

MAINE STATE LEGISLATURE

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**STATE OF MAINE
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Wednesday
December 7, 2022

Pursuant to the Provisions of the Constitution and the laws of the State of Maine, the Senators-elect of the One-Hundred and Thirty-First Legislature convened in the Senate Chamber and were called to order by **DAREK M. GRANT**, Secretary of the Senate of the One-Hundred and Thirtieth Legislature.

Prayer by the Honorable John Patrick of Rumford on behalf of Chace Jackson of Allagash.

MR. PATRICK: Good morning. I am truly honored and blessed to be here. Having served in this hallowed Body for three terms in the past, to be asked to come by the Senate President to see the swearing-in one more time is a great honor and I'm going to be doing a prayer this morning on behalf of Chace Jackson, Senate President Jackson's son, who was unable to come because of COVID and this is an unattributable Celtic prayer. We'll be in a spirit of prayer.

God bless the corners of this house, and all the lentil blessed, and bless the hearth and bless the board, and bless each place of rest, and bless each door that opens wide to strangers as to kin, and bless each crystal window pane that lets the starlight in, and bless the roofree overhead and every sturdy wall. The peace of man, the peace of God, with peace and love for all. Amen.

National Anthem Performed by Doug Giroux of Van Buren.

Pledge of Allegiance led by Senator-elect Mark W. Lawrence of York County.

Off Record Remarks

The Following Senate Communication: S.C. 1

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

December 1, 2022

To Darek M. Grant, Secretary of the Senate in the One Hundred and Thirtieth Legislature:

I, Shenna Bellows, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Senators-elect to the One Hundred and Thirty-first Legislature, in accordance with the tabulation submitted to the Governor on November 28, 2022:

- District 1 Jackson, Troy Dale, Allagash
- District 2 Stewart, Harold L., III, Presque Isle
- District 3 Farrin, Bradlee Thomas, Norridgewock
- District 4 Guerin, Stacey K., Glenburn
- District 5 Black, Russell J., Wilton
- District 6 Moore, Marianne, Calais
- District 7 Grohoski, Nicole C., Ellsworth
- District 8 Tipping, Michael, Orono
- District 9 Baldacci, Joseph M., Bangor
- District 10 Lyford, Peter A., Eddington
- District 11 Curry, Glenn Chip, Belfast
- District 12 Beebe-Center, Anne H., Rockland
- District 13 Reny, Cameron D., Bristol
- District 14 Hickman, Craig V., Winthrop
- District 15 Pouliot, Matthew Gary, Augusta
- District 16 LaFountain, David P., Winslow
- District 17 Timberlake, Jeffrey L., Turner
- District 18 Bennett, Richard A., Oxford
- District 19 Keim, Lisa M., Dixfield
- District 20 Brakey, Eric L., Auburn
- District 21 Rotundo, Margaret R., Lewiston
- District 22 Libby, James D., Standish
- District 23 Daughtry, Matthea Elisabeth, Brunswick
- District 24 Vitelli, Eloise A., Arrowsic
- District 25 Pierce, Teresa S., Falmouth
- District 26 Nangle, Timothy E., Windham
- District 27 Duson, Jill C., Portland
- District 28 Chipman, Benjamin M., Portland
- District 29 Carney, Anne M., Cape Elizabeth
- District 30 Brenner, Stacy Fielding, Scarborough
- District 31 Bailey, Donna, Saco
- District 32 Ingwersen, Henry L., Arundel
- District 33 Harrington, Matthew A., Sanford
- District 34 Rafferty, Joseph E., Jr., Kennebunk
- District 35 Lawrence, Mark W., Eliot

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this first day of December in the year Two Thousand and Twenty-two.

S/Shenna Bellows
Secretary of State

READ and ORDERED PLACED ON FILE.

QUORUM CALL

33 Senators-elect having answered the Call, the Secretary declared a quorum present.

On motion by Senator-elect **VITELLI** of Sagadahoc, the following Senate Order:

S.O. 1

ORDERED, that a message be sent to Governor Janet T. Mills, informing her that a quorum of Senators-elect is present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

READ and PASSED.

The Chair appointed the Senator-elect from Sagadahoc, Senator-elect **VITELLI**, to deliver the message to the Governor. The Senator-elect was escorted to the Governor's Office.

Off Record Remarks

Senate at Ease.

The Senate was called to order by the Secretary.

Subsequently, the Senator-elect from Sagadahoc, Senator-elect **VITELLI**, reported that she had delivered the message with which she was charged.

ORGANIZATION OF THE SENATE

The Honorable Janet T. Mills, Governor of the State of Maine, enters and addresses the Senate.

GOVERNOR MILLS: Thank you. It's a pleasure and a privilege to be here this morning to carry out one very important official duty on my part and yours, and today is not the ending but a beginning. It is certainly the culmination of thousands of hours of work on the part of each and every one of you newly elected to this distinguished Body. Thousands of hours of conversations at doors and rallies and meetings and public events, listening to the people of Maine, and now we put those ideas to work and the first order of business -- well, the first order of business was to excuse my own Senator from being present and being sworn in at this very moment. It's probably very fitting that he's down stoking the furnace. I hope he pre-paid the oil bill for the building.

I would love for each one of the Senators-elect to stand and take the Oath of Office. Wait, wait, wait. We've got to take the oath first, and it's a pleasure to see so many familiar faces in this audience, including the distinguished former Senator, former State Representative, long term Speaker of the House, John Martin. Thank you for gracing us with your presence this morning. Now, if each of you will raise your right hand please and repeat after me, filling in your full name, of course.

The Senators-elect take and subscribe to the oaths of office required by the Constitution.

GOVERNOR MILLS: Thank you very much and welcome those of you new to the State House. Welcome to this distinguished Body, the U.S. Senate - State Senate, whoa. Late night TV, you know. I look forward to working with every one of you. My time is your time. For the next few months, we will accomplish a great deal together, remembering what the people told us for the last few months on the streets and avenues of our states -- of our cities and towns, of our farms and fisheries and forests, wherever we went, we heard from the people of Maine. Now, let's put those thoughts and concerns and observations to work for the benefit of everyone. Thank you very much, and thank you to the families as well for your sacrifice.

The Governor withdrew from the Senate Chamber.

Off Record Remarks

ELECTION OF SENATE OFFICERS

Senator **BRENNER** of Cumberland **NOMINATED** Senator **TROY D. JACKSON** of Aroostook for the Office of President of the Senate of the 131st Legislature.

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

Senator **BRENNER:** Thank you. Colleagues, it is a joy to be here with all of you on this auspicious day. Congratulations on your election and I can't wait to get to know each of you. I'm delighted to be in front of you today with the honor of nominating my friend, Troy Jackson, for Senate President.

On a frosty morning in December of 2019, Troy showed up at my house before COVID to ask me to run for office. He said it would fit nicely with my farming schedule, being a citizen legislator. I call fake news on that one, Troy. I told him at the time what I was most afraid of as a legislator was public speaking because I would often cry when I had to do it and he said 'Oh, don't worry about that,' and I've come to know why. My friend, he shares from the heart, which is one of the many reasons why we connect. He feels the depth of the work we do in the Senate in a way that is transparent and beautiful and deep. Whether it's about poverty and hunger, unfair labor practices, overdose deaths, or access to healthcare, this Senator can reach into the well of his conscience and find the capacity to connect all the complex pieces of policymaking together to pass bills that make meaningful and real change.

I came into the office in the throes of a pandemic, sworn in with two masks in the Civic Center with the Governor on Zoom and the Chief Justice at the rostrum. My committees only met virtually for two years and I wholeheartedly credit the Senate leadership team of the 130th, and especially Troy Jackson, for lifting us up and guiding us through the extraordinary experience of governing during a pandemic. He's a leader, a friend, a fighter, and exactly the guy I want in my corner when trying to navigate policymaking. We are all better for Troy's dedication to the Senate and, most especially, to the people of Maine. Troy values the possibility of State Government, the institution of State Legislature, and our capacity to keep Maine moving forward with

grace, stability, unity, and innovation.

At my farm, there are 350 acres of woods and there's often a reason to use a chainsaw and, while I am no logger, I do know the joy of a sharp chain on my saw and the bittersweet power of felling a sizeable tree. I find solace knowing the leader of the Maine State Senate knows this, too, and he can balance this power with reverence. One place we differ, though, Troy, is that my chainsaw is electric, but I don't hold this against him.

Troy's been patient with me as I learn how to be a lawmaker and he respects what it means to be a working mom while also juggling the role of legislator. We often talk on Sunday mornings. I put my little air pods in, chug away at chores on the farm, and we dish about bills, committee work, strategy, and family, and I know from talking with others that this is not unique. Troy makes this space, this capacity, for all the legislators he works with. Everyone has just gotten off the phone with Troy. I truly don't know how he does it but we're better and stronger for his commitment. Our friendship, built during a pandemic online and over Zoom, means the world. I can't wait to just drop into his office this year instead of calling and texting. Troy opened the door to me, another working-class person, in the same way he fights for the people of Maine, with every vote he takes. I value his opinion and I much prefer to receive it over a beer at the Quarry Tap Room.

As a parent, I've learned the reflections our children have of us speak volumes and so I just want to end with a passage about Troy by his son, Chace. 'I think about the enormity of you being the first President of the Senate from the Valley and only the fifth from Aroostook County. I like to imagine some circle made whole, some beauty to a great grandson of Acadians and Quebecois, with a moose towner accent, born in Fort Kent, and raised across the northern tier of Aroostook standing at the rostrum. I think if your colleagues could see the Head of the Rapids, they would be shocked that the State's number two official was carried to term at a place so at once remote and so serene. In the last few months, I've traveled across Aroostook with you and during the last few weeks knocked on several hundred doors to talk to people about you. I heard the treble of Acadian accents tell me they pray for you to win, the lilt of Limestone farmers who put their trust in you, and the excitement of so many people who have come to you for help and found it.'

Senate Colleagues, Troy is the man that I'll cast my vote for today and I hope you will join me. Thank you.

Nomination seconded by Senator **LAWRENCE** of York.

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

Senator **LAWRENCE:** Thank you, Mr. Secretary, and I wholeheartedly second this nomination. I was a former - I am a former Senate President of this Body and I represent the opposite end of the state from the Good Senator from Aroostook, Senator Jackson, and he and I have a close relationship and he's often called me for advice or thoughts, and he called me a few days ago and said 'Would you second my nomination.' And I wasn't sure why he was calling, I said 'Of course I'll second your nomination,' and then there was a pause and I said 'Are you sure you want to do this?' and there was another pause and we both kind of thought for a minute and then we chuckled because that job is a lot easier from here when you look up at it than when you're up there. It is an extremely difficult

job and, just to give the people in the Chamber an idea of what he has to do, he has very little power to begin with. He has very little ability to order people to do things. He has to deal with 35 Senators who have their own agendas, own things they want to accomplish in this Legislature. He is only half of the Legislative Branch. He has to deal with the House, 151 Members, what they want, coordinate with the Speaker to get that through. He has to figure out a way to get 2,000 bills through this Legislature, 2,000 different ideas in six months, to get them public hearings, to get them work sessions, to get the public ability to deal with that. He has to deal with 200 employees in the State House, both partisan and nonpartisan staff, developing personnel plans, developing compensation plans, and everything. If that's not enough, he's responsible - he and the Speaker are responsible for management of this capitol complex. This is a monument and they are responsible to pass this monument on in a safe and secure condition to future generations. He has to deal with all those issues. He has to deal with the staff who wants him to run around the state all the time and speak to this group, speak to that group, go here, go there, and spend all his time. And it's a very lonely position. There are times that the only person you have to talk to is really yourself. He will also serve as the Lieutenant Governor of Maine because Maine has no Lieutenant Governor. So, if anything should happen to the Governor, he would become Governor. I've often described the position as herding cats. It is an extremely difficult position but he is preeminently qualified to do this and if we elect him, and I'm confident we will, he will become the longest-serving Senate President since Charles P. Pray who served back in the 1980s and 90s. He will do that and that's a testament to how well he has done in this job.

He has both compassion and passion and he knows how to temper both. He cares about average Mainers and he understands each of our districts. That's what is one of the responsibilities of the Senate President, to understand what is influencing each and every one of us, and he spends a lot of time traveling around the state to get to know each and every district. I've had him in my district. I remember telling my constituents that if he left to go home in Allagash and I traveled south, he would be in - I would be in Philadelphia by the time he reached Allagash. That's how large the state is and that's how much he has to cover. And he represents personally one of the most unique districts in the State of Maine. It is the most bilingual district in the state. He has some communities where 95% of his constituents do not speak English at home. It is the most bilingual district in the state, one of the most bilingual in the country. And he has done this with characteristic tact. He has dealt with people, he deals with people fairly, compassionately, listens to their positions and makes decisions when he has to, and that's the strength of a Senate President.

So, I wholeheartedly second the nomination of the Senate President and, Troy, je tu souhaite du courage, bon chance, et félicitations, mon ami. So, I just told Troy that I wished him courage, good hunting - not good luck but good hunting, because they sound the same in French - and congratulations, and I wholeheartedly second his nomination.

On motion by Senator **VITELLI** of Sagadahoc, nominations ceased.

On further motion by same Senator, one ballot was cast on the part of the Senate in favor of Senator **TROY D. JACKSON** of Aroostook for the Office of President of the Senate for the 131st Legislature.

This being done, Senator **TROY D. JACKSON** of Aroostook was duly elected President of the Senate of the 131st Legislature.

Off Record Remarks

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

ORDERS

Senate Order

On motion by Senator **BRENNER** of Cumberland, the following Senate Order:

S.O. 2

ORDERED, that a message be sent to Governor Janet T. Mills, informing her that the Senate has elected Troy D. Jackson of Aroostook County as President of the Senate for the 131st Legislature, and that President Jackson is present in the Senate Chamber, ready to take and subscribe to the oaths of office required by the Constitution to qualify him to enter upon the discharge of his official duties.

READ and PASSED.

The Secretary requested the Senator from Cumberland, Senator **BRENNER**, escort the Governor to the Chamber for the purpose of administering the oath of office to President-elect **TROY D. JACKSON** of Aroostook. The Sergeant-At-Arms escorted the Senator from Cumberland, Senator **BRENNER**, to the Governor's Office.

Subsequently, the Honorable Janet T. Mills, Governor of the State of Maine, entered and addressed the Senate.

GOVERNOR MILLS: Thank you. A lot going on here, a lot swearing. Oh, sorry. Alright, I'm privileged to administer the oath of office to the President-Elect of the State Senate, Troy Dale Jackson.

Senator **TROY D. JACKSON** of Aroostook took and subscribed to the oaths of office required by the Constitution to qualify him to discharge his duties as President of the Senate, pursuant to the Rules of the Senate.

Off Record Remarks

At this point, the President noted the presence in the Senate Chamber of Senator-elect Franklin, Senator **BLACK**. The President requested the Senator from Oxford, Senator **BENNETT**, escort the Senator-elect from Franklin, Senator-elect **BLACK**, to the Governor's Office for the purpose of taking and subscribing to the oaths of office required by the Constitution.

THE PRESIDENT: The Chair will call the Members' attention to a longstanding, unique tradition in the Maine Senate. Whereas as such the Senator-Elect from Franklin has been absent to attend to the furnace and make sure that they are well stoked - I might add with a piece of Allagash firewood. At this time, the Chair would ask that the Senator from Oxford, Senator Bennett, please escort the Senator from Franklin, Senator-elect Black, to the Governor's office for the purpose of subscribing the oath of office required by the Constitution. I believe the Governor's office is going to end up being the Senate President's office. The Sergeant-At-Arms will escort the Senators. The Senate will be at ease pending their return.

The Senator and Senator-elect were escorted to the Governor's Office.

Senate at Ease.

The Senate was called to order by the President.

Subsequently, the Senator from Oxford, Senator **BENNETT**, reported that he had attended to the duties with which he was charged and was pleased to report the Senator from Franklin, Senator **BLACK**, had taken and subscribed to the oaths of office required by the Constitution.

Thereupon, Senator **BLACK** of Franklin took his seat in the Senate Chamber.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Black.

Senator **BLACK:** Thank you, Mr. President. I have accomplished the duty that I was sent forthwith to do and I have stoked the fire with dry maple from the Allagash, cut by the Senate President, and there should be plenty of heat in it.

THE PRESIDENT: Well, thank you, everyone. I want to thank Senator Black for stoking the fire, obviously with a piece of lumber that actually is from my area. I do appreciate very much and I certainly appreciate the moments that I had sitting alongside another former Senate President, Senator Bennett, who got me to come up a little bit earlier, which is a nice moment, anyway, something that you can remember. But I want to go through my remarks but I definitely want to thank, obviously, my family; my partner, Lana; my younger son, Camden, who surprised me that he showed up this morning; his girlfriend, Kristen; my mother,

Colleen; my stepfather, Clayton; and my dad, Joe. Obviously, you know, the work and time and effort and everything that you put into is exactly what I'm sure all of your families have had to deal with. It's a tremendous burden, tremendous offering that they give to all of us and I want to thank all the families that are here today because it wouldn't be the same without you, without your help, and without your efforts.

As has been said by Senator Lawrence, I live a long ways away from here and having people come down is a real treat and there's a number of people up in the gallery from my area. Obviously, you heard Doug sing the National Anthem. He has a crew with him from the Grand Isle and Madawaska. There's a Charlemagne playing crew that roped me in and thankfully I didn't lose too much money playing with them, but I really appreciate you coming down, and also a whole group of people that I've been able to work with in the labor community that I am very, very happy that you're here today, too. I consider you obviously friends and family of mine.

So, thank you. You know, it is, you know, surreal to stand up here before you to serve one final term as President of the Maine Senate and, to be perfectly honest, I didn't expect to feel the same emotions today that I felt four years ago when members of this Body first elected me, as a fifth-generation logger from Allagash, to preside over this chamber as Senate President. But if I've learned anything in this building, it is that the enormity, the responsibility of this immense privilege never fades and it's a true honor to represent the communities that raised me and played no small part in getting me to where I am today.

I'm also incredibly grateful for the opportunity to serve alongside and learn from each of you, which I have in the past and I know I will in the future, and I want to congratulate all of you for earning the support of your communities. I know how hard it is and I know what you have to go through and it is a tremendous honor for all of us to be here today.

I want to thank my good friends, Senator Brenner and Senator Lawrence, for their friendship and incredibly kind words. I think it was Senator Pierce that asked me if I knew what you said or, no, if you did a good job and I said 'Well, he did better than I could.' But it is friendships forged in moments of triumph and frustration, tension, levity, that may not make for compelling headlines but they are what have made this Chamber successful long, long before I ever entered the building. Obviously, behind me, filling in for my older son, who's most likely watching this today, which is the only thing that's missing, that he couldn't be here, but my good friend, Senator John Patrick filling in for him was a great - a great thing for me. Certainly, a certain privilege. And alongside me on the other side, a long-time friend and colleague, Marcia Homstead, who after today will be leaving us here with, you know, so much knowledge and passion and incredible willingness to work for the public and work for all of us, things that I just never expected. So, Marcia, thank you for your work and your time here. It has made a tremendous difference in so many peoples' lives.

And that is something, like I said, I never expected when I ran for office but I have no doubt that all these friendships have made me a better person, a better leader, and a better fighter for my community and for the state. And I also want to thank Governor Mills for joining us today to administer the oath of office. Her presence sets the stage for our branches of government to work together as partners to confront the challenges that lay ahead.

Though over the past few months, I, like you, have talked to thousands of constituents, mine from Fort Kent to Fort Fairfield,

and the challenges that working families, older Mainers, the small businesses that face are great but so, too, are their vision for the future and it's hard not to be inspired by the strength and resilience of people from Aroostook County and all around this great state of Maine.

You know, back in October, I stopped by a small dairy farm in Perham to chat with the owners and learn more about their operation. There was a chill in the air as Melissa graciously walked me through the barn as her two boys trailed behind us, playing in the background and everywhere in that barn. And amid the stalls and hay, you could sense the passion in Melissa's voice. This farm was a labor of love for the entire family and not only is it a way to make a living, but for Melissa and her husband, Adam, it was a way to pass their values on to their kids. The values of hard work, respect for livestock, and taking pride in tending the land. And as I drove home that night, I couldn't help but feel really grateful to Melissa and Adam for taking in a logger that doesn't understand as much about farming and for opening up their home to me and being really honest and raw about the challenges that they face. You know, the next day, I got a notification on Facebook from Melissa, who had posted a moving note about our visit and said this; 'Just last night, Troy Jackson stopped by my house and heard out my concerns as a small Maine farmer. We understand that all he can do is try but that means more than enough to just try and fight.' And that really struck me at that moment that Mainers aren't asking for the impossible. They don't expect us to wave a magic wand and solve every problem overnight. Really, all Maine families are asking is that we fight for them, that we represent them, and we owe it to them to do everything in our power to make things better and I honestly think that starts today.

You know, tonight, many Mainers will lay awake wondering how they're going to heat their homes during this long winter and some are wondering if they'll even have a roof over their head or a place to call home. And I know that because I've heard it from my neighbors, members of my own family, and thousands of family across Aroostook County and, quite frankly, I'm worried, too. I'm worried about people like a disabled veteran I know from St. Francis who stopped me in the pharmacy just last week. He's currently recovering from one surgery and has another surgery scheduled later this week. And until yesterday, he told me he only had 30 gallons of heating oil left in his tank.

We are in the middle of an energy crisis, the likes of which we haven't seen since many of us were children, and it's creating unequivocal hardship up and down this state. With temperatures that continue to dip, we can't afford to waste time studying the issue or arguing over long-term policy, nor do we need to. No, Mainers need heating assistance and they need it now. I believe we must act quickly, before the harder winter sets in, and a compromise energy relief package we will consider today will help ensure folks don't freeze over the holidays or in the months that follow. You know, it aims to increase funding for the Home Energy Assistance Program and streamline the process of getting this relief to homes that need it. This targeted package also provides more funding for emergency fuel assistance and direct checks for low- and middle-income households to help cover increase in cost. This plan treats this crisis like the emergency that it is and it provides relief and gives us time to work on long-term solutions.

Now, if you've never lain awake at night listening to the furnace rattle or wondering if it will still be on in the morning, then you probably don't understand the gravity of the situation or the

choices that people will be forced to make and I honestly don't begrudge you if you haven't had to do that. But I know all too well what's that like. I know my partner knows that. I know my mother and father do, too. This feeling that never leaves you. And there are folks who definitely had it far worse than us. The threat of the cold serves as a constant reminder that for all the technological advances we made in this modern age, we cannot escape the harsh reality of our own humanity.

So, while solving long-term issues will be complicated and take time, I don't believe that getting folks help for this winter has to be. The immediate needs of Maine people are glaring but they're very straightforward. People in our communities, yours and mine, run the risk of freezing this winter or, worse, coming up with alternative methods that could cause all kinds of problems. And I know that passing the legislation on the first day of session is unusual, I understand that, but failing to act honestly could have deadly consequences for some people in this state.

This is our chance to prove that we aren't Washington DC politicians or hacks. We're Maine people doing what Maine people do best. And as I look out at all of you in this room, I know that we can meet this moment. I know that we can help keep the heat on and deliver for people who sent us here.

Every two years, like clockwork, we say that now is the time to put the ugliness of the election behind us and come together for the good of the people. It often comes in the form of the same tired rhetoric, cloaked in the same clichés and metaphor that people are sick of hearing, and it's something I've wrestled with a lot over the past month. As campaigns have gotten uglier and more personal, it's gotten harder to put it all behind and move forward. But we must move forward and bury the hatchet because it's not about me or about any of us. It's not about party labels or political games. It, honestly, is about Maine people and the job that they've sent us here to do in their hour of need. So, when we speak these words calling for putting an election behind us and coming together, it does not reflect blind optimism nor does it reflect the pandering that people have come to expect from politicians. It's a commitment to do what's right, to put Maine people first and our own bruised ego second so we can meet the moment and deliver for our constituents.

Now, I've often said I'm not here because I have all the answers, and I don't. I'm here because I was willing to stand up and fight for what I believe was right, even if it isn't easy or comfortable. And often when I find myself trying to make sense of the forces that shape our politics and our world, I go back to the rivers that define the places that I grew up, the places that I call home. I think about the place where Allagash River meets the Wolastoq, the river that has now become known as the St. John. And it's here where my ancestors found a home in Allagash and where I later played as a child, where I graduated from high school, and where I witnessed my youngest son take his first steps. And for as long as I can remember, I thought that the point where the two rivers join together seemed odd, and there may be other people but I think Senator Bennett has probably been on that river and understood that. There's a point upriver where the Allagash almost meets the St. John but then it inexplicably veers back towards the direction it came and it's only when you think that those two rivers are never going to meet that the Allagash returns and the two rivers become one. And that path may seem illogical, but I respect that the river knows that there must be a reason, and it's a constant reminder that these waters flowed through a time long before I set foot on the earth and they're going to continue to flow long after I'm gone. The

path of the Allagash really doesn't matter so long as that water gets to where it needs to be, finally join with St. John and then sojourn out to sea. And I think about that here in this Chamber, how we make those turns and twists and sometimes look like we're never going to get there.

It's easy to get lost in the pettiness of politics but none of that really in the end matters. It doesn't matter what letter they put next to your name in the paper, it doesn't matter who gets credit for a new law or, honestly, if we're even remembered. What matters is that we can make sure that people can turn the heat on this winter. What matters is we can make sure that folks can work hard and build a good life for themselves and their families. What matters is that we can make sure that people get life-saving medication they need and that our children can have every opportunity for success. And what really matters is that every Mainer is treated with dignity and respect for who they are and where they came from. And there's no doubt that there's going to be twists and turns throughout our route over these next two years and things will get heated at times and there certainly will be rapids. None of that matters if, in the end, we work together and eventually get to where we need to go. The St. John River is much more powerful than the Allagash without it. At times, that Allagash flows with a greater volume than the St. John, so much so that the larger river actually needs the Allagash. And it might be hard to accept that the greatest river of the Northeast depends on the humble waters of the Allagash, but those two rivers learned to exist in harmony years ago and I believe that we must learn to do the same because we are greater, we are more powerful than we are apart. And right now, right now, Maine people are depending on us, together, some of them in the greatest way. So, let's show them. Let's put aside those bruised egos, which I have, let's put those aside and show them how capable we are when we do join forces for them. Let's show people like the Jandreau family in Perham, the veteran in St. Francis, and thousands of Mainers across this state that you all represent, that they were right to put their faith in you and I.

The work we do today is going to set a tone for the next two years and I so much want that tone to be togetherness, camaraderie, a spirit of bipartisanship that I know we have struggled with at times. But much like - I hope you understand my reasoning to put this together - but much like where the Allagash and St. John have begun their long journey, let's rise to meet the moment together and harness the full potential of this chamber to keep our fellow Mainers warm, safe, and in the best possible position that they should be. They're watching and they really can't be let down. And, with that, I want to thank you so much for this honor.

Senator **CARNEY** of Cumberland **NOMINATED DAREK M. GRANT** of Augusta for the Office of Secretary of the Senate of the 131st Legislature.

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

Senator **CARNEY:** Thank you, Mr. President. Esteemed Colleagues of the Senate and cherished family members and guests who are here with us today, I am pleased and honored to nominate Darek Grant for the Secretary of the Maine Senate. Though many of us know Darek as Senate Secretary during the

130th Legislature, Darek first served in this Chamber in 1993 during the 116th Legislature as an honorary page while a middle school student. One Senator who took the oath of office today also began serving in the 116th and likely could speak to Darek's exemplary service to the Senate both as a middle school page and as Senate Secretary. Can anyone guess who that Senator is?

The Secretary of the Senate must be an expert in parliamentary procedure, work closely with the Senate President to make sure our work proceeds efficiently and smoothly, and resolve procedural questions quickly and accurately under pressure. By all metrics, Darek is very well qualified to perform these duties. He has served three terms as Secretary of the Senate, in the 126th, 129th, and 130th Legislatures. In his words, he had the honor to learn about being Secretary of the Senate from the best mentor and friend anyone could have, the late Joy O'Brien, who was the longest-serving Secretary of the Senate. He continues to work every day to meet the highest standards set by Joy.

Before serving as Secretary of the Senate, Darek learned every aspect of running this Chamber by working many roles, beginning as a legislative intern in 2001 and then as chamber staff, legislative aide, and several times as Chief of Staff. Nothing, however, speaks more strongly to his qualifications than his success at transforming all of the physical and procedural workings of the Senate to a pandemic-safe format so that Senators could do our work for the people of Maine.

As the Legislature adjourned in March 2020, Darek and the Clerk of the House launched into researching and planning for operations in a whole new world. His guiding star was fidelity to this institution and to the Maine Constitution. He and his staff put tremendous pressure on themselves to prevent an outbreak while also minimizing disruption and stress for legislators. Returning Senators, I'm sure you'll remember the cheerful desk decorations that welcomed us to swearing-in day in 2020 and each time we had session in the Civic Center. Darek understood that Maine's Constitution and longstanding history required Senators to be physically present when voting and he worked hard to embody this constitutional requirement in the reality of 35 Senators sitting at banquet tables, 12 feet apart, in the Augusta Civic Center voting on tablets. Darek and the staff made those days at the Civic Center feel nearly normal for us. Reflecting on his experience, Darek said that he was glad to be the person who stepped up to this challenge. He constantly asked himself, 'Are we doing the right thing in this time of uncertainty?' It meant the world to him that members of the Senate trusted his judgment, trusted that he would be looking out for this institution, and appreciated his thoughtful and deliberate work.

Darek said that he was instantly fascinated with the work of the Senate during his service as honorary page. He wanted to be an honorary page every day. Fortunately for us, he is willing to serve as Senate Secretary instead. Darek has deep appreciation of this Body as an institution. He understands his role of providing fair, reliable, and transparent service to every member and how vital that is to the Senate functioning properly for the people we are all elected to represent. To this end, those of us who have served with Darek know him to be a valuable resource, someone who is available any time to answer questions about arcane procedural issues, who listens carefully and who will give each of us the best advice he can.

It has been an honor to speak with you of Darek Grant's qualifications to serve as the Secretary of the Maine Senate.

Please join me in enthusiastically supporting this nomination. Thank you, Mr. President.

Nomination seconded by Senator **ROTUNDO** of Androscoggin.

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

Senator **ROTUNDO:** Thank you. Men and Women of the Senate, it's an honor to second Darek Grant's nomination for the office of Secretary of the Senate.

When I first arrived in this Chamber 22 years ago, Darek was already a presence here as a member of the chamber staff. As the good Senator from Cumberland, Senator Carney, has shared, Darek first came to the Senate Chamber as a middle school student to serve as an honorary page and has never really left the State House since.

Darek is steeped in the work, history, and traditions of this chamber, having filled many different positions here and having been mentored by the late Joy O'Brien, who was one of the State's most extraordinary Secretaries of the Senate. Like her, Darek maintains the highest standards of excellence and decorum.

For those guests who are here today for the first time, let me share that the Secretary of the Senate is the Chief Executive Officer of the Senate and, along with the Senate President, is responsible for seeing that the Chamber and the work done here runs smoothly and efficiently. The person serves as a parliamentarian and must be a master of the extremely complicated Mason's Rules which govern the legislative proceedings here. The Secretary handles thousands of details in the course of the day, details that are constantly changing, and the Secretary must be flexible and well-prepared at all times. They must also ensure that all members of this Body are treated fairly and respectfully, with all having the opportunity to present and debate bills with equal opportunity. Darek is perfectly suited to serve as Secretary, possessing all the skills and traits needed to perform this role well. He brings enormous integrity, knowledge, humility, and professionalism to all that he does. He is also always calm, helpful, and kind, no matter how stressful things become here. One of the things that I treasure most in Darek is his love of this Chamber and this institution. He understands and appreciates the sacredness of this place and the importance of the work that goes on here. Through his eyes, we see anew the beauty and history of this Chamber. His example also reminds us of the profound honor and privilege it is for us to be here in service to the people of Maine. Darek Grant has done outstanding work as the Secretary of this Chamber. I hope you will join me in supporting him to serve as the Secretary of the Senate for the 131st legislative session. Thank you.

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

Senator **POULIOT:** Thank you, Mr. President. I know that this is somewhat unprecedented to stand and speak after the nominations but, you know, I'm now entering in my 11th year of legislative service and through that service I've had the good fortune of working with Darek here under the dome but, outside of the dome, Darek is a personal friend of mine and, you know, we're of different political parties but we're still able to have a good time with each other, you know, go to country music

concerts or do fun things around the community, you know? And I do want folks to know, though, that I am not Darek Grant. Sometimes people think - I couldn't rise to that occasion, I don't think, but, you know, I'd be remiss if I didn't rise today and encourage the support of the Body on behalf of Darek because more than a personal friend, he is a consummate professional. He and I both spent some time here at a young age thinking we'd like to work in this building, and we do, in a different capacity, but that's the beauty of the Maine State Legislature. It's accessible and made successful because of people like Darek who are committed to the job no matter the party affiliation. So, congratulations, Darek, I look forward to supporting you.

On motion by Senator **VITELLI** of Sagadahoc, nominations ceased.

On further motion by same Senator, one ballot was cast on the part of the Senate in favor of **DAREK M. GRANT** of Augusta for the Office of Secretary of the Senate for the 131st Legislature.

This being done, **DAREK M. GRANT** of Augusta was duly elected Secretary of the Senate of the 131st Legislature.

The Chair requested the Senator from Cumberland, Senator **CARNEY**, the Senator from Androscoggin, Senator **ROTUNDO**, and the Senator from Kennebec, Senator **POULIOT**, escort the Secretary-elect to the President's Office for the purpose of taking and subscribing to the necessary oaths of office required by the Constitution to qualify him to enter upon the discharge of the duties of the office of Secretary of the Senate.

The Senators and Secretary-elect were escorted to the President's Office.

Senate at Ease.

The Senate was called to order by the President.

Subsequently, the Senator from Senator from Cumberland, Senator **CARNEY**, reported that they had attended to the duties with which they were charged and were pleased to report that **DAREK M. GRANT** of Augusta had taken and subscribed to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Secretary of the Senate of the 131st Legislature.

Senator **HICKMAN** of Kennebec **NOMINATED JARED T. ROY** of Winterville Plantation for the Office of Assistant Secretary of the Senate of the 131st Legislature.

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

Senator **HICKMAN:** Thank you, Mr. President. Congratulations to my new-elected and reelected colleagues here in the Senate. I am honored and delighted to rise on this auspicious day to

nominate Jared Roy for this esteemed office.

Now, I met Jared for the first time several years ago at Speaker John Martin's Moose Point Camp in the North Woods on a cutting ice excursion in the brutal cold. I can still feel it in my bones. I met him again at a state convention in Lewiston where John Martin introduced him around and so we know that if he was mentored by Mr. Martin, he's got the parliamentary procedure down pat.

Jared was born and raised in the St. John Valley, graduated from the University of Maine at Fort Kent with a Bachelor of Social Science. He has served as a selectman of Winterville Plantation, as a board and finance committee member of Fish River Rural Health Center, and has also owned and managed a small restaurant. Since 2018, he has been an integral part of the Senate family. He's been board operator and index clerk and acting systems support coordinator. He's the consummate team player who gets along very well with Secretary Grant and so we know he will make his work easier.

Jared's got this big old beautiful St. Bernard named Annie that he dotes on like all good pet lovers. She came to the farm and fell in love with the chickens. That's when I got to know Jared a little bit better. Punctual, reliable, hardworking, Jared is always willing and able to help Senators and other legislative staff, ensuring that the process runs as smoothly as possible. Just this morning, he had to restore my printer connection so I could print out these remarks and share them with you. Jared respects and understands the importance of this institution and he loves the people of the state. But above all, he is humble, unassuming, kind, and a mighty good young man.

Women and Men of the Senate, please join me in supporting Jared T. Roy of Winterville Plantation for Assistant Secretary of the Senate for the 131st Legislature. Thank you, Mr. President.

Nomination seconded by Senator **DAUGHTRY** of Cumberland.

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

Senator **DAUGHTRY:** It's an honor to stand here today and second the nomination of Jared Roy for the Assistant Secretary of the Senate.

When I describe our work in the Senate to others who don't live every day under the dome, as we like to affectionately refer to it, I very often, probably too often, describe it as a ship. We have, you know, two different caucuses that are moving together. We might not agree, but we're all on the ship trying to move and chart a course forward for our state. For the families gathered, I will urge you and let you know that we, the ship is, moving much closer to lunch, so we're getting there.

Our caucuses don't always agree but a boat needs to have a navigator and our navigator-in-chief is our amazing Secretary Grant. But no boat is complete without a rudder. It's not complete without someone who's checking ahead and can anticipate our needs. Jared Roy is exactly that person. He has all the skills needed for the job; multitasking, experience, passion, humility, patience, and just one of the kindest hearts I've met in this building.

As you heard, he was raised in the St. John Valley and has had a diverse background, like so many of us gathered here in this building. I'm particularly fond of one shared connection that we have; we know the difficulties and joys of small business ownership. Particularly, though, because he owned a pub. For

those who don't know, my life outside of the Legislature is I co-own a brewery. So, clearly, we share a love of beer. We also share a deep love of our canine friends and I can't wait to make sure that we sneak Annie into this building.

He joined our Senate family in 2018. He's worked several different positions within the chamber. He's been board operator, index clerk, he's been system support coordinator. He knows this Chamber inside out and all around backwards. Most importantly, he's passionate about public service and has a deep love of this institution that makes him perfect for this role. In his own words; 'After running for local office, I affirmed my passion for helping people. Working at the State House has allowed me to do what I can to ensure that the people of Maine are taken care of. By doing my job, I'm able to help members do their work and benefit all of their communities. I want to do this job so I can help the Senate keep running smoothly and I can ensure that the institution is respected. Knowing that the legislation that passes benefits that impact all of Maine is hugely important to me.'

I think that speaks more highly of his qualifications than any of the things that I have listed or the Good Senator from Kennebec County. So, I hope you will join me in supporting Jared Roy for Assistant Secretary. Thank you.

On motion by Senator **VITELLI** of Sagadahoc, nominations ceased.

On further motion by same Senator, one ballot was cast on the part of the Senate in favor of **JARED T. ROY** of Winterville Plantation for the Office of Assistant Secretary of the Senate for the 131st Legislature.

This being done, **JARED T. ROY** of Winterville Plantation was duly elected Assistant Secretary of the Senate of the 131st Legislature.

The Chair requested the Senator from Kennebec, Senator **HICKMAN**, and the Senator from Cumberland, Senator **DAUGHTRY**, escort the Assistant Secretary-elect to the President's Office for the purpose of taking and subscribing to the necessary oaths of office required by the Constitution to qualify him to enter upon the discharge of the duties of the office of Assistant Secretary of the Senate.

The Senators and Assistant Secretary-elect were escorted to the President's Office.

Senate at Ease.

The Senate was called to order by the President.

Subsequently, the Senator from Kennebec, Senator **HICKMAN**, reported that they had attended to the duties with which they were charged and were pleased to report that **JARED T. ROY** of Winterville Plantation had taken and subscribed to the necessary oaths of office to qualify him to enter upon the discharge of the duties of the Assistant Secretary of the Senate of the 131st Legislature.

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

ORDERS

Senate Order

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.O. 3

ORDERED, that a message be sent to the House, informing that Body that the Senate has organized by the choice of Troy D. Jackson of Aroostook County as President; Darek M. Grant of Augusta as Secretary of the Senate; and Jared T. Roy of Winterville Plantation as Assistant Secretary of the Senate of the 131st Legislature and is assembled and ready to transact such business as may come before the Senate.

READ and PASSED.

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:

S.O. 4

ORDERED, that a committee of seven be appointed by the President to which the returns of votes for Senators for the political years of 2023 and 2024 shall be referred for examination and report.

READ and PASSED.

COMMUNICATIONS

The Following Communication: S.C. 2

**STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE**

December 1, 2022

To the President of the Senate in the One Hundred and Thirty-first Legislature:

I, Shenna Bellows, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Senators at the General Election held on the eighth day of November in the year Two Thousand and Twenty-two;

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected;

LEGISLATIVE RECORD - SENATE, WEDNESDAY, DECEMBER 7, 2022

District 1

Bernard, Susan Y., Caribou 7,974
 Jackson, Troy Dale, Allagash 8,817

District 2

Fienberg, Danielle A., Presque Isle 4,997
 Stewart, Harold L., III, Presque Isle 11,681

District 3

Bean, Shawn G., Madison 5,913
 Farrin, Bradlee Thomas, Norridgewock 11,220
 Others 25

District 4

Guerin, Stacey K., Glenburn 13,321
 Thurlow, Andrea I., Atkinson Township 5,679

District 5

Black, Russell J., Wilton 10,737
 Thomas, Douglas A., Ripley 2,373
 Wheeler, Stanley A., Farmington 6,420

District 6

Goble, Jonathan C., Cherryfield 6,436
 Moore, Marianne, Calais 12,980

District 7

Grohoski, Nicole C., Ellsworth 12,811
 Langley, Brian D., Ellsworth 8,913

District 8

Rojo, Eric, Lincoln 7,421
 Tipping, Michael, Orono 8,317

District 9

Baldacci, Joseph M., Bangor 9,055
 Furrow, Suzette, Bangor 6,253

District 10

Cammack, Ralph E. Jr., Brewer 9,011
 Lyford, Peter A., Eddington 11,522

District 11

Curry, Glenn Chip, Belfast 11,543
 Kinney, MaryAnne, Knox 9,312

District 12

Beebe-Center, Anne H., Rockland 12,525
 Rocknak, W. Scott, Camden 8,597

District 13

Reny, Cameron D., Bristol 11,970
 Simmons, Abden, Waldoboro 9,913

District 14

Hanley, Jeffery P., Pittston 9,936
 Hickman, Craig V., Winthrop 10,940

District 15

Pouliot, Matthew Gary, Augusta 10,241
 St. Valle, Storme Jude, Augusta 7,491

District 16

LaFountain, David P., Winslow 8,349
 Perkins, Michael D., Oakland 8,022

District 17

Keller, Jo-Jean, Lisbon 6,220
 Timberlake, Jeffrey L., Turner 11,989

District 18

Bennett, Richard A., Oxford 11,931
 O'Neill, Colin D., Oxford 7,171

District 19

Bean, Matthew R., Andover 7,111
 Keim, Lisa M., Dixfield 11,902

District 20

Brakey, Eric L., Auburn 9,064
 Sheats, Bettyann W., Auburn 8,918

District 21

LaChapelle, Ricky R., Lewiston 5,484
 Rotundo, Margaret R., Lewiston 7,754

District 22

Libby, James D., Standish 11,334
 McKinney, Michael A., Cornish 7,463

District 23

Daughtry, Matthea Elisabeth, Brunswick 16,401
 Teel, Brogan P.K., Brunswick 7,108

District 24

Brackley, Matthew R., West Bath 9,123
 Vitelli, Eloise A., Arrowsic 12,620

District 25

Pierce, Teresa S., Falmouth 15,315
 White, Jennifer L., Gray 8,845

District 26

Nangle, Timothy E., Windham 9,734
 Plummer, Gary E., Windham 9,388

District 27

Duson, Jill C., Portland 14,225
 Tounge, Jeffrey, Portland 4,041

District 28

Abercrombie, Susan M., Portland 2,254
 Chipman, Benjamin M., Portland 15,551

District 29

Carney, Anne M., Cape Elizabeth 15,432
 Lewis, John Wesley, Cape Elizabeth 5,012

District 30

Brenner, Stacy Fielding, Scarborough 12,685
 Thorsen, Timothy J., Gorham 7,766

District 31

Bailey, Donna, Saco 11,244
MacDonald, Sharri K., Old Orchard Beach 7,806

District 32

Corbett, David G., Lyman 7,209
Ingwersen, Henry L., Arundel 9,676

District 33

Harrington, Matthew A., Sanford 8,509
Williams, Kendra A., Sanford 7,228

District 34

Ducharme, Bradley Scott, Kennebunk 9,044
Rafferty, Joseph E., Jr., Kennebunk 12,605

District 35

Lawrence, Mark W., Eliot 13,979
Rakic, Julie, Kittery 7,527

I, Shenna Bellows, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Senators at the General Election, as reported to me on the returns from the cities, towns, and plantations of the State.

S/Shenna Bellows
Secretary of State

READ and REFERRED TO THE COMMITTEE ON SENATORIAL VOTE.

Senate at Ease.

The Senate was called to order by the President.

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

ORDERS

Senate Order

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.O. 5

ORDERED, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature in the Hall of the House at 2:00 in the afternoon on December 7, 2022 for the purpose of electing a Secretary of State for the political years 2023 and 2024, a Treasurer of State for the political years 2023 and 2024 and an Attorney General for the political years 2023 and 2024.

READ and PASSED.

RECESSED until 1:50 in the afternoon.

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

SENATE PAPERS

Bill "An Act to Provide Funding for Winter Emergency Energy Relief and to Finalize the COVID Pandemic Relief Payment Program" (EMERGENCY)

S.P. 8 L.D. 1

Presented by President JACKSON of Aroostook. (GOVERNOR'S BILL)
Cosponsored by Speaker TALBOT ROSS of Portland.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** 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.

On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:

S.O. 6

ORDERED, that the Rules of the Senate of the 130th Legislature shall be the Rules of the Senate of the 131st Legislature. Amendments to the Senate Rules may be adopted by a majority vote on or before the third Friday in January of 2023.

READ and PASSED.

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.O. 7

ORDERED, that the Secretary of the Senate be authorized to invite the clergy to officiate as Chaplains of the Senate as requested by any member of the Senate; and be it further

ORDERED, that all clergy acting as Chaplains of the Senate shall receive \$30 for each officiation, which is to be approved by the Secretary of the Senate.

READ and PASSED.

On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:

S.O. 8

ORDERED, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs or the Presiding Officer, be placed on a special calendar to be called up for consideration only by the same.

READ and PASSED.

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.O. 9

ORDERED, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Transportation or the Presiding Officer, be placed on a special calendar to be called up for consideration only by the same.

READ and PASSED.

On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:

S.O. 10

ORDERED, that pursuant to Joint Rule 353, subsection 10, a special study table is established in the Senate.

READ and PASSED.

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.O. 11

ORDERED, that the President of the Senate is authorized, at his discretion, to permit radio or sound, television film or live television, or any two or three of these communication media, on the floor of the Senate.

READ and PASSED.

Joint Orders

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 1

ORDERED, the House concurring, that the Joint Rules of the 130th Legislature are the Joint Rules of the 131st Legislature, except for the following changes:

Joint Rule 202 is amended by striking out all of the first paragraph and inserting in its place the following:

All requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on December 30, 2022.

Joint Rule 208 is amended by striking out all of the third paragraph and inserting in its place the following:

The Revisor of Statutes shall prepare in concept form a bill submitted pursuant to the Maine Revised Statutes, Title 5, chapter 149 that proposes to make unified appropriations and allocations for the expenditures of state government for the biennium or supplemental appropriations and allocations, and shall include an Internet address at which may be found the text of the draft unified budget bill or supplemental budget bill submitted to the Revisor of Statutes by the Governor.

Joint Rule 306 is amended by striking out all of the first paragraph and inserting in its place the following:

A quorum is 7 members, and a quorum must be present to start a meeting or to take a vote. A quorum is not required to continue a meeting. If a quorum is present, but there is not a Senator among those present, the committee may take a vote only with the authorization of the President of the Senate. For purposes of establishing a quorum, only those members physically present at the meeting may be counted.

Joint Rule 310 is amended by striking out all of subsection 5 and inserting in its place the following:

5. Committee Voting. The committee clerk shall prepare the committee jacket or jackets following the vote and obtain signatures from committee members as required. If all members are not present for the vote, the bill must be held until the following periods have expired.

A. If any member is absent from the committee at the time of the vote, that member's vote may be registered with the clerk up until noon on the 2nd business day following the vote.

B. If the presiding officers jointly determine that operational needs of the Legislature so require, they may require that a member who is absent from the committee at the time of the vote register that member's vote by noon on the next business day following the committee vote.

A member who is not physically present at the meeting but who received permission from that member's presiding officer to participate by electronic means is deemed to be present for purposes of voting, but only for voting on committee reports as specified in subsection 2 and only if the member votes in a manner that provides opportunity for those physically present at the meeting to see and hear how that member voted.

A member may be excused from voting only for a conflict of interest under Joint Rule 104.

Except for a motion to adjourn, a question may not be decided and official action may not be taken in the absence of a quorum.

No committee vote on a bill may be taken after 10:30 p.m. or before 7:30 a.m. unless authorized by the presiding officers. If the presiding officers provide this authorization, they shall notify the other members of the Legislative Council concurrently.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **DAUGHTRY** of Cumberland, the following Joint Order:

S.P. 2

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House shall purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and House, respectively.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 3

ORDERED, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and the Clerk of the House.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **DAUGHTRY** of Cumberland, the following Joint Order:

S.P. 4

ORDERED, the House concurring, that a sufficient number of copies of the Legislative Record for the 131st Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and the Clerk of the House, with the remainder to be deposited with the State Law Librarian for exchange and library use; and be it further

ORDERED, that a suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and the Clerk of the House.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 5

ORDERED, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 4, 2023, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **DAUGHTRY** of Cumberland, the following Joint Order:

S.P. 6

ORDERED, the House concurring, that the Executive Director of the Legislative Council, with the approval of the President of the Senate and the Speaker of the House, is authorized and directed to prepare weekly, from expense accounts to be submitted to the Executive Director by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and to transmit the same to the State Controller for processing and payment, in accordance with the recommendations of the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

ORDERED, that the Executive Director of the Legislative Council is authorized and directed to provide the forms necessary for such purpose and to provide suitable space in the Executive Director's office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

READ and PASSED.

Sent down for concurrence.

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 7

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Wednesday, January 4, 2023, at 10:00 in the morning.

READ and PASSED.

Sent down for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order:

H.P. 1

ORDERED, the Senate concurring, that the Speaker of the House is authorized, at the Speaker's discretion, to permit radio or television in the Hall of the House of Representatives during joint conventions.

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

READ and **PASSED**, in concurrence.

The following Joint Order:

H.P. 2

ORDERED, the Senate concurring, that there be prepared by the Legislative Information Office, under the direction of the Secretary of the Senate and the Clerk of the House, after adjournment of the present session, a compilation of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve.

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

READ and **PASSED**, in concurrence.

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

ORDERS

Joint Orders

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 10

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 208 to read:

Rule 208. Requirements for Drafting.

A request for a bill or resolve filed with the Revisor of Statutes is considered complete when the request is properly titled and accompanied by sufficient instructions, information and data required for its preparation. When a request is not accompanied by sufficient instructions, information or data, the Revisor of Statutes is directed to give written notice of inadequate information to the legislator. Upon receipt of said written notice, the legislator has 5 business days, unless an alternative period is set jointly by the presiding officers, to file adequate information with the Revisor of Statutes, or the request for the bill or resolve will be denied. Drafts prepared by an outside source must be filed in final form by the appropriate cloture date.

~~When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor of Statutes. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported in fully drafted form by that committee in the same manner as other legislation. Except as otherwise provided in this Joint Rule, this method of drafting legislation is not allowed for legislation submitted by the Governor, by agencies or departments of state government, by study commissions, by joint standing committees or joint select committees or pursuant to law or statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft.~~

The Revisor of Statutes shall prepare in concept form a bill submitted pursuant to the Maine Revised Statutes, Title 5, ~~section 4666~~ chapter 149 that proposes to make unified appropriations and allocations for the expenditures of state government for the biennium or supplemental appropriations and allocations, and shall include an Internet address at which may be found the text of the draft unified budget bill or supplemental budget bill submitted to the Revisor of Statutes by the Governor.

The Joint Order was **READ**.

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

Senator **BENNETT:** Thank you, Mr. President. It may be no secret for those of you who have - who are returning to this Body but I believe strongly that we should, and could, do our business better. Our rules, that we just passed, haven't been changed except for a little bit around the edges for over a period of decades. And I don't think - there are times when our rules frustrate not only the members of this Body but the members of the public and frustrate their ability to involve themselves in our proceedings. I am heartened by the notion that the Rules

Committee will be appointed this year and will meet and consider several ideas. I have many, but in the interests of brevity today I've only presented three of them and I - and this is one, and I - we are on Item 4-2, which is Senate Paper 10, the second item on the supplement. This bill would eliminate concept drafts. This order would eliminate concept drafts and which I have seen as being deleterious to the functioning of the Legislature. It retains a concept draft for one bill, which is the Appropriations bill, which is appropriate given its length and the manner of presentation so that it could be printed -- published on the web rather than printed, which is a good custom and a good practice to have. But our nonpartisan staff is inundated with ideas that are fragmentary and not fully developed and it leaves them writing frameworks for bills that then get referred to committees for committees to try to figure out what they are and it wastes one of the most precious things we have, which is our time.

So, I would ask your consideration. I understand that there's another motion, which I support, which will follow. Thank you.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Joint Select Committee on **JOINT RULES**.

Sent down for concurrence.

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 9

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 215, subsection 1 to read:

1. Calling of United States Constitutional Convention. An item requesting the calling of a United States Constitutional Convention requires a 2/3 majority vote of the members present in each chamber;

The Joint Order was **READ**.

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

Senator **BENNETT:** Thank you, Mr. President, Fellow Members of the Senate. 4-1 on Supplement 1, which is Senate Paper 9, changes one element within our rules which is the provisions for calling a Constitutional Convention under Article V. Amendments for ratification before the Legislature that come from either Congress or from an Article V convention require a simple majority. In our rules, in an extraconstitutional fashion, in my belief, we have had for a number of years a provision requiring a two-thirds on the proposal of an amendment even though the ratification only takes a majority. I, too, would like this considered by the Legislature and lay it before you with the hopes that the Rules Committee will consider it. Thank you.

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Joint Select Committee on **JOINT RULES**.

Sent down for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

The Chair appointed the Senator from Cumberland, Senator **DAUGHTRY**, to deliver a message to the House of Representatives regarding the election of the President of the Senate, Secretary of the Senate, and Assistant Secretary of the Senate and proposing a Convention of the two branches of the Legislature in the Hall of the House at 2:00 in the afternoon, for the purpose of electing a Secretary of State for the political years 2023 and 2024, a Treasurer of State for the political years 2023 and 2024 and an Attorney General for the political years 2023 and 2024.

The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Cumberland, Senator **DAUGHTRY**, reported that she had delivered the message with which she was charged.

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

ORDERS

Joint Resolution

On motion by Senator **VITELLI** of Sagadahoc, on behalf of President **JACKSON** of Aroostook, the following Joint Resolution:
S.P. 12

**JOINT RESOLUTION
EXPRESSING THE OUTRAGE OF THE MAINE LEGISLATURE
REGARDING THE DECISION BY WHOLE FOODS MARKET,
BLUE APRON HOLDINGS AND HELLOFRESH GROUP TO
DISCONTINUE SELLING MAINE LOBSTER**

WHEREAS, Whole Foods Market has announced that it will stop selling Gulf of Maine lobster in its more than 500 stores nationwide; and

WHEREAS, Blue Apron Holdings and HelloFresh Group have made similar announcements; and

WHEREAS, the announcements were in response to a statement by the London-based Marine Stewardship Council that it is suspending the certification of sustainability for the Gulf of Maine

lobster fishery, due to concerns over harm to the North Atlantic right whale; and

WHEREAS, notwithstanding the statement by the Marine Stewardship Council, there has never been a North Atlantic right whale death attributed to Maine lobster gear; and

WHEREAS, Maine lobster harvesters have a 150-year history of sustainability, and Maine's lobstering community has consistently demonstrated its commitment to protecting North Atlantic right whales; and

WHEREAS, the Maine Lobster Marketing Collaborative has stated that the Marine Stewardship Council's suspension of the Gulf of Maine lobster fishery's certification of sustainability is due to flaws with the National Marine Fisheries Service's regulatory plan and not due to actions by the lobster harvesters themselves; and

WHEREAS, the suspension of the lobster fishery's certification of sustainability and the refusal of Whole Foods Market, Blue Apron Holdings and HelloFresh Group to continue to sell Gulf of Maine lobster harm the livelihoods of hard-working men and women up and down Maine's coast; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to express our disappointment over the outrageous decision by Whole Foods Market, Blue Apron Holdings and HelloFresh Group to discontinue the sale of Gulf of Maine lobster; our belief that the Marine Stewardship Council, Whole Foods Market, Blue Apron Holdings and HelloFresh Group are following misguided recommendations rather than science; our hope that the Marine Stewardship Council, Whole Foods Market, Blue Apron Holdings and HelloFresh Group will reconsider their potentially devastating decision; and our hope that the public will refuse to patronize Whole Foods Market, Blue Apron Holdings and HelloFresh Group until those retailers recognize that their concerns regarding the danger of Maine lobstering to the North Atlantic right whale are unfounded and flawed and that their refusal to sell lobster from the Gulf of Maine based on these unfounded and flawed concerns maligns the men and women in Maine engaged in the lobster industry and Whole Foods Market, Blue Apron Holdings and HelloFresh Group resume selling lobster from the Gulf of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the corporate offices of Whole Foods Market, Blue Apron Holdings and HelloFresh Group and to the Marine Stewardship Council.

The Joint Resolution was **READ**.

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

Senator **STEWART:** Thank you very much, Mr. President. I stand in proud support of this resolution. I am happy to support you in your efforts and I am incredibly pleased to see that you are taking them to push back on Whole Foods, who has completely undermined the Maine lobster industry and is actively working against one of the cornerstones of our great state. So, it is in that spirit that I rise to support this resolution and look forward to continuing our efforts to right this wrong and hopefully collaborate on some future legislation as well. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

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

At this point, a message was received from the House of Representatives borne by Representative CLOUTIER of Lewiston, informing the Senate that the House had organized by the choice of RACHEL TALBOT ROSS of Portland, as Speaker of the House, ROBERT B. HUNT of Yarmouth, as Clerk of the House, and MICHELLE DUNPHY of Old Town, as Assistant Clerk of the House of the 131st Legislature and was ready to transact such business as might come before the House.

At this point a message was received from the House of Representatives, borne by Representative TERRY of Gorham, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 2:00 in the afternoon for the purpose of electing a Secretary of State for the political years 2023 and 2024, a Treasurer of State for the political years 2023 and 2024 and an Attorney General for the political years 2023 and 2024.

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President

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

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 3

WHEREAS, Maine is in the midst of a housing crisis due to the lack of quality affordable housing options in communities all across the State; and

WHEREAS, the fair market rent for a 2-bedroom unit is unaffordable to the average household renter according to data from the United States Department of Housing and Urban Development; and

WHEREAS, the number of existing houses on the market in the State is below average and the median house price in the State is unaffordable for the median income household in 15 out of 16 counties according to the Maine State Housing Authority; and

WHEREAS, the number of unhoused residents has reached an all-time high as the State heads into the cold winter months; and

WHEREAS, the lack of quality affordable housing is exacerbating the State's workforce shortage and making it harder for employers to fill critical positions; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Select Committee on Housing is established as follows.

1. Establishment. The Joint Select Committee on Housing, referred to in this order as "the committee," is established.

2. Membership. The committee consists of 13 members of the Legislature: 3 members of the Senate appointed by the President of the Senate and 10 members of the House of Representatives appointed by the Speaker of the House of Representatives. The President of the Senate shall appoint no more than 2 Senators from the party holding the largest number of seats in the Senate and no more than one Senator from the party holding the 2nd largest number of seats in the Senate. The Speaker of the House of Representatives shall appoint no more than 6 Representatives from the party holding the largest number of seats in the House of Representatives and no more than 4 Representatives from the party holding the 2nd largest number of seats in the House of Representatives. Nothing in this section precludes the appointment of a member who is not a member of the party holding the largest number of seats or the 2nd largest number of seats in the chamber. The first-named Senate and House members shall serve as cochairs of the committee.

3. Authority. The committee shall hold public hearings and work sessions on any legislation referred to it and shall vote on and report out the legislation to the appropriate chamber in the manner prescribed in Joint Rule 310. In addition to reporting out legislation referred to it, the committee is authorized to submit legislation to the House of Representatives concerning housing matters. The committee is also authorized to seek information from experts on housing matters.

4. Meetings; staff assistance. The committee may meet on days and at locations jointly authorized by the President of the Senate and the Speaker of the House of Representatives. The Legislative Council shall provide staffing to the committee. The cochairs of the committee may request technical assistance from appropriate sources whenever necessary. The committee shall report out all legislation referred to it in accordance with deadlines established by the President of the Senate and the Speaker of the House of Representatives.

5. Termination. Unless the committee is extended by joint order, the committee terminates with the final adjournment of the Second Regular Session of the 131st Legislature.

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

READ and PASSED, in concurrence.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act to Address Maine's Housing Crisis"
H.P. 4 L.D. 2

Comes from the House, **REFERRED** to the Joint Select Committee on **HOUSING** and ordered printed.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Joint Select Committee on **HOUSING** and ordered printed, in concurrence.

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

ENACTORS

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

Emergency Measure

An Act to Provide Funding for Winter Emergency Energy Relief and to Finalize the COVID Pandemic Relief Payment Program
S.P. 8 L.D. 1

Senator **BENNETT** of Oxford moved the Bill and accompanying papers be **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

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

Senator **BENNETT:** Thank you, Mr. President. I'll be brief. You know, this is our opening day of session, obviously. Two things are fresh in our minds, I believe, and I'll speak for myself and fresh in my own memory and my experience. The first is that we've just been through another campaign season. It's - they seem to be getting more bruising and brutal with each passing year. I think people are frustrated and the people of Maine, across the country, are frustrated by politics that doesn't seem to work for them anymore. Their faith in our institutions and politics in general is tattered and so we have to - we have to bear in mind the importance of giving them reassurance that their interests are being protected. Secondly, we just had the honor of being sworn in to this Body, this - a few hours ago, and we each took an oath of office that where we pledged to faithfully discharge to the best of our abilities the duties incumbent upon us. Each one of us is going to draw our own conclusions about what those words mean for us in terms of discharging to the best of our abilities. For me, a critical public good is transparency. Public input has immense

value in legitimizing our process and here we have before us a bill which proposes to appropriate nearly half a billion dollars. A large part of it is in giving checks, \$450 checks, to people in Maine. But we've already made lots of commitments. Previous Legislatures have made lots of commitments. There are folks on waiting lists, for example. There are needs across the spectrum. We have so many needs and the Legislature, working with the other agencies, has made commitments and many of those commitments are not in this bill. I would like to hear from the people whose promises have not yet been met in determining whether or not it makes sense in the context of this bill to appropriate all of the money in the way that it's being done.

So, let's - and I, for one, am willing to work actively and tirelessly and immediately on this issue. I think we can provide public input, I think we should, we can send this bill to committee, let's hear from the people of Maine and come back in the near future, even before the end of this month, if possible, to consider this matter in due course. Thank you, Mr. President.

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

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

Senator **BRAKEY:** Thank you, Mr. President. I rise today in support of the motion to send this to committee for a public hearing and in the spirit of our third president, Thomas Jefferson, I just thought it's worth mentioning, you know, he was the founder of the Democratic-Republican party and, in echoing his first inaugural address, I think it behooves us to remember that in taking our oaths of office, we are all Republicans and we are all Democrats. In swearing those oaths this morning, we committed ourselves to upholding a longstanding tradition and to defend the institutions of this constitutional democratic republic. For the integrity of our oaths and the conduct of our office, our commitments supersede any partisan or special allegiance we may otherwise hold. Among the provisions of our Maine Constitution is Article III regarding the distribution of powers which states; the powers of this government shall be divided into three distinct departments - the legislative, executive, and judicial. Further, no person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others.

I remember when I departed this Chamber four years ago, the Maine Legislature was a robust third branch of our State Government. We were the lawmaking branch, giving time and access to the Maine people for input on all statutory proposals. Our independence as an institution superseded partisanship, often frustrating the previous Chief Executive. Because the Legislature is established as a separate branch for a reason. In the years I have been gone, however, I was dismayed to watch as this institution, the Peoples' House, was weakened and turned increasingly irrelevant in the lawmaking process. Years went by where the lawmaking power was totally abdicated to the Executive Branch. Without a single public hearing, decisions were made solely in the Executive Branch, mandates were issued, Maine people were locked down, their kids were shut out of school, their businesses were driven to the ground, and many were arbitrarily fired from their jobs. But now that this new Legislature has reconvened, we have an opportunity to reassert

that no matter what party sits in the majority, we are, in fact, a separate branch of government, that branch most concerned with ensuring the voices of the Maine people are heard in the business of State Government and we will perform our most basic duties. Instead, it is being demanded that we once again abdicate our duty to maintain this legislative institution to appropriate half a billion dollars in spending without a single public hearing at the insistence of the Executive Branch.

Now, when several members of this Body have insisted on public input, transparency, and a committee review process, we've received excuses and sometimes threats in response. Now, the first excuse; that we don't have time to thoughtfully consider this legislation because it's an emergency and we must act. Well, I certainly agree that the challenges Maine people face this winter merit a speedy process. But we can deliver on that speedy process. We can deliver on that speedy process. We can have members appointed to the Appropriations Committee, even on a temporary basis, and that committee can hold hearings before Christmas. We can have a bill ready to go to vote on by January, at the latest. And as I understand it from talking and trying to get information, which has been difficult because there's been no committee process, that LIHEAP and ECIP are in no danger of running out of funds in - within the next month. Without this legislation, those in need of heating assistance through December and January will find that that assistance is already funded. Further, the checks in this bill are not scheduled to go out until January.

So, why can't we take the time to ask basic questions. For example, does a no-strings-attached check for \$450 actually help someone struggling, for example, with opiate addiction? Sometimes, that's the worst thing to do for someone struggling with addiction, is to give them a blank check with no strings attached. Might people be better served by a program that ensures these funds are actually used for energy assistance? These are questions we could ask and explore in a committee process with a public hearing.

The second excuse I keep hearing is that asking for a public hearing would make Augusta too much like Washington DC. Now, I hope that the absurdity of this excuse is immediately apparent. I often think of my good friend, Former Congressman Justin Amash from Michigan, who talks often about the problems in Washington DC and it's certainly not that there are too many - there's too much - there are too many committee processes and too much public input from the Legislature. In fact, the problem in Washington DC, as he notes, is major legislation being crafted behind closed doors by party leadership that are dropped on the desks of legislators with no opportunity for input in the process, just the opportunity to vote yes or no. That is what - it is the process that has arrived at this legislation before us which is turning us more to resemble the process that has made Washington DC so dysfunctional.

And the third excuse, that holding committee hearings would cost too much money. Personally, I find it somewhat difficult to believe that this is presented with sincerity when we are considering an expenditure of nearly half a billion dollars in taxpayer money. If public input and a legislative process is too expensive, then perhaps we should just declare a public emergency again, close the Legislature again, invest the Chief Executive with the legislative power again, make her the dictator of Maine again, and dispense with the illusion that the next two years we will have any more purpose here as Senators in Maine than the Senators of Rome under Caesar Augustus.

Mr. President, I think there is no excuse to not have a public process on this bill. There is no excuse to not have transparency and input from the people we were sent here to represent. We can do so with a hasty process and perhaps we might even end up with a bill that the public is on board for, the members of this Body are on board for, and we can all proceed in a bipartisan fashion with true consensus. Thank you.

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

Senator **BALDACCI:** Thank you, Mr. President. I rise in opposition to the pending motion. I first want to congratulate and thank the - my House colleagues on both sides of the aisle who showed courage and wisdom and compassion in approving L.D. 1 tonight.

THE PRESIDENT: The Member will defer. The Chair recognizes the Senator from Aroostook, Senator Stewart, as to why he rises.

Senator **STEWART:** Thank you, Mr. President. I would rise to make a point of order about representing the actions of the other Chamber. Thank you.

THE PRESIDENT: Senator Baldacci, we do have to be careful to use actions of the other Body as a way to goad or get people to ...

Senator **BALDACCI:** Fine. Thank you, Mr. President. I rise in opposition to this motion. We have as a state benefitted over the last two years with prudent fiscal management and some fortunate economic circumstances. We have placed close to a billion dollars in our Rainy Day Fund and we are getting very close to the statutory maximum of 18%. While the Rainy Day Fund is doing quite well, it is clear that hundreds of thousands of Maine families are having their own rainy day. Fifteen million for emergency rental assistance will help prevent more than a thousand Mainers from being evicted or made homeless this winter. Thousands of Maine families will be helped by the expansion of heating oil assistance, and hundreds of thousands of struggling Maine families will be helped out with an additional refund check of \$450 per person. For Bangor and Herman, this bill will mean many fewer homeless people this winter. It will mean more families kept warm, more Maine families able to make ends meet despite economic - challenging economic times, and the tax refunds will mean an additional \$12 to \$13 million in the hands of Bangor taxpayers who can spend the money on their own budgets and help their own families. That is an enormous undertaking. This bill may not be perfect, nor will it ever be, but the bill will help all 1.3 million citizens in this state in many important ways.

It would be a dereliction of our duties as public servants to do anything but vote for this bill. We all have great ideas about what or how we're going to spend this money but the need is now, the people who need help are right before our eyes. We have come through a process called an election, where we put ourselves up for election in front of thousands of people and we heard their concerns. We would be derelict in ignoring those concerns today. So, I ask you to oppose this motion. We have two years to debate policies, to debate and propose budgets, but we only have this opportunity to make this bill law and to help meet the needs of hundreds of thousands of our fellow citizens. Thank you.

The Chair noted the absence of the Senator from Somerset, Senator **FARRIN**, the Senator from Cumberland, Senator **CHIPMAN**, the Senator from Androscoggin, Senator **TIMBERLAKE**, the Senator from Kennebec, Senator **POULIOT**, the Senator from Penobscot, Senator **LYFORD**, and the Senator from Penobscot, Senator **GUERIN**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#1)

YEAS: Senators: BENNETT, BLACK, BRAKEY, GROHOSKI, HARRINGTON, KEIM, LIBBY, MOORE, STEWART

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

EXCUSED: Senators: CHIPMAN, FARRIN, GUERIN, LYFORD, POULIOT, TIMBERLAKE

9 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 6 Senators being excused, the motion by Senator **BENNETT** of Oxford to **COMMIT** the Bill and accompanying papers to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS, FAILED.**

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.

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

Senator **JACKSON:** Thank you, Madam President. Ladies and gentlemen of the Senate, I have no conceptions, preconceived or other, that getting down off the rostrum to come down and speak to people is going to make a huge difference but I do think that this is an important enough issue for me, personally, that I had to come down.

You know, I spoke this morning about my great, great hopes

of this legislative Body, you know, working together here to set the tone for the next two years of the 131st Legislature, and I am very frustrated by where we find ourselves tonight, on the verge of having enactment in this Body of a package that would help thousands of people across this state. And regardless if you like it or don't, that is a clear fact, that thousands of people will be helped by our actions here tonight and letting that go, I do think, is going to be a travesty that it will be hard to overcome. This is not a package that I love a 100% but it was a package that was worked on and it - you know, let's let the campaign go. If we don't like the Chief Executive, that's fine. But no one threw this onto us. This was an opportunity by the Administration to do something meaningful to help the people in this state, which I appreciated very much, having fought with the Chief Executive probably more than anyone in this Chamber. But the idea that people in this state would get assistance in a time that they very much need it is something that I will hold very dear.

You know, I spoke this morning about the concerns that I would have for people across this state, not just in my district but across the state, and the real feelings that I have on this issue. When I talked about worrying about oil furnaces shutting down, that's something that makes my heart beat now because I know - the only thing that was hard for me today to talk about that was the fact that my parents are sitting in front of me and any ashamedness that they might've felt about that period of my life. But the idea that we would be at night waiting for the furnace to come on and every time wondering if that was the last time it came on is something I can't get out of my heart today. Something that I know the people across this state are going to feel. It's something that we will deal with. And do you know what is worse? The people that will have to deal with this and will come up with some harebrained scheme to heat their homes because they don't have the heating fuel, because they don't have the electric, because they don't have the firewood, and they concoct something that will cause a fire and probably carbon monoxide death. And that, you all know, regardless of what you think of me, will happen. And when we talk about process, I completely disagree. Yes, it is different. It's not the norm. But we have taken these issues up before to try and make things happen in a timely manner because of what was in front of us. I mean, what is in front of us is a winter that we know what it's like in Maine with unreasonable costs across this state, across this country, for heating fuel and other things. And I think that that is an opportunity to have a different process to make sure the people in this state are taken care of.

You know, coming in earlier, I heard about - was absolutely not an option. If I had called for people to come in earlier, I know for a fact that we would've never gotten the votes to come in before an election, nor would it have mattered because the revenue forecast didn't come in until just a week ago. When we talk about, you know, we could've had different things, well, we just found out that \$280 million was available to us to go forward in this package. And bipartisan, I mean, we've changed this numerous times. I mean, it isn't a package with new programs. It's all the same programs that we've had; LIHEAP, rental assistance. You may not like those programs, I understand that, but they're not new. They're not something the public doesn't understand. And as far as the \$450 checks, I mean, that is just a continuation of the \$850 checks that we did in the last supplemental budget. And when - and so much so that when it was asked to get to the very same income levels that we did for \$850 checks and this one, we agreed. And that is a part of the

bipartisan compromise that while, yes, sure, it was certainly happening and offered to people to try and make this better. And now here we are at the end, at the very end of this session, with that opportunity. And I - I just can't stress what a big deal I believe this is for the people of the state of Maine. I mean, we have that opportunity to help. It isn't the end-all, be-all, but it is a help for people that we all know is going to do that.

You know, and finally, I mean, there's people that you work with in this Body that you come to respect, you come to understand. You may even disagree with them 95% of the time but you come to respect them. And I listened to the Representative from Waterford, Representative Millett, speak in the other Chamber. I actually heard a lot of great speeches about this. But I heard a man that I have known since I first got here, and everyone knows, talk about the process - and I don't think there's anyone that respects the process more than Representative Millett - and how it made more sense to go out and help the people in this state than to get bogged down in a process that he has come to embody for years and years and years. Now, if we can't take someone like that's word for how it's more important to do this today than to worry about the process, then I really am not sure, you know, what this institution means. I mean, I believe in the process, 100%, but I also - more - more than the process, I believe in doing the right thing for people and this, I know with every bit of my soul, is the best process that we have in front of us, or will have by waiting for a public hearing at some other time. And that's just why I thought it was - well, I guess maybe for my own conscience, it was best to come down and say that. And I - I implore you to do the right thing. Help the people of the state of Maine, yours and mine. It is the thing that we should be doing and we can work on all the other things that we know is going to be important in the days to come forward.

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

The Sergeant-At-Arms escorted the Senator from Sagadahoc, Senator **VITELLI**, to her seat on the Floor.

The Senate was called to order by the President.

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

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, I rise in support of the pending motion because housing is a human right and we took an oath this morning, as I was reminded of by a young Representative in the hallway, that our oath is about protecting the common welfare of the people.

This summer and into the fall, while all of us were out knocking doors, pounding in signs, listening to voters, hearing their concerns, some of us were in the building working really hard on the Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-Term Rentals. I had the honor - thank you, Mr. President - of chairing this commission, which has produced a 222-page report, which I have in my hand, anyone can look it up online, and you might

want to follow along because I'm going to read from it. It's on our commission webpage, you can click on the link. I'm not going to read 222 pages, although I'm tempted to, because my heart is heavy with the notion that we can let people die on the streets. We can just let people freeze to death, and wait.

See, I'm a farmer, and farmers don't wait on rain, we don't wait on weather, we don't wait on anything. We have to navigate and mitigate what is in front of us in the here and in the now. We had six meetings. One began on September the 13th, our last meeting was on October 31st. So, yeah, not much too long before the election, we were in the Appropriations Committee room, which is an interesting place to be given this debate, having a meeting where we started with public comment. And the public comment at the beginning of the meeting included these people. At the sixth and final meeting on October 31st, the commission heard public comment from Debbie Laurie, City Manager of Bangor; Danielle West, Interim City Manager of Portland; Kristen Barth, Social Services Director, City of South Portland; Scott Morelli, City Manager, City of South Portland; Mary Cook of Opportunity Alliance; Jane Maynard, General Assistance Administrator at the City of Saco; Martin Puckett, Deputy City Manager, City of Presque Isle; and Harrison Deah, Director of GA, City of Westbrook. That excerpt is on page ten of the report. Flipping through to page 21, the commission came up with 17 recommendations to try to deal with our housing crisis. Recommendation number seven is based upon just about every single thing that we heard from the public who commented before us at that meeting. We had public comment on this issue. Recommendation number seven says create a State Emergency Rental Assistance Program that mitigates the end of the federally-funded Emergency Rental Assistance Program, increase the General Assistance maximums for housing to match the actual cost of housing, provide greater assistance and resources to municipalities with respect to the processing of GA applications and due to this housing crisis, encourage the Governor to consider declaring a state of emergency - four-letter words, I guess - to increase reimbursement to municipalities immediately. In the footnote, those who voted in favor of that particular recommendation; yours truly, Representative Amy Roeder, Senator Matt Pouliot, Ryan Neale, John Egan, Heather Spalding, Patrick Clancy, Erin Cooperrider, Lado Lodoka, Katherine McGovern, Erik Jorgensen, Paul McKee, Rebecca Graham, Gregory Payne, Nancy Smith. Absent from the vote were Representative Joshua Morris and Jason Shedlock.

Footnote 29; Commissioner Payne, who was on the commission as a representative of the Office of the Governor, qualified his support of recommendation number seven as in favor of creating a state program to mitigate the end of the federally-funded ERAP but he abstained from the remainder of the recommendation. I point that out because the recommendation has to do with increasing GA maximums and asking the Governor to declare a state of emergency. I point that out because clearly the Office of the Governor wasn't interested in asking us to recommend to her that she declare a state of emergency. But the Office of the Governor in this report made it very clear that an Emergency Rental Assistance Program that mitigates the end of the federally-funded Emergency Rental Assistance Program is paramount. Here's the summary of that recommendation. The commission unanimously recommends the creation of an Emergency State Rental Assistance Program that mitigates the end of the federally-funded Emergency Rental Assistance Program. This program was funded by federal

COVID-19 relief funds and has been paused for new and subsequent applications as of September 29th. There was no notice, it just had to be paused. Maine's ERAP, which is managed by Maine Housing, provides rental and utility relief payments to help eligible renters. Maine's community action agencies reviews applications, checks eligibility, and processes payments for eligible expenses on behalf of households. Over 11,000 applications which had been received prior to the pause will be processed by Maine Housing and the CAPs. As of September 30th, ERAP in Maine has aided 33,719 households and expended more than \$275 million. According to Commissioner Erik Jorgensen, the cost of federally-funded ERAP is approximately \$500,000 per day. The commission is concerned that the federal assistance available for tenants and landlords to keep tenants housed has terminated at a time when the cost of rent is increasing dramatically in Maine and across the nation. We all know this. We heard it from every single person we spoke with. According to Maine Housing, rental prices increased during the pandemic and continue to do so. The same is true for median home prices. Availability of affordable rental and owned units are declining as the vacancy - as are vacancy rates. Tight inventories are increasing prices and the cost burden for tenants. More Mainers will be cost burdened unless the cost and supply of housing can be addressed.

According to the Maine Municipal Association, Maine's municipalities are facing an entirely preventable humanitarian crisis that will impact 121 communities and over 8,578 households. One hundred and twenty-one communities. That's one-quarter of the State of Maine. While there's an effort to acquire additional federal funding to extend the program, if ERAP is not extended, many will simply face being unhoused during Maine's coldest time of the year if a long-term solution cannot be found. Any extension must include a plan to ensure that tenants are prepared for this.

There are two paragraphs about the GA maximums which I'm going to skip but I'm going to read this part. According to the MMA, when Maine Housing runs out of funds - and it will, sooner than you think - Bangor, Portland, South Portland, Lewiston, Caribou, and Farmington will have 24 hours to process 2,800 possible applications for rental or emergency shelter payments or face penalties and additional fees for a foreseeable problem not of their making. If 2,800 individuals were unhoused at once because of a natural disaster, even in only a handful of communities, the State would not charge a penalty or a fee to a community to assist with administrative paperwork. Municipalities have not created this crisis.

Now, the legislation in front of us doesn't deal with the administration of General Assistance but it demonstrates the enormity of the crisis that is staring us in the face. The legislation in front of us includes \$21 million to do exactly what the commission recommends the Legislature do based upon public comment. So, when I hear people say there's been no public process about what's in this legislation, I say you haven't done your homework because there has been and the Governor has not declared a state of emergency. What she's done instead, the Chief Executive, excuse me, has asked us to pass this bill. We're deliberating it, we're debating it. The numbers are staggering. I hate politics. I hate it. Disgusted by the pettiness and nonsense and cruelty of it all. But I will use the political process and the power it provides to actually help people. Help people. No matter how little, no matter how many norms must be shattered in the process. If tyrants in the highest offices of our land can shatter

norms simply to hoard power for their own interests and live to tell about it, then I'm perfectly willing to shatter norms to help Maine people.

At the end of the election, Representative Hanley called me up. He said Senator Hickman; 'You won. Now go and take care of the Maine people.' That is what my vote will do here today. That is what I'm asking your vote to do here today. Because if you don't vote for this, you basically have told all of the people that told you that they cannot afford the cost of living that you were going to help them deal with, you've betrayed them.

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

Senator **STEWART:** Thank you, Mr. President. I feel we are quickly approaching impugning the motives of other members that may or may not agree with the speaker. Thank you.

THE PRESIDENT: The Chair would advise the good Senator from Kennebec that impugning another member is not allowed, although I think at least one member in here I gave great latitude before. But I will make sure that I won't in the future. The Member may proceed.

Senator **HICKMAN:** Thank you, Mr. President. I probably would have said this, it could have been better; if I didn't vote for this bill after what I told the constituents when I was talking to them, I would have betrayed them. People will die in the streets. We can't wait. There has been a process, even though most of us didn't know about it until just now. We had public comment on this very issue and the commission was not charged with the power to do anything about it except to make a recommendation and now here I stand in front of my colleagues in the Senate with the power to vote on a bill that will allow for some emergency relief right before the holidays, right before the coldest days of winter, so that people do not die in the streets. Thank you, Mr. President.

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

Senator **MOORE:** Thank you, Mr. President. While I understand and I agree that there are a lot of folks in need of additional dollars for fuel, food, etcetera, especially in my district, and as a Republican, I favor giving taxpayers back the money in the case of surplus funds. However, what I am most concerned about is the lack of transparency with the dollars being used from the FMAP allocation without any public input. In the last budget, we all agreed a need to fund so many of the important DHHS programs. However, they were at a minimum level. For example, such as the 125% of minimum wage for essential direct care workers. While they appreciated it, the dollars were not enough. If there are FMAP dollars available, we need to hear from the public how we should use those dollars to fund critical programs that are still underfunded. Thank you, Mr. President.

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

Senator **RAFFERTY:** Thank you, Mr. President. I rise in support of this measure. And maybe it's a coincidence but there's a ladybug walking across my desk and it could be that they're

inside because its warmer. In any case, as I - I need to comment in terms of, you know, today's been a great day. I came in here feeling a little bit cheated. After the day was over from my first term in office, we didn't go through the festivities that we were able to experience today, so I - you know, throughout the day, it was very emotional, I was charged up and excited. And then tonight, we have our first opportunity for a controversial measure and, you know, it - I feel like we're back to the same old thing. But, in any case, I feel that my job is to meet the needs of my constituents and when I went out to do all my door-to-door knocking, the greatest advice I heard was just listen. And I did. I don't need any more public hearings. I really don't. There's no need for me to sit down and somebody come in to say I need help. It's been transparent to me after months of knocking on doors that people in our state are in need. I coach, I teach, it's in my face every day. Kids are experiencing homelessness in my community. You can drive through our street and kind of see where people hang out during the - our town, see where the people hang out during their day, trying to seek some warmth. Kids are hungry. In my house, my contract for oil is \$4.75 a gallon, \$450 won't put 100 gallons of oil in my tank, and I know that there are people experiencing some great tightness in terms of finances but all of us, in my opinion, or most people in Maine, are an incident away from greater poverty, or greater tragedy, and are in greater need. But I think public input has been heard. I know I've heard it, and I believe that failure for us to pass this measure will challenge the integrity of this building and the words we hear - heard and the voters that stood up for us for their expectations of the outcomes of their elected officials. And I ask that, in the spirit of Christmas, we do all we can to create our own Hallmark movie tonight and give the people of Maine what they're asking for and what they need. They need us. Let's deliver. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#2)

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

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

EXCUSED: Senators: CHIPMAN, FARRIN, GUERIN, LYFORD, POULIOT, TIMBERLAKE

This being an Emergency Measure and having received the affirmative vote of 21 Members of the Senate, with 8 Senators having voted in the negative, and 21 being less than two-thirds of the entire elected Membership of the Senate, **FAILED ENACTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**,
pursuant to the Joint Order, until Wednesday, January 4, 2023 at
10:00 in the morning.