

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**

In Senate Chamber
Monday
April 11, 2022

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

Prayer by Marcia Homstead of Lewiston.

MS. HOMSTEAD: Good morning. Please join me in the spirit of prayer. Heavenly Father, there have been times in these past two years of uncertainty, where many of us have found it difficult to be thankful for Your abundant blessings. Lord, we ask that You open our eyes to see and be thankful for the gifts You bestowed upon us and to open our hearts so that we may use those gifts to help those less fortunate. Your word tells us to clothe ourselves with compassion, kindness, humility, gentleness, and patience. We pray that You would give us the courage to live each day sharing Your word through our actions, seeking You first in all we do. We pray all of this in the name of Your son, Jesus Christ. Amen.

Pledge of Allegiance led by Senator Matthea E. Daughtry of Cumberland County.

Reading of the Journal of Thursday, April 7, 2022.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolve, To Implement Certain Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security (EMERGENCY)

H.P. 1484 L.D. 1997
(C "A" H-877)

In Senate, April 5, 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-877)**, in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877) AS AMENDED BY HOUSE AMENDMENT "A" (H-951)** thereto, in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act Regarding Access to Telehealth Behavioral Health Services during Public Health Emergencies
H.P. 1309 L.D. 1758

In Senate, March 29, 2022, **PASSED TO BE ENACTED**, in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1520.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-949)**, in **NON-CONCURRENCE**.

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

Joint Resolutions

The following Joint Resolution:

H.P. 1524

**JOINT RESOLUTION
RECOGNIZING APRIL 2, 2022 TO APRIL 8, 2022
AS THE WEEK OF THE YOUNG CHILD**

WHEREAS, the Maine Association for the Education of Young Children and the National Association for the Education of Young Children are celebrating the Week of the Young Child, April 2, 2022 to April 8, 2022; and

WHEREAS, these groups are committed to the healthy development of all young children in Maine through strengthening and building systems of equitable access to high-quality early childhood education; and

WHEREAS, children's cognitive, physical, social and emotional development and language and literacy development are built on a foundation of their positive interactions with adults, peers and their environment; and

WHEREAS, Maine's early childhood education workforce is vital to providing a nurturing and educational foundation of early care and learning experiences for young children; and

WHEREAS, seventy percent of children under 6 years of age in Maine have all available parents in the workforce; and

WHEREAS, access to high-quality child care is a necessity for many families in our community to participate in the workforce; and

WHEREAS, high-quality early childhood programs provide important benefits to children, families and state and national economies; and

WHEREAS, celebrating the Week of the Young Child enables the recognition and advancement of the early childhood education profession; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize April 2, 2022 to April 8, 2022 as the Week of the Young Child and encourage all residents to work to support and invest in early childhood in the State.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 1251

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

April 6, 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 Education and Cultural Affairs has had under consideration the nomination of Jane L. Gilbert of Augusta, for appointment to the Maine Community College System, Board of Trustees.

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	Rafferty, J. of York, Daughtry, M. of Cumberland, Woodsome, D. of York
	Representatives	7	Brennan, M. of Portland, Dodge, J. of Belfast, McCrea, D. of Fort Fairfield, Millett, R. of Cape Elizabeth, Roche, T. of Wells, Salisbury, S. of Westbrook, Stearns, P. of Guilford
NAYS		0	

ABSENT 3 Rep. Crockett, E. of Portland, Rep. Lyman, S. of Livermore Falls, Rep. Sampson, H. of Alfred

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 Jane L. Gilbert of Augusta, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Joseph E. Rafferty
Senate Chair

S/Michael F. Brennan
House Chair

READ and **ORDERED PLACED ON FILE**.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

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 (#715)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, LAWRENCE

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 **Jane L. Gilbert** of Augusta for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 1252

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

April 6, 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 Education and Cultural Affairs has had under consideration the nomination of Kate Rush of Newport, for appointment to the Maine Community College System, Board of Trustees.

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	Rafferty, J. of York, Daughtry, M. of Cumberland, Woodsome, D. of York
	Representatives	6	Brennan, M. of Portland, Dodge, J. of Belfast, McCrea, D. of Fort Fairfield, Millett, R. of Cape Elizabeth, Salisbury, S. of Westbrook, Stearns, P. of Guilford
NAYS		0	
ABSENT		4	Rep. Crockett, E. of Portland, Rep. Lyman, S. of Livermore Falls, Rep. Roche, T. of Wells, Rep. Sampson, H. of Alfred

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 Kate Rush of Newport, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Joseph E. Rafferty
Senate Chair

S/Michael F. Brennan
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 (#716)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, LAWRENCE

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 **Kate Rush** of Newport for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 1249

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

April 6, 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 Education and Cultural Affairs has had under consideration the nomination of Patrick S.A. Flood of Saco, for appointment to the University of Maine System, Board of Trustees.

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	Rafferty, J. of York, Daughtry, M. of Cumberland, Woodsome, D. of York
	Representatives	5	Brennan, M. of Portland, Dodge, J. of Belfast, McCrea, D. of Fort Fairfield, Salisbury, S. of Westbrook, Stearns, P. of Guilford
NAYS		0	
ABSENT		5	Rep. Crockett, E. of Portland, Rep. Lyman, S. of Livermore Falls, Rep. Millett, R. of Cape Elizabeth, Rep. Roche, T. of Wells, Rep. Sampson, H. of Alfred

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 Patrick S.A. Flood of Saco, for appointment to the University of Maine System, Board of Trustees be confirmed.

Signed,

S/Joseph E. Rafferty
Senate Chair

S/Michael F. Brennan
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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 (#717)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, LAWRENCE

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 **Patrick S.A. Flood** of Saco for appointment to the University of Maine System, Board of Trustees was **CONFIRMED**.

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

SENATE PAPERS

Bill "An Act To Allow the Assessor of the Cyr Plantation Board of Assessors To Facilitate the Election of Vacant Assessor Seats" (EMERGENCY)

S.P. 747 L.D. 2037

Presented by President JACKSON of Aroostook. (GOVERNOR'S BILL)

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

Under suspension of the rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Ordered sent down forthwith for concurrence.

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

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

Off Record Remarks

ORDERS

Joint Resolution

On motion by Senator **ROSEN** of Hancock (Cosponsored by Representative **TUELL** of East Machias and Senator: **BALDACCI** of Penobscot, Representatives: **BRYANT** of Windham, **COPELAND** of Saco, **DOWNES** of Bucksport, **GREENWOOD** of Wales, **MATLACK** of St. George) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 748

JOINT RESOLUTION

MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES HOUSE OF REPRESENTATIVES TO ENACT THE SUNSHINE PROTECTION ACT OF 2021

WE, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the United States House of Representatives, as follows:

WHEREAS, on March 15, 2022, the United States Senate passed by unanimous consent S. 623, the Sunshine Protection Act of 2021, which makes daylight saving time permanent; and

WHEREAS, the State of Maine, in 2019, enacted the Maine Revised Statutes, Title 1, section 151, adopting eastern daylight time year-round if federal law permits the observation of eastern daylight time year-round and the states in the eastern time zone and the District of Columbia also observe eastern daylight time year-round; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the United States House of Representatives pass, and the President of the United States sign, the Sunshine Protection Act of 2021; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, President of the United States; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

The Joint Resolution was **READ**.

On motion by Senator **DILL** of Penobscot, 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 Dill.

Senator **DILL**: Thank you, Mr. President. I will be brief. My concern about this is, we all like daylight saving time, etcetera, but in the middle of winter sunrise is very late in the morning and my concern is young children having to walk to school in the dark. I think this creates a real safety issue. So, I certainly will be opposing this. Thank you.

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

Senator **TIMBERLAKE**: Thank you, Mr. President. Ladies and gentlemen of the Senate, in order to show true bi-partisanship, I join Senator Dill in his concerns and it's very hard, as when you're running a farming operation too. The reason this was put in, I don't know how many, 100 years ago it was or whatever, it was done so that people could go to work in daylight in the morning and I'll be also opposing this bill and he has a better reason, for the safety of the children.

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

Senator **BENNETT**: Thank you, Mr. President. Fellow members of the Senate, you may recall that last year we - I had a bill in which was successfully passed by both Chambers to deal with the question of daylight savings time and, effectively, putting up permanently on Atlantic Time. That bill passed. It required, as the feds require us to do, if a state is - wants to consider changing its time zone or changing any aspect of that, we have to let them know why we want to do it and they require us to do a study. So, we passed the bill and that, I think, was a good indicator that the people of our state really would like to see this commonsense change in place. You know, I'm overwhelmed by the increasing numbers of people every time we set our clocks. I hear from everybody. Why do we bother changing our clocks for just four months of the year? Like these folks, I consider the practice anachronistic and lacking in commonsense. You know, if we're concerned about children walking to school in the morning, we can change the school hours. I mean, it's as simple as that. You know, we have power to actually, like, live with a clock that stays the same all year around. I think we have that ability. I have to say, though, that there's some really good reasons why setting our clocks on one time and keeping it there make a lot of sense. Changing the clocks twice a year has been documented through numerous studies to disrupt sleep schedules. We've suffered losses of work productivity. There's an increase in traffic accidents and it also contributes to depression and cardiovascular disease. These are documented studies. I think commonsense should prevail here. Let's take this to the feds and let's get on one time that we don't move every four months or so. Thank you very much, Mr. President.

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

Senator **CYRWAY**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I also grew up on a farm and I got up at 3 o'clock in the morning, so this would be a really long period of time with darkness. But also I believe the Medical Association really feels that this time that we're voting on is not the better time health wise and also it will cause more accidents and more risk to our children. So, I am opposed to this as well. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#718)

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DAVIS, DIAMOND, GUERIN, HICKMAN, LIBBY, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, VITELLI

NAYS: Senators: CLAXTON, CYRWAY, DESCHAMBAULT, DILL, FARRIN, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: KEIM, LAWRENCE

24 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 2 Senators being excused, the Joint Resolution was **ADOPTED**.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Prohibit Excessive Telephone, Video and Commissary Charges in Maine Jails and Prisons" (EMERGENCY)

H.P. 853 L.D. 1175

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-936)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-936)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-936) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Regarding Monitoring of and Reporting on Energy Use Data Standards and Online Energy Data Platforms

H.P. 1499 L.D. 2017

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-942)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-942)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-942) **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 Establish a Progressive Treatment Program Monitor" H.P. 1479 L.D. 1993

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-946)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-946)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-946) **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 **LABOR AND HOUSING** on Bill "An Act To Better House Maine Residents" H.P. 339 L.D. 463

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-954)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-954)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-954) **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 **TAXATION** on Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2022-23" (EMERGENCY)
H.P. 1473 L.D. 1987

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-941)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-941)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-941) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Require the Registration of Adjuvants in the State and To Regulate the Distribution of Pesticides with Perfluoroalkyl and Polyfluoroalkyl Substances"

H.P. 1501 L.D. 2019

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

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-930)**.

Signed:

Senator:

MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
OSHER of Orono

PLUECKER of Warren

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-930) AS AMENDED BY HOUSE AMENDMENT "A" (H-950)** thereto.

Reports **READ**.

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

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

Senator **MAXMIN:** Thank you, Mr. President. I rise in very strong opposition to the pending motion. If we move forward with this motion we are allowing deadly PFAS to be sprayed on our farms, poisoning our food, and poisoning our bodies. Many of us have been hearing from our constituents about the dangers of PFAS this session, with horrible stories arising of farmers and children and community members who have been poisoned by this forever chemical that persists in our soils and our bodies. By pursuing this motion, we are not allowing the state to be able to regulate these very dangerous chemicals and make sure that they are not being spread on our fields. This problem has arisen because the state allowed contaminated sludge to be spread on farms all across our state and if we do this we are continuing that legacy of allowing our state to poison our citizens and the land. I will be voting no. Thank you.

Senator **DAUGHTRY** of Cumberland requested a Division.

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

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

Senator **HICKMAN:** Thank you, Mr. President. I rise in opposition to the pending motion. Chemical weapons of warfare, that is what we are talking about here today. There's a book out that I read more than once. It was published a while ago. It's called Toxic Drift, Pesticides and Health in the Post WWI South. I'll tell you, Mr. President, why it's relevant. The book jacket says this, 'Following WWII chemical companies and agricultural experts promoted the use of synthetic chemicals as pesticides on weeds and insects. It was the,' the author points out, 'a convenient way for companies to apply their wartime research to the domestic market.' In Toxic Drift the author documents the particularly disastrous effects this campaign had on the South's public health and environment, exposing the careless mentality that allowed pesticide application to swerve out of control. The quest to destroy pests, the author contends, unfortunately out ran research on insect resistance, ignored environmental damage, and down-played the dangers of residue accumulation and threats to fish, wildlife, domestic animals, and humans. Using legal resources, archival records, newspapers, and Congressional hearings, the author constructs a moving, fact

filled, account of the use, abuse, and regulation of pesticides from WWII until 1970. If the author was alive, there are other authors who have written about it, but in 1974, four years after this study ended, glyphosate was introduced as another chemical weapon of warfare to our agricultural system. In 1946, post WWII, Dupont introduced Teflon to the world. The same PFAS we're talking about, what people really know as Teflon which is not just in pots and pans but, unfortunately, it's in 99% of the blood of the people, excuse me, blood around the world of all people, including 99% of Americans. So, now we have this bill addressing the painful reality of Teflon and pesticides together being use to grow the food that we consume. Why we did this to ourselves in this country will remain a mystery to me but this bill, as amended, which we can't talk about just yet, but if we don't take this Ought Not to Pass report there is a report that will require a different approach. We cannot continue to kill ourselves in the name of agriculture and I hope that the majority of this Body rejects this report out of hand. Thank you, Mr. President.

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

Senator **SANBORN:** Thank you, Mr. President. Mr. President, a lot of the work that we do in this Chamber isn't particularly historic and probably won't be remembered 30 years from now, but the work that we do this session on PFAS is the exception. Once we know better, we have to do better and it is the job of Legislators who have learned through some of these photos that are sitting on our desks of these farmers who have lost everything that PFAS is a contaminant that will destroy our farmland, will destroy our state, will make people sick, and will last for generations. In 1970s, once we learned that lead paint and leaded gasoline was poisoning our children, we acted to ban it and yet, 20 years later, the land around my home, my first home that I bought in Gorham, was contaminated with lead dust and my son's lead levels were elevated. Mr. President, it's absolutely critical that, as Legislators, when we know that PFAS is poisoning our state that we take every action available to us to stop the poisoning, to help the places that have been poisoned, and to ensure that our children and our greatgrandchildren aren't poisoned by this thing we now know is killing us. Please oppose the pending motion.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#719)

YEAS: Senators: BALDACCI, BLACK, CYRWAY, DAVIS, DIAMOND, DILL, FARRIN, GUERIN, MOORE, POULIOT, STEWART, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BAILEY, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, HICKMAN, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, ROSEN, SANBORN, VITELLI

EXCUSED: Senators: KEIM, LAWRENCE

14 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **DILL** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **FAILED**.

The motion before the Senate was **ACCEPTANCE** of the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

Senator **MAXMIN:** Thank you, Mr. President. I just wanted to speak quickly to this motion. As I was talking about before, PFAS has been linked to many bad things in our world: cancer, infertility, decreased immune response. It's incredibly important that we turn off the tap of PFAS contamination in our state. The BPC, the Bureau of Pesticide Control, they have identified 1,600 pesticides that have PFAS in them. This bill would affect two pesticides and one active ingredient. These pesticides would be banned in 2030 anyways, based on a bill that we passed last session, because of the packaging that they come in, the plastic packaging that poisons the pesticides with the PFAS. The two pesticides that would be affected by this bill, one has never been applied in Maine and the other has been in use in Maine since 2009 but has barely even been used on the state by farmers. These two pesticides were also highlighted because the EPA has said that they are the highest concern as they have two fully fluorinated carbons in them. So, this bill is really about making sure that the most toxic PFAS pesticides are not poisoning our land and our farmers. For the other 1,598 products that have PFAS in them, this bill ensures that BPC can assess and remove those products by 2030, or before if they need to because these products will be found to be very poisonous and dangerous to our land and our people. So, I just wanted to say that to ensure folks that this is a very good bill that will not have a large impact on farmers or take away the tools that we need in our state to grow health, good food for healthy, good people. Thank you.

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

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, the one thing I'm glad to learn today is everybody here knows more about this than what the scientists do. I just think that you're making a mistake but, then again, I thought we made a lot of mistakes this year and I think we're going to continue to make some. I think there's an over reaction to what we hear. We're talking about a very small number of chemicals that have a very important play in a lot of the farming industries in the state of Maine. There's a reason why some of us who live in the rural part of Maine, who see what this is going to do, are against it and I just want you to understand there's going to be an equation that people are going to ask why farmers continue to go away in this state and this is just one more stick

that takes away farming in the state and I just want you to be aware of that as you vote here today.

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

Senator **BRENNER:** Thank you, Mr. President. I'd just like to speak briefly in support of the pending motion. I am incredibly impressed by the work that the Legislature has done with regard to PFAS and how much bi-partisan support we've been able to achieve across the board, most notably with the bill that we will put on the table today to spend \$100 billion to support farmers with efforts to clean up, relocate, and retool their businesses so that they can keep going. I think it speaks volumes to the Legislature's willingness to support the agriculture sector. This bill, to me, just continues to follow the thread that we've already started to pull around turning the faucet off for PFAS being spread on our lands. I want to make sure that the Legislature has a really clear understanding of the health consequences of PFAS. The farmers that are mentioned in the article that was handed out to you all this morning, they have three times the level of PFAS in their blood than the factory workers at Dupont and 3M. Johanna Nordel's blood levels are lower than her husband's as a result of breastfeeding their 3-year old child. PFAS leaves our human bodies through breast milk and feces. Mr. President, I urge the Legislature to vote in favor of the pending motion and turn the faucet off. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Colleagues, I just want maybe away from fears of my colleague. The last I knew, it was tied between farmers and brewers for the fastest growing economic segment of our state. Organic farmers were leading that for quite a while. So, people are coming and starting organic farms. Something this gets in the way of when we spread poisons from our treatment plants on the land. But it also encourages me that some of the folks that have been spraying some really nasty stuff on foods like apples, which I think are at the top of the list for a bad poison, as pointed out to me by one of the chemical apple growers in my district when I went by and he said 'Don't get too close to those trees, I just sprayed them recently. That'll make you sick before you know it.' I said 'Well, how do you get rid of the stuff before people eat the apples?' He said 'It just goes away.' Magic. But we found out it doesn't just go away and that's why we need to take quick action to protect the people, the soil, and the air, everything. Last one, you get the same stories all the time. Everyone I work with, when they were spraying this stuff on fields out of the airport in Turner, that my colleague knows well, every one of them is dead now because it sloshed on them and they helped pour it and all that stuff. That's just the ones that were doing the flying. Individual farmers do this and they get the same problems. So, we could save a lot of people's lives. We could keep people healthy by getting rid of this. Thank you.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, this October will mark the 60th anniversary of the publishing of Silent Spring by Rachael Carson and, you know, Rachel Carson, 60 years ago, was writing about DDT, about this habit we have in our country of spreading chemicals, using chemicals, and asking questions later. It's sad that here we are 60 years later. It seems like every eight or ten years there's another chemical that we find out has been in rampant use in consumer goods and commercial goods and it turns out to be toxic. It turns out to have more ramifications than anybody understood at the time. We use our general population as Guinea pigs for all this stuff. There's something wrong with our system that allows big chemical companies to poison first and ask questions later. Here we are, good people of Maine, trying to find solutions with each other and we have to deal with this problem. It's forced upon all of us. We have to make difficult decisions, decisions about whether this is - whether we're going to continue to allow poisoning at some level because we're not sure what is safe, if any level is safe or not, and when and where. But we've got to stop poisoning. This bill doesn't take effect until 2030. There's a long time to adapt. My view is, representing a rural community, it's 13 rural towns in Western Maine, that if we're going to have a thriving natural resource-based economy we have to show, and do what Mainers have always done in this building, and show that we are leaders in protecting that environment and protecting public health. This is an opportunity to do that once again and I urge you to vote for the Minority report. Thank you.

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

Senator **HICKMAN:** Thank you, Mr. President. Farmers in Maine, small and large, farmers all over the world, small and large, have been growing healthy nutritious food without chemical weapons of warfare for centuries. Maine farmers are adaptable, resourceful, creative people. We will find a way. Thank you, Mr. President.

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 (#720)

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

NAYS: Senators: BLACK, CYRWAY, GUERIN, MOORE, POULIOT, STEWART, TIMBERLAKE, PRESIDENT JACKSON

EXCUSED: Senators: KEIM, LAWRENCE

24 Senators having voted in the affirmative and 8 Senators having voted in the negative, with 2 Senators being excused, the motion to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-930) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Make Certain Traffic Infractions Secondary Offenses"

H.P. 1094 L.D. 1479

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

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec
LAWRENCE of York

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-937)**.

Signed:

Representatives:

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

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

Reports **READ**.

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

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

Senator **DESCHAMBAULT:** Again, thank you. This might sound a little familiar. Last year we had a bill, L.D. 1479, An Act to Protect Maine Drivers from Pretextual Traffic Stops. You might recall that. It was heard in Criminal Justice and it passed both the House and Senate. The veto of the Governor - the Governor vetoed the bill and it was sustained. Now comes L.D. 1479, An Act to Make Certain Infractions Secondary Offenses. This bill focuses on Title 29A, motor vehicle laws, and was originally referred to Transportation. At the request of the Criminal Justice and Public Safety House co-chair and approved by the Committee, the bill was re-referenced to Criminal Justice. I want to have you remember that a - that the amendment is on Secondary Motor Vehicle Offenses and these are laws that's now in our statute and this is the one - these are the ones that are going to be problematic if we can't act on this. For a law enforcement officer, there would be no penalty if that was the only 'offense' for operating after suspension, for non-payment of a fine, failing to register a vehicle if the vehicle was registered and the registration had been expired for 150 days, operating a defective vehicle if the inspection certificate had expired beyond 7 months. So, conceivably, if an officer saw that and it expired about a year ago, that means it was last inspected the year previously to that. Obstructing the view of the operator by hanging an object from the rear-view mirror, obstructing a window by tinting the glass, making excessive unusual noises, improperly displaying a registration plate if the registration plate is visible but not legible due to mud, snow, and inclement weather. Failing to provide a proper registration lamp and driving to left lane, which is your passing lane. Now, these might not sound like much but it's people like us who made these laws. All our laws, currently, codified, as I said, in our statute. There are others not listed in this bill which essentially is having our men and women officers second-guess their actions to give a warning or not to an operator of a vehicle for safety reasons. Lieutenant Bruce Scott, Commanding Officer of the State Police Traffic Safety Unit, opposed designating certain offenses as secondary offenses and spoke in favor of maintaining discretion for the officer to issue a verbal or written warning. He also stated that the bill poses an overall threat to public safety and would cost the state a loss of \$287,000 in federal funding. Sheriff Carroll, representing the Maine Sheriffs' Association, cited the safety aspects of vehicle inspection. Rebecca Graham, representing the Maine Municipal Association, spoke in opposition as did Lauren Stewart, who is Director of the Bureau of Highway Safety. Again, this amendment designates certain motor vehicle offenses as secondary offenses, stating that they may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another law. Now, just by saying that these don't have to be - have a penalty we're saying that these laws are low level. Maine State Police favors giving verbal and written warnings over tickets, as do most other agencies. As a matter of fact, seven out of ten stops initiated by the State Police result in only a warning. I urge you to vote with the majority of the Criminal Justice Committee. Vote green.

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 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 Cumberland, Senator **BRENNER**, and the Senator from Lincoln, Senator **MAXMIN**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#721)

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

NAYS: Senators: CARNEY, CHIPMAN, SANBORN

EXCUSED: Senators: BRENNER, KEIM, LAWRENCE, MAXMIN

27 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Provide More Options to Maine Electric Service Customers and Support Maine's Climate Goals" H.P. 222 L.D. 318

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-918)**.

Signed:

Senators:
LAWRENCE of York
VITELLI of Sagadahoc

Representatives:
BERRY of Bowdoinham
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
SACHS of Freeport

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

Signed:

Senator:
STEWART of Aroostook

Representatives:
CARLOW of Buxton
FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

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-918) AS AMENDED BY HOUSE AMENDMENT "A" (H-955)** thereto.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Enhance the Energy Security of Maine Residents"

H.P. 509 L.D. 697

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-935)**.

Signed:

Representatives:
BERRY of Bowdoinham
CARLOW of Buxton
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
SACHS of Freeport
ZEIGLER of Montville

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

Signed:

Senators:
LAWRENCE of York
STEWART of Aroostook
VITELLI of Sagadahoc

Representatives:

FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

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-935)**.

Reports **READ**.

On motion by Senator **VITELLI** of Sagadahoc, **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 Make Changes to the Laws Regarding Licensure of Certain Individuals from Other Jurisdictions"

H.P. 1517 L.D. 2035

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-938)**.

Signed:

Senators:

CURRY of Waldo
CYRWAY of Kennebec
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
AUSTIN of Gray
BERNARD of Caribou
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 Not To Pass**.

Signed:

Representatives:

ANDREWS of Paris
COLLAMORE of Pittsfield
DUCHARME of Madison

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-938) AS AMENDED BY HOUSE AMENDMENT "B" (H-953)** thereto.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-938) **READ**.

House Amendment "B" (H-953) to Committee Amendment "A" (H-938) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-938) as Amended by House Amendment "B" (H-953) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-938) AS AMENDED BY HOUSE AMENDMENT "B" (H-953)** thereto, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Enact the Uniform Foreign-country Money Judgments Recognition Act"

H.P. 659 L.D. 903

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-948)**.

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

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

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

Signed:

Representatives:

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

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-948)**.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing"

H.P. 1244 L.D. 1673

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-939)**.

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-939)**.

Reports **READ**.

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

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

Senator **POULIOT:** I'm trying to quit today, Mr. President. I request a roll call.

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

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise a quick moment to just explain a little bit about this bill and also in strong support of the pending motion. This bill is part of a whole package of housing bills that are coming out of the Labor and Housing Committee. I just want to ensure that members understand that the bill before them is a completely different bill than when it first came out. It's absolutely been amended to fit the needs of our state. I do want to give credit to the bill's sponsor who worked diligently with the Department to craft the solution that's in front of us. The contents, if you were to open the original bill, that regards a State Board of Appeals is completely gone and instead it works - replaces the entire bill and works to make sure that the Department of Agriculture, Conservation, and Forestry is sort of taking on work that sort of laid dormant around ensuring that, you know, our service center communities that we set a aspirational goal of about 10% of it being considered affordable housing. So, I just wanted to make sure that folks know that this is part of that package and that it has been amended to suit the needs of what our state wants and based on stakeholder feedback. Thank you.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I stand in opposition to the pending motion because, indeed, this is a bill that is part of a package that has come through the Labor and Housing Committee that will take away the control that our towns and villages have had for decades and we have had - I have had overwhelming opposition in many, many emails I've received about this package of bills and I will be voting against the pending motion.

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

Senator **POULIOT:** Thank you, Mr. President. I'd like to pose a question through the Chair.

THE PRESIDENT: The Senator may proceed.

Senator **POULIOT:** In reading the amendment, it seems to be silent on a definition for what is affordable housing and so I'm just wondering if somebody could better explain that.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the House, I rise to answer the question from the good Senator from Kennebunk. Kennebunk, wow, Kennebec County. It's been a long week and it's only Monday. It does actually have a definition of affordable housing, not in the bill. It does reference existing definitions within the Department of Conservation, Agriculture, and Forestry as well as current definitions with the Maine State Housing Authority. So, it's one of those situations where it's referencing and works with other portions.

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

Senator **HICKMAN:** Thank you, Mr. President. This bill amends the part of statute, that's Subchapter 3, Development Districts and Municipalities, Title 38, Municipal Affordable Housing Development Districts. Affordable housing is defined in that section of law as follows, it means a decent, safe, and sanitary dwelling, apartment, or other living accommodations for a household whose income does not exceed 120% of the medium income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Statute 888, Section 8 as amended. 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 apologize for rising a second time but I did want to highlight and respond to one of the comments from the good Senator from Penobscot, who has done incredible work on our committee, but I do want to say that there is nothing in this bill that takes away local control. In fact, if you read the amendment that's before us, it has just goals that are worked on within the Maine State Housing Authority as well as tweaking definitions and also works with the Department of Economic and Community Development as well a few others to sort of look at making sure that things that are currently in statute align with what we actually need and that it's getting updated. In fact, nowhere does it deal with our local communities and, in fact, hopefully it can help our local communities, especially our service centers, by having current, updated goals with clear definitions and, hopefully, get some resources to these communities. But nowhere in here does it take away local control. I will say the original bill did have some grave concerns for the committee on exactly that, of stripping local control, but we made sure that in the amendment it had nothing to do with that and it's really just about making sure that our ducks are in a row and our definitions are clear. Thank you.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#722)

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

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

EXCUSED: Senators: BRENNER, KEIM, LAWRENCE, LIBBY, MAXMIN

16 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **DAUGHTRY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (H-939) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Prevent Tax Haven Abuse"

H.P. 308 L.D. 428

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-943).**

Signed:

Senators:
CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

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

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
CARMICHAEL of Greenbush
HANLEY of Pittston
STETKIS of Canaan

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-943)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-943) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Encourage Job Growth in the Forest Products Sector through Tax Incentives"

H.P. 1425 L.D. 1919

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-944)**.

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

TERRY of Gorham
COLLINGS of Portland

GRAMLICH of Old Orchard Beach
MATLACK of St. George
SACHS of Freeport

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
CARMICHAEL of Greenbush
HANLEY of Pittston
STETKIS of Canaan

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-944)**.

Reports **READ**.

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

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Senate

Ought to Pass As Amended

Senator HICKMAN for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Create a Small Nonprofit Raffle Operator License"

S.P. 711 L.D. 1980

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-524)**.

Report **READ**.

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

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Collect Pesticide Sales and Use Records for the Purpose of Providing Information to the Public"

S.P. 731 L.D. 2021

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

Signed:

Senators:

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

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-526)**.

Signed:

Representatives:

- O'NEIL of Saco
- OSHER of Orono

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Create a Logging Dispute Resolution Board and To Require Proof of Ownership Documents To Be Available within 14 Days of Request"

S.P. 568 L.D. 1724

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

Signed:

Senators:

- DAUGHTRY of Cumberland
- HICKMAN of Kennebec

Representatives:

- SYLVESTER of Portland
- CUDDY of Winterport
- GERE of Kennebunkport
- PEBORTH of Blue Hill
- ROEDER of Bangor
- WARREN of Scarborough

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

Signed:

Senator:

- GUERIN of Penobscot

Representatives:

- BRADSTREET of Vassalboro
- DRINKWATER of Milford
- MORRIS of Turner
- PRESCOTT of Waterboro

Reports **READ**.

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

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **DAUGHTRY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

ENACTORS

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

Emergency Measure

An Act Regarding Eligibility for Burial in the Maine Veterans' Memorial Cemetery System

H.P. 455 L.D. 619
(C "A" H-921)

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

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, this is an emergency bill. This bill is the last act, literally and posthumously, of the Honorable John Tuttle. We, in committee, wanted to honor him thoroughly by taking a bill that he presented in order to see if another member of his community could be eligible to be buried in a cemetery that he put forth legislation back in 1974 to establish and we wanted the title to read An Act in Honor of Representative John L. Tuttle, Jr. Regarding Eligibility for Burial in the Maine Veterans' Memorial System but according to Joint Rule 209 we couldn't do that. We thought if there were ever a time to break a rule to name someone it would be this one. So, instead, as you look at the

emergency preamble of the bill, it reads as follows: Whereas the Honorable John L. Tuttle, Jr. served for 10 years as a member of the Maine Army National Guard and for nearly 30 years in both the Senate and House of Representatives in the Maine State Legislature, and whereas the Honorable John L. Tuttle, Jr. passed away on January 27, 2022 while serving his 12th term in the House of Representatives, and whereas there is pending federal legislation that will allow states to determine eligibility criteria for burial in state veteran cemeteries of those who died while a member or former member of the military forces identified in this legislation, and whereas the Legislature wishes to honor the service of the Honorable John L. Tuttle, Jr. by allowing his burial in the Maine Veterans' Memorial Cemetery system in accordance with the pending federal legislation.' Mr. President, women and men of the Senate, I hereby request that we honor him. This is serendipitous, it's poetry even, that we make it so he can be laid to rest in a cemetery that he established in statute a generation ago and with that, Mr. President, I request the vote be taken by the yeas and nays in honor of our fallen hero.

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 Chair noted the absence of the Senator from Androscoggin, Senator **TIMBERLAKE**, 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 (#723)

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

NAYS: Senators: None

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY, TIMBERLAKE

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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.

Off Record Remarks

Emergency Measure

An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes H.P. 1314 L.D. 1763 (C "A" H-886)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 5 Senators being excused, and 29 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 Ensure Legislative Review of Rules for Maine's Medical Use of Marijuana Act

S.P. 622 L.D. 1784 (C "A" S-503)

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, as you are aware, there's been discussions on marijuana federally and it still is illegal. It's an illegal substance. It has been passed on medical marijuana in certain prospects, but I still have yet to see a definition on how marijuana is defined as medically when they don't have statistics to even show it's a medical piece. I really feel that marijuana has really hurt this state since it's been legalized. I've seen and I've heard from many people how harmful it's done to several families because it's been abused. So, I continually feel that we are suffering from a lot of committees trying to deal with other issues created from part of the legalization of marijuana. So, I've seen where the Department of Human Services with childcare, I've seen in law enforcement, I've seen in many aspects for what's been happening in this state, and I just want to make sure that everybody understands when every time we vote okay, that marijuana's okay as an elixir drug to be used in the state of Maine that we are really hurting the state. Thank you, Mr. President.

Off Record Remarks

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

Senator **MAXMIN**: Thank you, Mr. President. This is my bill so I just wanted to speak to it very quickly. It's really a simple bill that ensures Legislative oversight of the Maine Medical Marijuana Program. Many of our small businesses and small care growers were experiencing some very large encroachment from the State in terms of rules around surveillance and track and tracing and other really destructive rules that were going to put a lot of folks out of business and, more importantly, put patients at risk who are using medical marijuana. So, this bill just makes sure that the Legislature has more oversight to protect our small businesses. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#724)

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

NAYS: Senators: CYRWAY, GUERIN

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

This being an Emergency Measure and having received the affirmative vote of 28 Members of the Senate, with 2 Senators having voted in the negative, and 4 Senators being excused, and 28 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 Improve the Quality and Affordability of Primary Health Care Provided by Federally Qualified Health Centers
S.P. 625 L.D. 1787
(C "A" S-509)

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

Emergency Measure

An Act To Clarify COVID-19 Paid Leave for School Employees
H.P. 1384 L.D. 1874
(C "A" H-916)

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

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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 Improve Children's Mental Health by Requiring Insurance Coverage for Certain Mental Health Treatment
H.P. 1416 L.D. 1910
(C "A" H-924)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Emergency Measure

An Act To Provide the State Harness Racing Commission Greater Efficiency in Rules Enforcement
H.P. 1449 L.D. 1944
(C "A" H-897)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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 Make Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023
H.P. 1483 L.D. 1996
(C "A" H-919)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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 Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the State

S.P. 729 L.D. 2013
(C "A" S-523)

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

Emergency Measure

An Act To Allow Outdoor Stadiums and Pool Halls To Sell Spirits

H.P. 1513 L.D. 2031
(C "A" H-912)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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 Raise the Debt Limit of the Eagle Lake Water and Sewer District

H.P. 1514 L.D. 2033

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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 60: New School Siting Approval, Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, Major Substantive Rules of the Department of Education and State Board of Education

H.P. 1446 L.D. 1935
(C "A" H-928)

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

Emergency Resolve

Resolve, To Reestablish the Commission To Develop a Paid Family and Medical Leave Benefits Program

S.P. 688 L.D. 1952
(C "A" S-491)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services

H.P. 1509 L.D. 2027

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no Senators having voted in the negative, and 29 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.

**Pursuant to Constitution
Public Land**

Resolve, To Authorize the Bureau of Parks and Lands To Enter into a Lease with Christian Camps and Conferences for a Parcel of Land Located in Somerset County

S.P. 715 L.D. 1983
(C "A" S-511)

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 29 Senators having voted in the affirmative and no Senators having voted in the negative, and 29 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.

**Pursuant to Constitution
Public Land**

Resolve, Authorizing the Director of the Bureau of Parks and Lands To Renew a Lease of Certain Land in Aroostook State Park to the Federal Aviation Administration

H.P. 1470 L.D. 1984
(C "A" H-933)

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 29 Senators having voted in the affirmative and no Senators having voted in the negative, and 29 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.

**Pursuant to Constitution
Public Land**

Resolve, To Authorize the Bureau of Parks and Lands To Enter into a Lease with Aroostook Technologies, Inc. for a Parcel of Land in Township 11, Range 4 WELS

S.P. 735 L.D. 2025
(C "A" S-518)

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 29 Senators having voted in the affirmative and no Senators having voted in the negative, and 29 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 Relating to the Hunting of Antlerless Deer

H.P. 82 L.D. 116
(C "A" H-903)

An Act Regarding the Powers of the Efficiency Maine Trust and the Maine Clean Energy and Sustainability Accelerator

S.P. 143 L.D. 337
(C "A" S-507)

An Act To Include within the Definitions of "Public Employee" and "Judicial Employee" Those Who Have Been Employed for Less Than 6 Months

H.P. 580 L.D. 775
(C "B" H-915)

An Act To Protect Public Lands

S.P. 343 L.D. 1075
(C "A" S-493)

An Act To Reduce Errors in Employment Tax Increment Financing Benefits

H.P. 834 L.D. 1156
(C "A" H-887)

An Act Regarding Reporting on Spending for Behavioral Health Care Services and To Clarify Requirements for Credentialing by Health Insurance Carriers

H.P. 874 L.D. 1196
(C "A" H-911)

An Act To Establish a Wood-fired Combined Heat and Power Program

H.P. 880 L.D. 1202
(C "A" H-932)

An Act To Make Individual and Small Group Health Insurance More Affordable in Certain High-premium Counties

S.P. 428 L.D. 1331
(C "A" S-487)

An Act To Increase the Availability of Intranasal Naloxone in Community and Corrections Settings

H.P. 1044 L.D. 1428
(C "A" H-876)

An Act To Improve Boating Safety on Maine Waters

H.P. 1234 L.D. 1663
(C "A" H-879)

An Act To Create a Framework for Maine's Spirits Contract

S.P. 608 L.D. 1750
(C "A" S-490)

An Act Regarding Contributing to Candidates and Political Action Committees

S.P. 619 L.D. 1782

An Act To Improve Access to Behavioral Health Services by Limiting Cost Sharing by Insurers

H.P. 1355 L.D. 1822
(C "A" H-910)

An Act To Support Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Post-traumatic Stress Disorder

H.P. 1389 L.D. 1879
(C "A" H-888)

An Act To Support Municipal Broadband Infrastructure through Incentives and Competition

S.P. 664 L.D. 1894
(C "A" S-483)

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

An Act To Update Criminal and Related Statutes and Respond to Decisions of the Law Court

H.P. 1410 L.D. 1903
(C "A" H-892)

An Act To Improve the Agricultural Marketing Loan Fund and Agricultural Development Grant

H.P. 154 L.D. 219
(C "A" H-890)

An Act To Amend the Tax Laws of the State

H.P. 1423 L.D. 1917
(C "A" H-885)

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

An Act To Amend the Maine Parentage Act with Regard to Presumed Parentage

H.P. 1458 L.D. 1958

An Act To Help Alleviate Maine's Housing Shortage and Change the Membership of the Maine State Housing Authority

S.P. 699 L.D. 1961
(C "A" S-498)

An Act To Improve the Child Welfare System

H.P. 277 L.D. 393
(C "A" H-907)

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation

H.P. 1466 L.D. 1971
(C "A" H-904)

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

An Act To Improve Testing Requirements for Adult Use Marijuana

H.P. 1471 L.D. 1985
(H "A" H-922 to C "A" H-909)

An Act To Create the Essential Support Workforce Advisory Committee

H.P. 654 L.D. 898
(C "A" H-926)

An Act To Authorize School Administrative District No. 6 To Lease a Former Administrative Building for a Term of Not More than 20 Years

H.P. 1475 L.D. 1989
(C "A" H-896)

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

An Act To Create the Amyotrophic Lateral Sclerosis Incidence Registry

S.P. 724 L.D. 2007
(C "A" S-512)

An Act To Establish the Maine Abandoned and Discontinued Roads Commission

H.P. 1121 L.D. 1513
(C "A" H-898)

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

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

An Act To Implement Maine's Roadmap to End Hunger by 2030

H.P. 127 L.D. 174
(H "A" H-925 to C "A" H-899)

An Act To Expand the 1998 Special Retirement Plan To Include Employees Who Work for the Office of Chief Medical Examiner

S.P. 601 L.D. 1746
(C "A" S-424; H "A" H-894)

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

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

An Act To Support Apprenticeship Programs

H.P. 130 L.D. 177
(C "A" H-927)

An Act To Eliminate Conflicts of Interest with Respect to the Payment of Fees to Bail Commissioners
S.P. 612 L.D. 1856
(C "A" S-497)

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

An Act To Create a Legal Defense Fund for the Maine Lobster Industry
H.P. 1422 L.D. 1916
(C "A" H-914)

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

An Act Concerning Nondisclosure Agreements in Employment
H.P. 711 L.D. 965
(C "B" H-906)

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

An Act To Determine Potential Savings in Prescription Drug Costs by Using International Pricing
S.P. 520 L.D. 1636
(C "A" S-488)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#725)

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

NAYS: Senators: None

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

30 Senators having voted in the affirmative and no Senators having voted in the negative, with 4 Senators being excused, 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 Establish the Maine Space Corporation
S.P. 678 L.D. 1923
(C "A" S-502)

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

Senator **DAUGHTRY:** Thank you, Mr. President. I wish to speak to my motion on L.D. 1923 and request a roll call.

On motion by Senator **DAUGHTRY** 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 Daughtry.

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the House, I rise in strong support of the enactment of the measure before us. This bill's been in process for over four years and, before we get into jokes about Star Wars and Star Trek or maybe giant space lasers, I have to say that this is a bill that I have grown to love a lot over the last four years. I first became aware of it when it was Senator Bellow's bill and when I was the House Chair of the IDEA Committee. At that time, we were able to meet with a bunch of different scientists and folks where we were moving this bill and passed unanimously through the IDEA Committee and, unfortunately, because of our adjournment due to the pandemic, wasn't able to make it through. The bill is back this time and once again, through the amazing work of the IDEA Committee, I'm really excited to be here at this point. This bill's potential to grow Maine's economy, enhance existing businesses, and create new enterprises by launching Maine into the aerospace industry. The Maine Space Complex has the power to enable research, entrepreneurship, innovation, and development in Maine. This bill is a vision of how Maine can coordinate our efforts through a public-private partnership to facilitate responsible investments and strategic development. In addition, Maine can step into this emerging industry and act as a leader by leveraging its existing assets to engage in the new space economy. Now, how does that work? Our geographic location for polar orbits, impressive research universities, and the physical technology that already exists at schools like USM, the Roux Institute, and the University of Maine, as well as our proximity to other academic and business centers in the Northeast region, our physical and business assets at locations such as the Brunswick Landing or Loring Commerce Center, as well as our entrepreneur environment, not to mention our long-standing manufacturing history. Estimates have shown that this bill and this industry could facilitate the creation and retention of between 3,400 and 4,500 good paying jobs per year and contribute between \$1 billion and \$1.5 billion per year to our GDP. Now I want to be clear, this is not a bill to invite commercial or military focused space travel into our state. This is not about

creating a new launch site for Jeff Bezos. This is a rallying cry for Maine to assert itself as a leader in developing and launching nanosatellites which, for those of you who don't know, weigh a little bit less, roughly, than 22 pounds and can be smaller than a loaf of bread. These satellites can be used by states and local governments and, most importantly, by our students throughout our state to do such thing as monitoring climate change or facilitate community improvement and regional planning efforts, as well as deploying our wide-spread broadband communications efforts. We need a leadership organization like what's in this bill to shepherd our state into this new industry and boost and attract emerging Maine businesses and research centers. While other states have begun this journey, we're wandering into uncharted territory. The core mission of this public-private partnership is to break down barriers that slow down innovation. Inevitably paving the way for success for our state to successfully integrate the new space industry into our local and state economies and add even more high paying jobs to retain our graduates. I want to be clear that this effort will be different from other states and other space ports. Already, right here in our state, we're changing the conversation on an international stage when it comes to aerospace. We're becoming a leader for climate-neutral space travel and that's something that this bill will help our industries - our businesses who are in this industry continue to expand upon. Put bluntly, space is well kind of cool and also a little bit cold, but a well coordinated aerospace industry in Maine that supports working families, science, innovation, and our economy is even cooler. This bill took remarkable work from all of the Legislators who have, you know, put time into it and worked to get to the point that we're at now, as well as scientists alike. So, we need to take the step now if we're going to set our state up for success and really launch it into the future. 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 signed on as co-sponsor to this bill. I've worked with children and young adults for my lifetime in doing DARE and many other aspects, different ideas, and I got a chance to tour the composite laboratory a few years ago, last year and the year before, and the year before that. But it's just amazing. The students working on satellite composite projects and other top notch discoveries and then I saw the excitement in the young people whenever you mention about space programs and this is a time when we can really enhance our youth and expand their knowledge and also how we can help our environment as far as storms, whatever we can do to protect our environment for the future. So, I could see this being a great asset and a great project for the state and to also give a lot of jobs. But, more importantly, I think that it expands - it puts Maine on the map to an explorer. So, I thank you and if you could vote Ought to Pass on this and I appreciate everything we've done on this. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#726)

YEAS: Senators: BAILEY, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, MAXMIN, MIRAMANT, POULIOT, RAFFERTY, SANBORN, STEWART, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: CHIPMAN, DAVIS, FARRIN, GUERIN, MOORE, ROSEN, TIMBERLAKE

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

23 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 4 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Off Record Remarks

An Act To Ensure Access to Prescription Contraceptives
S.P. 691 L.D. 1954
(C "A" S-499)

On motion by Senator **DAUGHTRY** 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 Aroostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, this bill, L.D. 1954, effectively requires that we remove what's called the Fail First or Step Therapy from contraceptive insurance providing the contraceptives in Maine. I stumbled through that. It was, in fact, a divided report in committee and the big opposition, I think, the Republicans had in committee about this bill is that it's going to add some amount of cost, some estimates were around 50¢ per month to some of the insurance providers. In caucus this morning, some of my older colleagues informed me that, in fact, if a contraceptive fails it might cost substantially more than 50¢ per month. I wouldn't know anything about that, Mr. President. In fact, I see Senator Farrin's not here. I don't have any kids, much to his dismay I know. But, to that end, Mr. President, all jokes aside, I would encourage my colleagues to vote in the affirmative on this motion and support this legislation because I think the numbers actually shake out in our favor. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#727)

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

NAYS: Senators: None

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

30 Senators having voted in the affirmative and no Senators having voted in the negative, with 4 Senators being excused, 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 Increase the Waste Handling Fee Imposed on the Landfilling of Municipal Solid Waste

H.P. 180 L.D. 259
(C "A" H-882)

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#728)

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

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

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 4 Senators 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, Directing the Department of Education To Study the Regional Adjustment

S.P. 121 L.D. 270
(C "A" S-486)

Resolve, Directing the Department of Labor To Convene a Stakeholder Group To Examine Workforce Development Issues in the Hospitality and Food and Beverage Industries

H.P. 336 L.D. 460
(C "A" H-913)

Resolve, Directing the Maine Connectivity Authority To Take Further Actions To Bring High-speed Broadband to Unserved Areas

S.P. 368 L.D. 1107
(C "A" S-496)

Resolve, Regarding Education Technician III Certification for Students at Eastern Maine Community College

S.P. 393 L.D. 1207
(C "A" S-485)

Resolve, To Assess the Feasibility of the Production of Insulin and Insulin Analogs in Maine

S.P. 574 L.D. 1729
(C "A" S-508)

Resolve, Regarding MaineCare Funding for Maine Schools

H.P. 1326 L.D. 1775
(C "A" H-923)

Resolve, Regarding Legislative Review of Portions of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards

H.P. 1432 L.D. 1925
(C "A" H-901)

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

Resolve, Directing the Department of Health and Human Services To Survey State-contracted Providers of Therapeutic Foster Care in the State about Their Liability Insurance Needs

S.P. 57 L.D. 794
(C "A" S-501)

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

Resolve, To Ensure Support for Adults with Intellectual Disabilities or Autism with High Behavioral Need

H.P. 1171 L.D. 1574
(C "A" H-881)

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

Resolve, Regarding Education Technician III Certification for Students at Eastern Maine Community College
S.P. 393 L.D. 1207

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#729)

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

NAYS: Senators: None

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

30 Senators having voted in the affirmative and no Senators having voted in the negative, with 4 Senators being excused, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals

S.P. 408 L.D. 1240
(C "A" S-492)

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

Resolve, To Study Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and Additional Requirements for Law Enforcement Officers and Candidates

H.P. 1063 L.D. 1447
(C "A" H-893)

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

Senate at Ease.

The Senate was called to order by the President.

The President requested the Sergeant-At-Arms escort the Senator from Sagadahoc, Senator **VITELLI**, to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tem **ELOISE A. VITELLI** of Sagadahoc County.

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (4/7/22) matter:

HOUSE REPORT - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Improve the Low-income Home Energy Assistance Program" (EMERGENCY)
H.P. 1492 L.D. 2006

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-900)**

Tabled - April 7, 2022 by Senator **VITELLI** of Sagadahoc

Pending - **ACCEPTANCE OF REPORT**, in concurrence

(In House, April 5, 2022, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-900).**)

Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-900) **READ** and **ADOPTED**, in concurrence.

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

On motion by Senator **DAUGHTRY** of Cumberland, Senate Amendment "A" (S-530) **READ**.

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

Senator **DAUGHTRY**: Thank you, Madame President. Ladies and gentlemen of the Senate, just a quick explanation of what this amendment does. It merely makes it so that, on top of the existing bill, we can also have the Maine State Housing Authority review the low income home energy assistance program to investigate whether the program should be operated on a year-round basis. This came after the Department and some folks who were working on it were seeing more and more that we might need this assistance longer than the current set period of time.

On motion by Senator **DAUGHTRY** of Cumberland, Senate Amendment "A" (S-530) **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-900) and SENATE AMENDMENT "A" (S-530), in NON-CONCURRENCE.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Encourage Job Growth in the Forest Products Sector through Tax Incentives"

H.P. 1425 L.D. 1919

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-944)** (7 members)

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

Tabled - April 11, 2022 by Senator **VITELLI** of Sagadahoc

Pending - motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence

(In House, April 7, 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-944)**.)

(In Senate, April 11, 2022, Reports **READ**.)

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

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

Senator **GUERIN**: Thank you, Madame Chair. Madame President and ladies and gentlemen of the Senate, here is why loggers oppose this bill. Loggers can't support the bill because it would be devastating effect on the industry by encouraging the cannibalization of employees from one contractor to the next, where ever one business has the wherewithal to navigate government bureaucracy to take advantage of the credit. The

supply of available workers statewide is simply not high enough, based on what contractors can afford to pay, to increase an incentive for hiring only one employee. Contractors could simply hire an employee away from another company, paying higher wages, then could charge that additional cost to the Maine State taxpayer through this initiative. At the end of the day, it could create all out warfare between contractors and employees, not only in logging but by stealing employees from other industries, such as general construction, and lead to devastating impacts with the taxpayer paying the bill. I will be voting in opposition to this pending motion.

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

Senator **JACKSON**: Thank you, Madame President. Ladies and gentlemen of the Senate, I wanted to get up on this bill and the next one that we're going to deal with. I've long - there was a time when I first came in the Maine Senate that I thought you could actually talk and maybe change people's minds but I've long since given up on that. But I do think it's unfortunate when misinformation is talked about, brought to the Committee, and that is the basis of why people decide how they're going to vote. This bill, for reasons I'm not 100% certain, I've been attributed to being the sponsor of in a scathing editorial recently. It's not accurate. I was co-sponsor, like many other people, and I said multiple times in the committee process that I didn't want to take over ownership of the bill from Dr. Richard Evans, Representative Richard Evans. Dr. Evans did a good job on his own trying to do something to help in an industry that is as much in his area as it is mine. Dr. Evans felt that there was a lack of people that was coming into the industry and I certainly see that often too, and why would you. An industry that rates are not very high. Very few contractors provide health insurance. You know, vacations are rare. Paid holidays are rare. Certainly, no retirement. But, that being said, I think there's still, obviously, great potential in the industry but the thing about it is that the things that really drive industry, like wages being paid for contractors, both in the logging side of it and in the transportation side of it, need to be addressed and places like this have to quit capitulating to the large landowners in the state that have lobbyists throughout here constantly. The issue that I see - what we used to, where we used to be able to train new people in the industry was hands-on. The contractor had the time to actually bring somebody on and, sure the production slowed down but while it probably was a hardship, that's the way it was done. That's the way I was trained years ago. That's the way I trained many of the people that came to work either for me, as a contractor, or for me as an employee that my contractor asked me to help this person out. Today, obviously, it's very tight. That type of slowing down production is hard but I think you heard my good friend from Penobscot, Senator Guerin, talk about, you know, really in her floor speech why it's needed. It's a hard industry. You got to - you got large industrial landowners across the state that every time they do something they take that into account. An incentive like this is certainly something that they will look at. But that being said, how are we going to train people in this state to get into an industry that is still a major part of our economy? I think Dr. Evans did something really good with this and what it actually boils down to in the committee, when the people that are there, I wanted to make sure we took this up today because of the people that are in the Chamber, what we heard from the Professional Logging

Contractors originally, and you can go and watch the tape, was that this was going to be a cannibalization of the industry and that it should be for contractors of three or more. Well that, to me, ladies and gentlemen, is really unfair. I mean, the contractors that are three or more today were the contractors that used to be sole proprietors, independent contractors that probably had a truck or piece of equipment and started out and did well enough that they moved into more equipment, more workers, and things like that. I don't think it's a place where the Legislature should pick winners and losers based on your size. If there's a lack of the ability for people to get trained in this industry, to keep an industry that is part of our natural resource heritage economy, I think it should be for everyone. Now, the legislation actually speaks to the fact that you shouldn't be able to pull employees from current logging contractors, three or more, three or less. The legislation says that it has to be somebody that has not had six months paid experience in the past. If they do then you don't get the tax credit. That is a perfect way to try and get new people in the industry, get people that maybe have fallen out, didn't get a chance to get into the industry. Then you can get that tax credit. But, like I said, it's unfortunate that it ended up being divisive. I mean, I see people every day that go up by my house in Allagash that are, you know, owner operators of trucks. They've got to hire one more person so that they can have that truck going 24 hours a day. In our area, there's a lot of landowners that push that 24 hour day. Self-loaders. If you own a truck, you can only put one more person on and, the way that the people that are in opposition to this, people like that would not get that this tax credit even though they're very much part of the industry. They're a big part of the industry. I mean there's all kinds of people in the industry that own a feller buncher, delimeter or skidder. That's all they own but they may have a second person running it also nightshift. Why would we not allow these smaller people to take advantage of a tax credit that doesn't steal employees from anyone. It just tries to encourage new people to get in. I'm a little bit surprised at that. The debate seems to be that it was okay for three person contractors to cannibalize from the small ones but the other way around. But the way that the bill's written it really doesn't matter because it's for everyone and nobody gets cannibalized because it's for new employees, people that didn't have worked in the industry or people that have very limited work experience in the industry. I thought Dr. Evans did a great job. It is not my bill. I think Dr. Evans should get all the credit and that's why I'm supporting it today. Thank you very much, ladies and gentlemen.

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

Senator **CYRWAY:** Thank you, Madame President Pro Tem. Ladies and gentlemen of the Senate, I hate to speak up and oppose President Jackson because I, on this bill, but I do look at, you know, the loggers. I have friends that are farmers and loggers combined and I also hear that, you know, this would kind of put them in competition with the contractors and it would make kind of like robbing from the contractors to go to the loggers and also that this is not done in any other program like this in the state of Maine tax code and no other industry could benefit from it. So, clearly, many of the industries need help besides loggers as well so why isn't the Legislature helping them? Like the farmers on tax code like this. So, I cannot be for it because it would not be

fair to the others as well but also that I think that the loggers are not for this bill. So, that's why I will oppose it. Thank you.

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

Senator **POULIOT:** Thank you, Madame President Pro Tem. The other Senator from Kennebec. I didn't know that Senator Cyrway wanted to speak. Madame President Pro Tem, just last week Dana Doran, the Professional Logging Contractors, which represents 200 plus hardworking small logging and trucking businesses, published an opt-ed in the Kennebec Journal and the headline said Loggers Not Legislators Know Industry Best. I couldn't agree more. L.D. 1919, as written, would give logging and trucking businesses a special state subsidy if they hired just one new employee. On its face, this seems great. Who wouldn't be in favor of tax breaks for businesses, right? Unfortunately, this is not a good bill and it's not supported by the logging industry. As previously stated, this bill is irresponsible and would promote all out warfare for workers in a tight labor market. Because there is no requirement for investments or hiring more employees or protections for workers, despite many attempts to work with the sponsor of the bill to amend it to be more palatable, we should be supporting bills for all industries and not just one particular industry. We worked, in the committee, to try to get a change, an amendment, to this bill that would be more palatable so that we could get a unanimous report and, unfortunately, it was - there was no interest from the sponsor of this bill or other supporters to do that. So, this bill, while well intentioned, has no industry support and I would encourage my fellow members to vote in opposition to the pending motion. Thank you, Madame President.

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

Senator **JACKSON:** Thank you, Madame President. Ladies and gentlemen of the Senate, so there's that misinformation that I spoke about previously. So, to say that there's no logging support because one organization says that they don't support it, and very limited at that, I would say is really unfortunate. So, the list that the good Senator from Kennebec talked about, Senator Pouliot, actually listed out all the members of this organization and I actually called through - started to call through and person after person on that list that was supposedly was in support of - or actually in opposition to this bill told me that they had never heard of it. They hadn't been contacted by Dana Doran of the PLC and when I explained to them what we actually wanted in this legislation they actually said that they supported it. They thought it was a good idea. So, the idea that an organization says they're in opposition doesn't mean that logging industry, on the whole, is against it and, you know, why would the industry be against it, that they would get a tax credit to actually help and encourage people to come and get trained in this industry? It is not true that we haven't done this for any other industry or haven't done this in any other natural resource industries. We certainly have done things to help promote it, help support it, and things like that. This is another attempt to actually help an industry that doesn't get wages that they should and it is plagued by having a hard time getting people to come into the industry. So, I just wanted to get up and make sure that the record was corrected but to say that you send a list of members on to the legislature and say that

they're in opposition is not accurate. I mean, call them up and find out for yourself if you don't believe me. I certainly did.

THE PRESIDENT PRO TEM: 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 (#730)

YEAS: Senators: BAILEY, BREEN, CARNEY, CHIPMAN, CLAXTON, JACKSON, MIRAMANT, RAFFERTY, PRESIDENT PRO TEM VITELLI

NAYS: Senators: BENNETT, BLACK, BRENNER, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, MAXMIN, MOORE, POULIOT, ROSEN, SANBORN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

9 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **FAILED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

SENATE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Create a Logging Dispute Resolution Board and To Require Proof of Ownership Documents To Be Available within 14 Days of Request"

S.P. 568 L.D. 1724

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-527)** (8 members)

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

Tabled - April 11, 2022 by Senator **VITELLI** of Sagadahoc

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

(In Senate, April 11, 2022, Reports **READ**.)

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

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

Senator **GUERIN:** Thank you, Madame President Pro Tem. Ladies and gentlemen of the Senate, my Grampy Smith was a logger working in the woods and so the logger concerns are always kind of near to my heart and I'll be opposing the pending motion. Here's why loggers oppose this bill. The bill was not created at the request of the logging industry. It was not vetted with anyone in the industry and has no support from the industry. In fact, it was opposed by 26 logging contractors at the public hearing. No one in the industry wants this bill to move forward. The bill, as amended, will allow contractors that work for landowners that own 50,000 acres or more in the state to bring a dispute to an open-ended logging dispute resolution board within the Executive Branch, the Maine Labor Relations Board of state government. The Maine Labor Relations Board, a board that is typically only asked to settle disputes of State workers and their union contract, will now be given the authority to settle private contractual disputes. These are private companies, not State employees. Resolution boards in the state of Maine, which include Maine Labor Relations Board, Maine Workers' Comp Board, Unemployment Compensation, and the Maine Human Rights Commission, exist to hear disputes from employees, as does the Maine Labor Relations Board. Why would the logging industry want a board, with no experience pertaining to business issues, that could make contractual relationships with landowners public knowledge? Other boards and commissions that do regulate industries, like the Maine Blueberry Commission, Maine Potato Board, Harness Racing Commission, oversee and regulate businesses similar to the Maine Forest Service but are not set up to hear their individual business disputes. Businesses do not have access to any type of resolution board in state government as their current means of recourse is the judicial court system, which is where it should remain. Additionally, there is already a dispute resolution system set up in the Maine Department of Ag, Conservation, and Forestry with the Maine Agricultural Bargaining Board to hear disputes in this industry. The Maine Agricultural Bargaining Board Act of 1973 was created so that agricultural businesses, including loggers, can form cooperatives. A cooperative, which is a group of similar businesses that can join together for negotiations and sales purposes, can use the Maine Ag Bargaining Board and settle disputes between cooperatives and businesses that they work with. Contractors work for land management companies that have contracts through landowners that own 50,000 acres or more. This is why one landowner in the state that contracts directly with logging contractors, Irving, is the only one. Plus this bill will not do anything for contractors throughout the state except those that work for Irving. No contractors that work for Irving have expressed a need for this. A similar statute existed before 2003 and was eliminated by the Legislature. Why would the industry want something like this now, which is identical to something it opposed and was removed from statute more than 15 years ago? As designed, the resolution board has three members to be chosen by the Governor, a forest landowner who owns more than 40,000 acres, a logging contractor, and the Chair of the State Board of Arbitration and Conciliation. Except for one major caveat, the logging contractor will be chosen from a recommendation by the AFL-CIO labor union. Why would logging contractors want to be represented by someone chosen by the

AFL-CIO, which is not involved in logging and doesn't represent logging business owners? The bottom line is that no one on this board represents the logging industry and no one from the industry wants it. The bottom line is the industry doesn't want this, doesn't need this, and it's going to cost as much, if not more, than settling a dispute through the current judicial system. Please join me in voting against the pending motion.

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

Senator **JACKSON:** Thank you, Madame President. Ladies and gentlemen of the Senate, I certainly enjoyed the previous floor speech. I want to correct a couple of things. You know, this industry is something. You know, these past couple of years the price of sawed lumber is at an all time high. Incredible prices being paid and, for most of the people that I knew in the industry, very few of them, if any, actually saw an increase. Now, when you look at where they are now, with the cost of equipment, the cost of fuel, they're in probably a worse spot now than they were before, even though the price of sawed lumber is at an all time high. You know, the editorial that was referenced, you know, *Loggers Know Better Than Legislators*, on this issue, I would say that's probably accurate. But I think, as fifth generation logger with a sixth generation logger that represents a Senate district full of loggers, I would say that this issue, having gotten me elected to begin with, I think that I can speak to it at least as well as anyone else. This is an issue that since I was a young boy I saw consistently happen in this industry. The first time that I ever went on a strike I remember being at a place called the High Landing. Saw over 100 men there. At the time we were moving towards mechanization. Everyone before that was actually a hand crew that cut with a cable skidder and chain saw. All of a sudden, they brought in the first delimiters and the rate got cut overnight \$5 a ton. No negotiation, nothing. Just bang. That's what you're going to get. When the men in that area decided that they weren't going to take that and decided to have that work stoppage, I remember the landowner coming and before everyone was, you know, relatively jovial before he came, I'm sure they were trying to get rid of the anxiety of what was going to happen. I was 11 years old, standing with my father who was a long-time truck driver. Still does it occasionally today. When the landowner showed up he didn't get out and say, 'Hey, guys, what can I do to help you? Hey, guys, I know it's tough but, you know, this is what we've got to do.' He got out and said, 'If you don't go back to work in the morning I'll replace you all with Canadians.' That was the negotiation and that, ladies and gentlemen of the Senate, has been the negotiation my entire life. I've watched that and heard that from people, people that were in dire straights. People that busted their tails for years and ended up old and broken down people that didn't have anything, didn't probably even have a life because they probably thought of their wife and kids because they were so frustrated about the industry that they worked in because they couldn't work as hard as they were able to without getting something taken away from them time and time again. I've seen that and you talk about the bill before. The bill before didn't allow loggers into the Agriculture Bargaining Council. We did that last year. You know who wasn't there to help us? The Professional Logging Contractors of Maine didn't stand up and fight for that bill back then. They testified neither for nor against. So, don't tell me that loggers are here for support and all that. The loggers that actually come to this building and put

themselves at risk because they stand in the same room as the large landowners, those loggers are probably not working in the industry any more. So, I understand why the PLC doesn't do it but we're never going to move the needle in this state if people don't actually stand up and let loggers actually have a voice in rates. Not in, you know, other things that are helpful but trivial, but the actual prices that they're being paid. From that day when I was 11 and I was told, standing behind my father, that if you didn't go back to work you'd be replaced by Canadians is the same thing as today. The same thing. You know what I didn't know then that I know now? What it must have been like for my father to stand there with his son behind him, the complete embarrassment of having a man that had his hands, his life in his hands, being told in front of his son 'go back to work because I own you.' Well, I sure as hell know it now because I had it told to me so many times, and the people that I represent in my committee, I've had it said to me so many times. You know, I didn't choose to be a legislator. I never chose to make the money and the prestige that this gives me. I chose to be one because I understood that somebody had to stand up and, while I wasn't the best looking and the smartest and the best talking, I was one that was willing to stand up and fight for the people in my community and that's why this legislation here today, the legislation that the good Senator from Penobscot, Senator Guerin, talks about how it was removed. You know why? Because the large landowners in our area said 'If you don't get rid of this we're going to close the Pinkham Mill down and make it even worse for you.' That's why we came down here and removed that legislation, because they blackmailed the Maine Legislature into removing a piece of legislation so that they wouldn't close the mill down. I stood right on this floor and let it happen and six months later they closed the mill down anyways. That is what you can get from this industry that is the logging industry. So, this bill, right from the start, the PLC, Dana Duran, didn't want it. Didn't want it. He said that it was a bill that would bring employees against logging contractors. Wasn't that. I was very clear that it was logging contractors and the landowner on the other side, the Dispute Resolution Board. But that was what everyone, the 26 people you talked about, that's what they spoke to and I don't want my employees bringing me to this dispute board. That was never the case. There are places for employees to go if they have an issue. They didn't need a Dispute Resolution Board. The reason why this Dispute Resolution Board is important is because go up against one of these large landowners, the money that they can spend and throw against you is way more than you'll ever, ever hope to receive once you hire a lawyer, once you go through the court process, and all that. This Dispute Resolution Board is an opportunity for people to go forward with small cases and maybe get some resolution. Things that we talked about during Representative O'Neil's bill last year about the Forest Advisory Board. Things like the 14 day rule where you're supposed to get paid after 14 days and the wood sits on the ground. I mean we've got laws on the books that people have a hard time to actually push forward because they don't want to put themselves out there and that's why this Dispute Resolution Board should have someone picked on the landowner - on the logging side that has the ability to actually, probably a lawyer or someone that actually knows the process, has gone through it, not afraid to speak out against the large landowners. I mean, the landowners are on the other side. I put them there willingly. I thought it makes a lot of sense. I mean, in many ways, even though I always disagree with the large landowners, I respect them. At least they're fighting

for what they want as opposed to the logging industry, which often times doesn't want to step up and say what is important to them. But I tell you right now, the people that I talked to in my industry, in my area, want somebody, want a place to go and get these things resolved. That doesn't mean they have to take them to court. Maybe have someone actually shoulder the burden. Somebody to put the bullseye on their back other than them themselves. The reason why I think too that if this legislation had been written so that the PLC was on the other side of it we probably wouldn't be standing here today. It probably would be a unanimous report. But I was not willing to do that. The reason why is because, again, I don't see the PLC willing to stand up and take on the landowners. Somebody has to. You can say that it's Irving. You can stay it's any one of them. But, unfortunately, there's a power imbalance with logging contractors not being able to get the rates that they deserve against these large landowners and I would just say that it's very clear to me that the PLC will not do that. Time and time again, like I said on that collective bargaining bill for logging contractors, they wouldn't speak in favor of it. They spoke neither for nor against while 26 of my people from Aroostook County came and actually put themselves on the line, and that thing that really made it clear to me was during that conversation with the collective bargain bill two years ago when I got a text message from the Director of the PLC, Dana Doran, and he told me that he was sending an email to me from the Maine Forest Products Council through his daughter's email because he didn't want to be attached to the email. Now, that ought to tell you right there that you've got to have someone that's not afraid to send an email about an issue that's so important. I mean, Andy Irish is in the PLC and I've always enjoyed Andy. He told me when I first got down here, he said 'We built the big cannon and we're afraid to fire it.' That's exactly what's happening today. They have a whole bunch of people in their organization but issues like this, unfortunately, they're not willing to take them on because, I understand, of the black ball effect but that's why a board like this, you could put somebody out front, somebody that's actually going to fight for logging contractors, somebody that cares enough, but somebody that isn't a contractor and doesn't stand to lose everything that they could lose by speaking out. That, ladies and gentlemen, is why this logging Dispute Board is here and that's something that has been long since needed.

THE PRESIDENT PRO TEM: 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 (#731)

YEAS: Senators: BAILEY, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, HICKMAN, JACKSON, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, PRESIDENT PRO TEM VITELLI

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

EXCUSED: Senators: BALDACCI, KEIM, LAWRENCE, LIBBY

16 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **DAUGHTRY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-527) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

Off Record Remarks

On motion by Senator **DAUGHTRY** of Cumberland, **ADJOURNED** until Tuesday, April 12, 2022 at 10:00 in the morning.