 1964 which will increase this river's water quality rating and it's truly a remarkable achievement.

We didn't get here without hard work. Many have contributed over the years to ensure that Mainers and tourists alike can appreciate the beauty of our waterways. I want to thank all those who have contributed over the years towards getting us to this place. I want to express a specific thank you to Brian Cavanaugh, the Director of the Bureau of Water Quality at the DEP. There is more work to be done to continue protecting our natural resources for all to enjoy but today is a perfect opportunity for all of us to take a step back and celebrate how far we've come. Thank you, Mr. President.

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

Senator **BENNETT:** Thank you, Mr. President. Occasionally in our work as legislators we have a chance to see how the few stitches of fabric that we work on fit into the tapestry of our state's and our nation's history. We have glimpses of this as we

consider the faces of the portraits in the rotunda, the battle banners in the Hall of Flags, the images that adorn the walls of this Chamber. Joshua Chamberlain, William Phips, John Neptune. Here today we have the chance to see how our actions in crafting statute on a daily basis fit into the story of one of the most important environmental initiatives of the last century. The Clean Water Act was enacted 50 years ago this October with strong bi-partisan supermajorities over the veto of then-President Nixon. Our duty under this act requires us here in the state every three years to consider improving water quality standards on our lakes, streams, and rivers. Now, back in 1972, U.S. legislators passed the Clean Water Act with a 10-year goal to make it safe for people to fish and swim in our nation's waters. Fifty years later the sad reality is that around half of all lakes and rivers across this great county that have been studied failed to meet that standard. According to a recent report by the Environmental Integrity Project fish are inedible, the water is undrinkable, and these waters are unsafe for humans to swim in and inhospitable to aquatic life 50%. Now, the Clean Water Act delivered a major win. It laid the groundwork for essential enforcement but there were failures. Most notably, legal loopholes continue to allow fertilizer run-off from farmland and manure run-off from factory farms. The pollutants, which are washed into watersheds, are considered now the top cause of water pollution in the U.S. The Environment Integrity Project analyzed water data gathered from states through the EPA. Here are some of their findings. Fifty percent of those rivers and stream miles were classified as impaired. Fifty-five percent of lake acreage were similarly classified. Twenty-five percent of the estuary square miles were too polluted to swim or fish in. Sixty-seven percent is the percentage of industry-specific water pollution standards yet to be updated. Even though updates are mandatory every five years, they've not been changed in 30. Seven hundred years, this is the time it would take to achieve full restoration of currently impaired waterbodies under the current case of remediation according to the EPA.

As the Senator from Cumberland, Senator Brenner, said, here in Maine we have a more encouraging story and a more encouraging history. The Federal Clean Water Act created a rigorous national framework of data collection, goal setting, and affluent limitations designed to meet specific water quality standards and uses. Here in Maine, we now have four classifications of rivers; AA, A, B, and C. Now at one time in Maine we had designations for rivers and streams of class D and even in the 1950s class E. These are waters recognized that have been severely affected by untreated discharges, significant urbanization. In the case of class D waters, it was a concern that they might not even be restorable at all. In fact, the 1950 proposal for class E rivers allowed these waters to sustain objectionable levels of odor, colors, scum, floating debris, sludge deposits, and turbidity and still be considered a public nuisance. In that time, the state expected class D waters, including the Little Androscoggin River, which is special to me as it flows from the headwaters of Lake Christopher and flows through my district, down through and joining the Androscoggin in New Auburn. Back then the State expected that river to have at least two parts per million of oxygen. Now, by most accounts, fish need at least three parts per million of oxygen to survive. We're doing much better here in Maine and this bill before us today shows us we are.

I'd like to just take you back a little bit beyond what the Senator from Cumberland did to the wee hours on October 18,

1972, when U.S. Senators and Representatives took the floor, one by one, to defy the President of the United States. The debate that night, and the months proceeding it, is a window into how dire conditions were on the nation's waters at that time and how wonderfully bi-partisan the movement for clean water was. President Nixon had vetoed the Clean Water Act around midnight the night before, saying in his veto message that at \$24 billion the act was just too expensive. That morning would decide whether Congress had the will and the votes to override the veto, whether the country would begin to resuscitate rivers, slick with oil or clogged with greaseballs as big as oranges or reeking of human waste. Only one-third of the nation's waters were safe at that time for fishing and swimming. The lead up to those morning hours hadn't been easy. The bill, which was to become the Clean Water Act, was stuck in conference committee for ten months until a compromise emerged at the beginning of October 1972. The bill ultimately passed the Senate in November of '71, a dramatically different version was passed in the House in 1972. It took forty meetings before the bill was voted out of conference. The conference version passed the House by a vote of 366 - 11 and the Senate unanimously passed it with 74 Senators voting yes. Senator Howard Baker, a Republican of Tennessee, said at the time, 'If we cannot swim in our lakes and rivers, if we cannot breathe the air God has given us, what other comforts can life offer us?' In the initial vote before the Senate on the bill Senator Ed Muskie said, 'Today the rivers of this country serve as little more than sewers to the sea. Waste from cities and towns, from farms and forest, from mining and manufacturing foul the streams, poison the estuaries, threaten the life of the ocean depths. The danger to health, the environmental damage, the economic loss can be anywhere,' and he pointed out from the Senate floor in Washington that, just a ten-minute walk from that Chamber, the Potomac River was a health hazard. The Georgetown gap in the District of Columbia sewer pipelines allowed 50 million gallons of raw sewerage to pour into the river every day. The morning after President Nixon's veto Senator Muskie reiterated the comments he had made when the Senate had first passed the act and he said, 'Can we afford clean water? Can we afford rivers and lakes and streams and oceans which continue to make life possible on this planet? Can we afford life itself? Those questions,' he said, 'were never asked as we destroy the waters of our nation and they deserve no answers as we finally move to restore and renew them.' So, only two hours after the President vetoed the act, the Senate voted 52-12 to override with 17 of the votes in favor coming from Republicans. The House then followed, voting 247-23 to override, more than 10-1 with 96 of the yes votes from Republicans.

Fellow Senators, in this 50th anniversary year of the Clean Water Act, while nationally we have a long way to go Maine has come far in our journey to attend to our precious waters and restore them to the magnificent asset that they are for our great state. 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 proud excitement to support enactment of this bill and I also rise, as stated by the good Senators who have spoken before me, on the impending 50 year anniversary of the Clean Water Act. I grew up on the other side of the Androscoggin, a little bit further down from Rumford, and I

grew up around stories of what the Androscoggin used to be like. I was born in March 1987 and I always feel like the river and I are intrinsically tied because there was quite the flood, for those who are around to remember it. I have no memory. I grew up on the stories. The pictures of the, you know, river rising, rising, rising in our community of Brunswick and Topsham. It almost hit the bottom of the Frank J. Wood bridge and was lapping at the foundations and the floors of the mills surrounding the area. You know, being raised on these stories and this mythology, the one thing I always took away was that everyone I talked to about that flood kept saying and remarking 'thank God for the Clean Water Act. It would have been a heck of a lot worse.' I always think about that. What would it have been like if that flood had happened in 1950 or when we had the class E water specification? You know, I grew up on stories of people saying in our community that they could smell the river while they were working in the mills. People were still scared to swim in the river while I was growing up. People talk about not wanting to eat the fish. All of that has changed. In my lifetime, in my 35 years, I have to say it's not the same river. It's not the river that Ed Muskie, you know, was inspired to take these actions. Now, through his actions and the actions of our legislature, I'm excited to say that every morning when I pass the Androscoggin River on my way up here there's a cleaner, more healthy, and wonderful body and it's because not only from all of us but the actions 50 years ago. Thank you.

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

Senator **CLAXTON:** Thank you, Mr. President. I just wanted to speak to some of the specifics I learned along the way in trying to get the river reclassified from Lewiston/Auburn south to Merrymeeting Bay as a class B river. We came close, as the river meets the standards but not the specifics of what has to happen to get the EPA to approve it, and so I was grateful that at least some portion of the river was reclassified to B and I count that as significant progress. One of the things I learned along the way, I moved to Auburn about 40 years ago and in spite of the river and not because of the river that I moved there. Since then it's been gratifying to watch the foam gradually disappear and the turbidity get better. So now when you wade in the river during clean up, as is done by the Androscoggin Land Trust every year, it's harder and harder to find junk in the river and stuff that shouldn't belong there. So it's been gratifying to see that. But in my work on a bill that was mercilessly killed in committee I noticed I talked to a lot of people along the way, all the way from Bethel and Gorham to the folks in Rumford and Lisbon and Auburn and Lewiston, and I was just amazed at the commitment, whether it was a town community, whether it was a recreational advocacy group, or whether it was a water treatment group, of their commitment to make the Androscoggin a healthier, safer, better river and I think I need to call out the Androscoggin River Watershed Council, the Friends of Merrymeeting Bay, the sewer treatment facilities in Rumford and Lisbon and Lewiston/Auburn. They were all instrumental in making, helping the river get from where it was to where it is now and they should be recognized, as should the folks in Bethel and Gorham who are trying to restart a mill and protect the river and promote our recreation. So, it's a time for celebration and recognition of the multiple different entities that contributed to our progress so far. Thank you, Mr. President.

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

Senator **MIRAMANT:** Thank you, Mr. President. Senate Colleagues, just as I know, this is a wonderful success story. I started kayaking on the white water rivers of Maine in 1974 when sometimes you had to share it with a town's sewerage. So, you wouldn't always know that. The section that you would go was a beautiful section and suddenly go by a town and be like 'this is not good.' Then things started to clean up. I also was a sales rep for a scientific supply company, so I went to all the treatment plants in Maine. So, I just want to leave, because I'm leaving soon, it with those of you aren't that when it rains hard and the water comes up, the water levels come up, those septic systems near the rivers don't work. Sewerage still flows into the rivers and, when we're done boating on days you don't know when it's going to hit, there will be sewerage in the river and you might be sick the next day. So, we need more work and the treatment plants haven't been addressed with enough money initially to build them. There was a ton of money. They were built right. They were operated properly and they deteriorated. So, you might want to look into that to continue celebrating clean water. We need to do more work and spend more money and I thank you for listening.

THE PRESIDENT: The pending question before the Senate is Enactment. Is the Senate ready for the question?

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#654)

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

NAYS: Senators: None

EXCUSED: Senator: FARRIN

33 Senators having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolves

Resolve, To Direct the Department of Agriculture, Conservation and Forestry To Develop Recommendations Regarding Nonwater-dependent Floating Structures on Maine's Waters
H.P. 462 L.D. 626
(C "A" H-803)

Resolve, Directing the Family Law Advisory Commission To Develop Options To Improve Preliminary Injunctions in Judicial Separation and Divorce Actions
S.P. 739 L.D. 2028

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

Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Evaluate Direct-to-consumer Wine and Spirits Sales
S.P. 444 L.D. 1358
(C "A" S-441)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**, in 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 (3/24/22) matter:

HOUSE REPORTS - from the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Update the Consumer Credit Laws Related to Legal Funding Practices"
H.P. 1455 L.D. 1956

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

Minority - **Ought to Pass** (3 members)

Tabled - March 24, 2022 by Senator **BRENNER** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, March 22, 2022, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

(In Senate, March 24, 2022, Reports **READ**.)

Senator **SANBORN** of Cumberland 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 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 bill was previously tabled on Thursday of last week, at which point you would have received a fact sheet on your desk, that's just a fact sheet on L.D. 1956 and it looked like this. If any of you were paying attention that day and dutifully stored it in your file, and I don't mean the trash bin under your desk, I mean your actual file, feel free to pull that back out and follow along with me today. But in case you didn't hold onto it, let me go through a few important points about this bill. First off, what is litigation financing? Litigation financing is a process whereby the litigation financier comes in and either gives the plaintiff money during the pendency of a case to live on and pay bill or whatever or a process whereby the litigation financier actually takes control of the litigation and pays all the costs of that litigation. In either instance, the fees and the interest are huge. In many instances these litigation financiers are actually bundling a number of cases together and then selling them to hedge funds. So, the plaintiff that's in need of support in this case isn't even dealing with the people that they signed the contract with but they are actually dealing with a multi-billion dollar hedge fund that has bought his or her case, along with others, as primarily an investment tool. One of the financiers that testified before our committee on HCIFS was Oasis Financial, which states on its website that it can get a plaintiff from \$500 to \$100,000 to live on or pay bills in 24 hours. Oasis Financial also testified before the committee that it wins 85% to 90% of the time and that its average interest charge amounts to 66%. That's outrageous. This is interest that's not disclosed up front. The Wall Street Journal recently penned an article called 'Law Suit Funding, Long Hidden in the Shadows, Faces Calls for More Sunlight.' L.D. 1956 provides that sunlight. In recent years, these large hedge funds have become involved in this business. Four of the major players alone have over \$2 billion invested in cases under litigation. What is happening now is that these litigation financing companies, at times, are taking over the entirety of the litigation and paying all the expenses and then taking a huge cut, usually 40% or more, of the proceeds. This is on top of the plaintiff's attorney fees, which is already charged by the attorney to the injured party. These financiers even want a plaintiff to give up his or her rights under their auto and health insurances so that the financier can control that as well. L.D. 1956 does not stop this process but rather what this bill does is require thorough disclosure. There's nothing wrong with increasing transparency.

Much has been made of the issue of whether these financing contracts should be disclosed to a defendant. First, remember that a defendant is a person, not an insurance company. Second, not every defendant even has an insurance company. Third, this process to even the playing field whereby defendants would have to disclose the existence of any insurance policies, the policy limits, and the policy terms, as is presently the case, these

litigation financing contracts are the flip side of that same coin so defendants are also treated fairly. Litigation financing legislation has been passed in Wisconsin and Virginia and is also under consideration in other states as well. In the final analysis, there has been some element of fairness and protection at least in the form of disclosure for people who are being charged 66%, I'll reiterate that number, Mr. President, 66% interest as an average amount on their litigation. This comes right out of the plaintiff's pocket. It's ironic that those supporting the Ought Not to Pass report are rejecting the idea that disclosing usurious insurance and that these companies should be allowed to hide what they are doing from the defendant. This is a problem here in Maine, Mr. President, and in fact the trial attorneys testified to this fact at the hearing. It's here and it deserves our attention. Thank you very much for your time and consideration of this important bill. Please reject this report so that we can move on to the Ought to Pass report. Thank you.

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

Senator **SANBORN:** Thank you, Mr. President. Mr. President, in committee this report was overwhelming bi-partisan in favor of the Ought Not to Pass report and our committee is very conscience about consumer protection. We have regulated - done good work on payroll lending and other financial instruments that exploit Mainers. Mr. President, this isn't a bill about consumer disclosure. This isn't a bill about protecting Mainers. We need to ask ourselves who brought this legislation forward. I don't mean which of our colleagues. I mean what interest brought this legislation forward and why. It's really very simple. The insurance companies brought this legislation forward. The insurance industry brought this legislation forward because one of the tactics of the insurance industry is to try to find out how financially vulnerable the plaintiffs are that they are trying to settle with. The more desperate a plaintiff is for cash to pay their medical bills, to pay for transportation, to replace their wages because they've been injured and are unable to work, or just to pay to keep food on the table and a house over their family's heads. The insurance company wants to know that information. They want to know the financial vulnerability of the person who is going to get a settlement because the more financially vulnerable that person is the lower that settlement can be, particularly if the insurance company can grind it out a little while. So, what litigation financiers do is they buffer some of that effect. They might make it possible for a better settlement to be on the table because that plaintiff is not in such financial dire straight. But here's the other thing. It's just not used very often in Maine. So, we actually have regulation of litigation financing in Maine. We were one of the first states to adopt it in the 1970's, I think, and we licensed these litigation finance companies and we heard from our Director of the Bureau of Consumer Credit Protection that the volume in Maine of this type of financing is incredibly low and that there have been no complaints against these licensed litigation financiers. So, what was the problem that this bill was really trying to solve? The problem was that the insurance defense companies couldn't find out exactly who had these litigation finance agreements and, therefore, it didn't have as much visibility as they would have liked into the dire financial straights that the plaintiffs that they're negotiating with might be in. Mr. President, this is not a consumer protection bill. If someone brought forward a consumer protection bill for us on this topic,

and there was a real problem we wanted to solve, we would dig in and we would work this bill and I guarantee it would be a great bill. But that's not what this bill is. This bill is meant to ensure that plaintiff's financial circumstances are disclosed to the insurance company so they can use them as leverage. That is not something we should stand for in this Chamber. Thank you, Mr. President.

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

Senator **STEWART:** Thank you very much, Mr. President. I appreciate you indulging me a second time. I want to reiterate something that my good colleague from Cumberland just said which is that these folks are in dire financial straights and along comes this financier that's affiliated with a hedge fund to give them, effectively, a bridge loan but at 66% interest. If that's not predatory I don't know what is, Mr. President. We're not saying do away with this process. In fact, there's a role that this process can certainly play and, indeed, does play in Maine. We're asking for the disclosure before the person who is, quoting my good friend from Cumberland, in dire straights before they agree to that loan. 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, so, I'm not trying to offend anyone. Just so that's up front. I was approached by a lobbyist to try to help out the car dealers and insurance companies to help their lawyers go after people who are charged up to 66% user interest. I do see a problem. We need a bill to stop people from charging user interest. That's what the MBNA company went after federally to try to make sure you could charge 30%, 40% on a credit card. They just undid it and went after all of us every time you turn around if you can't completely pay your bill. Anybody that charges that interest is criminal. Anybody trying to get us to support them. Maybe that will start to offend. So, thank you, Mr. President.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, may I pose a question to the Chair?

THE PRESIDENT: The Senator may proceed.

Senator **DAUGHTRY:** Thank you. I'm wondering if there's any other type of financing relating to litigation where the disclosure is required before proceedings?

THE PRESIDENT: The Senator from Cumberland, Senator Daughtry, has posed a question through the Chair for anyone who can answer. The Chair recognizes the Senator from Cumberland, Senator Sanborn.

Senator **SANBORN:** Thank you, Mr. President. I'm not going to directly answer the question but here's what I really want to make sure that my colleagues understand very precisely. The word 'disclosure' is being used in two different ways today. The

question of whether the consumer knows what they're signing is not at issue here. The question, the disclosure, that caused the insurance companies to bring this bill forward is that court ordered disclosure, automatic disclosure, from the plaintiff in a law suit to the attorneys representing the defendant and the defendant's insurance company of the plaintiff's contract with the finance company. That's the disclosure that was the impetus behind this bill. Not a disclosure to the person who needs the money. That is taken care of under our current regulations and under contract law, frankly, and under our fraud regulations. Those disclosures are already in place in Maine law and if they weren't we would hear consumer complaints. We'd hear attorney complaints from the Maine trial lawyers bar because they care about their clients. That's not what we heard. That's not the kind of disclosure behind this bill. The Maine trial lawyers have told me that this is not the right bill solving any sort of problem for their clients and their clients are really the ones that are at issue here, not the insurance company's clients and not the insurance companies. So, with response to my good friend from Cumberland's question about disclosure, no. The plaintiff's finances are not disclosed. Their mortgage contracts and lending contracts with whomever. If they take out a loan from the credit union. Not disclosed to the defendant because the defendant has no need to know the financial status of the plaintiff because the plaintiff doesn't owe the defendant money. The defendant owes the plaintiff money and that's why insurance contracts are disclosed but not litigation finance contracts. 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 Chair noted the absence of the Senator from Kennebec, Senator **HICKMAN**, and the Senator from Cumberland, Senator **CHIPMAN**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#655)

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

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

EXCUSED: Senators: CHIPMAN, FARRIN, HICKMAN

20 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **SANBORN** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow Municipalities To Use Ranked-choice Voting in Municipal Elections"
H.P. 627 L.D. 859

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-813)** (7 members)

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

Tabled - March 24, 2022 by Senator **BALDACCII** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, March 22, 2022, 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-813)**.)

(In Senate, March 24, 2022, Reports **READ**.)

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

Senator **BALDACCII**: Thank you, Mr. President. I would present Senate Amendment "A" with a filing number of S-456 to Committee Amendment "A".

THE PRESIDENT: The Senator will defer. We haven't actually moved the report. That's fine.

Senator **BALDACCII**: You want me to make a motion to move the report.

THE PRESIDENT: When the bill was tabled, Senator Baldacci, we didn't move either Ought to Pass or an Ought Not to Pass report. So I'm thinking you might want to move the Ought to Pass. It was a couple of days ago.

Senator **BALDACCII**: I take direction well.

Senator **BALDACCII** of Penobscot 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 Penobscot, Senator Baldacci.

ROLL CALL (#656)

Senator **BALDACCI**: Thank you, Mr. President. I just indicate the terms of what the anticipated amendment would be to replace some technical wording, but the bill is essentially the same as we discussed previously. Thank you, Mr. President.

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

Senator **BENNETT**: Thank you, Mr. President. Request permission to ask a question through the Chair.

THE PRESIDENT: The Senator may proceed.

Senator **BENNETT**: To anyone who may answer, I know some of the municipalities in Maine already have Ranked-Choice Voting in their elections. I'd like to know why this bill is required to begin with? Thank you.

THE PRESIDENT: The Senator from Oxford, Senator Bennett, has posed a question through the Chair to anyone that can answer. The Chair recognizes the Senator from Penobscot, Senator Baldacci.

Senator **BALDACCI**: Thank you, Mr. President. Senator Bennett, over 400 municipalities in the state are not allowed because they are not given home rule like some of the larger municipalities. So, we have to make a statutory change in order to allow all municipalities to have the option and this will actually apply to the over 400 very small municipalities in our state who can now have the option if we pass this bill to adopt Ranked-Choice Voting. So, they are subject to state statutory regulations. Thank you.

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

Senator **TIMBERLAKE**: Thank you, Mr. President. Just pose a question through the Chair, please.

THE PRESIDENT: The Senator may pose his question.

Senator **TIMBERLAKE**: Did I hear the good Senator from Bangor right, to say we were voting on something but the amendment wasn't on the floor at this time?

THE PRESIDENT: I think the Senator from Penobscot referred to an amendment that may be coming as a technical fix. 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.

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

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

EXCUSED: Senators: CHIPMAN, FARRIN, HICKMAN

18 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-813) **READ**.

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "A" (S-456) to Committee Amendment "A" (H-813) **READ** and **ADOPTED**.

Committee Amendment "A" (H-813) as Amended by Senate Amendment "A" (S-456) 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-813) AS AMENDED BY SENATE AMENDMENT "A" (S-456)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Thursday, March 31, 2022 at 10:00 in the morning.