

MAINE STATE LEGISLATURE

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

Off Record Remarks

In Senate Chamber
Tuesday
January 24, 2023

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

Prayer by Pastor Travis Armstrong of Hope Baptist Church in Manchester.

PASTOR ARMSTRONG: Will you pray with me. Father, God, You are a great and powerful God, a God that is sovereign and control of all things. A God who freely pours out His love, mercy, and blessing to those who would seek it and choose to follow You. So we come before You today asking for Your guidance and direction in every decision that is made on behalf of our state before Congress. We ask for Your blessing on this group of elected and chosen representatives and on the choices that they make which effect thousands of people. We ask that there would be tremendous unity in their discussions and decisions; that Republican, Democrat, Independent, or otherwise would not be how they first think or define themselves but rather as American, Mainer, and servant, servants of each other and of the people they represent. We ask for virtue to overshadow personal victory. We ask for integrity and morality to win over selfishness and pride. We ask that choices would be based upon what is right and not what is perceived as popular. We ask today for a spirit of partnership rather than partisanship. We know that everyone here today wants to see this continuous Body succeed in their efforts to guide and lead our state. God, may they be guided by You as they seek to guide us. God, may they be led by You as they seek to lead us. God, may they be blessed by You as they seek to bring blessing upon us. Father, God, may Your will be done in this room today. May You use these men and women which You have placed into office for Your purposes and for Your glory. We come before You today and ask these things in the name of Jesus Christ. May His mercy and love, servanthood and sacrifice be an example to how we would lead and how we would live. It is in Jesus' name we pray. Amen.

Pledge of Allegiance led by Senator Richard A. Bennett of Oxford County.

Reading of the Journal of Tuesday, January 17, 2023.

Doctor of the day, David B. Carmack, MD.

PAPERS FROM THE HOUSE

House Paper

Bill "An Act Regarding Municipal Efforts to Avert Evictions and Heating Shut-offs During Winter" (EMERGENCY)
H.P. 75 L.D. 107

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

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

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

The following Joint Resolution:

H.P. 92

**JOINT RESOLUTION
RECOGNIZING THE 81ST ANNIVERSARY OF THE
ATTACK ON PEARL HARBOR**

WHEREAS, on December 7, 1941, without warning and minutes before 8 a.m., aircraft of the Imperial Japanese Navy and Air Force attacked United States military installations at Pearl Harbor and elsewhere on the island of Oahu, Hawaii; and

WHEREAS, the bulk of the attack at Pearl Harbor lasted for approximately 5 hours, during which 2,403 members of the United States Armed Forces were killed or mortally wounded, 1,247 members of the Armed Forces were wounded and 57 civilians lost their lives; and

WHEREAS, President Franklin Delano Roosevelt declared the day of the attack on Pearl Harbor "a date which will live in infamy," and the people of the United States became united in remembrance of the fallen and committed to defending the United States against all aggressors; and

WHEREAS, the following day, on December 8, 1941, Congress declared war against Japan and 3 days later against Germany, thus beginning the United States' involvement in a global conflict that would define a generation; and

WHEREAS, after nearly 4 years of warfare, on September 2, 1945, after victory on the European front, World War II ended with the Japanese surrendering aboard the USS Missouri; and

WHEREAS, on August 23, 1994, Congress enacted Public Law 103-308, which designated December 7th of each year as National Pearl Harbor Remembrance Day and requests the President to issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities; 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 recognize the 81st anniversary of the attack on Pearl Harbor and the lasting significance of National Pearl Harbor Remembrance Day and to honor both those who survived the attack and all those who paid the ultimate sacrifice and gave their lives in defense of freedom and liberty during World War II.

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

READ and **ADOPTED**, in concurrence.

The following Joint Resolution:

H.P. 125

**JOINT RESOLUTION
TO RECOGNIZE THE OBSERVANCE OF THE
NATIONAL DAY OF RACIAL HEALING 2023**

WHEREAS, racial divisiveness is rising in America's urban, rural and tribal communities and threatens the very core of this great country's unified front; and

WHEREAS, just as with those who came before us, it is our duty to protect those who live in this State and maintain communities in which they may all be given the opportunity to succeed; and

WHEREAS, we understand and recognize that there is a racial divide in our country and that we must all work earnestly to heal the wounds created by racial, ethnic and religious bias and build an equitable and just society so that all people can thrive; and

WHEREAS, children have the right to every opportunity to learn, grow and thrive in nurturing environments that do not violate their safety, dignity or humanity; and

WHEREAS, all persons have the capability to make a simple change within themselves that can have a profound positive effect on an entire society; and

WHEREAS, if we all dedicate ourselves to the principles of truth, racial healing and transformation, we can all bring about the necessary changes in thinking and behavior that will propel this great country forward as a unified force where racial biases will become a thing of the past; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Regular Session, in conjunction with others throughout the United States of America, acknowledge January 17, 2023 as the National Day of Racial Healing.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 34

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

January 18, 2023

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

Dear Secretary Grant,

Pursuant to my authority under Title 7, MRSA, Part 1, Ch. 5, §125.2-G, I am pleased to appoint Representative James Dill of Old Town to seat 15 on the Board of Agriculture, effective immediately.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross
Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 32

**BUREAU OF FINANCIAL INSTITUTIONS
AUGUSTA, MAINE**

January 15, 2023

Hon. Troy D. Jackson, President of the Senate
Hon. Rachel Talbot Ross Speaker of the House
131st Maine Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

In accordance with Title 9-B M.R.S. § 217, as amended, enclosed please find a copy of the Annual Report from the Superintendent of the Bureau of Financial Institutions to the Legislature.

In the event that you may have any questions regarding the information contained in this Report, the Bureau would be pleased to respond. This Report will also be available in electronic format at www.maine.gov/pfr/financialinstitutions.

Very truly yours,

S/Lloyd P. LaFountain III
Superintendent

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

The Following Communication: S.C. 33

**OFFICE OF PROGRAM EVALUATION
AND GOVERNMENT ACCOUNTABILITY**

January 13, 2023

The Honorable Craig Hickman, Senate Chair
The Honorable Jessica L. Fay, House Chair
Members of the Government Oversight Committee
82 State House Station
Augusta, Maine 04333

The Honorable Troy D. Jackson, President of the Senate
Members of the 131st Maine Senate
3 State House Station
Augusta, Maine 04333

The Honorable Rachel Talbott Ross, Speaker of the House
Members of the 131st Maine House of Representatives
2 State House Station
Augusta, Maine 04333

Dear Government Oversight Committee Members, Senators and Representatives:

In accordance with 3 MRSA §995(4), I respectfully submit the Office of Program Evaluation and Government Accountability (OPEGA) Annual Report for 2022. OPEGA's service to the Legislature as an independent, non-partisan resource is meant to support the important role of legislative oversight and to help improve the performance of State government. We remain committed to serving Maine's legislators and citizens as a trusted source of objective, credible information.

Thank you for the opportunity to be of assistance.

Sincerely,

S/Peter Schleck
Director

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

SENATE PAPERS

Resolve, Directing Maine Emergency Medical Services to Convene a Stakeholder Group to Explore Emergency Medical Services Career Pathways and Educational Opportunities in the State

S.P. 110 L.D. 244

Presented by Senator CURRY of Waldo.
Cosponsored by Representative SALISBURY of Westbrook and Senator: FARRIN of Somerset, Representative: Speaker TALBOT ROSS of Portland.

On motion by Senator **BEEBE-CENTER** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law"

S.P. 108 L.D. 242

Presented by Senator BALDACCI of Penobscot.

On motion by Senator **BRENNER** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Resolve, to Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Facilities

S.P. 117 L.D. 251

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative MORRIS of Turner and Senators: KEIM of Oxford, STEWART of Aroostook.

On motion by Senator **INGWERSEN** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act Relating to Long-term Care Pharmacies"

S.P. 118 L.D. 252

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Senators: BAILEY of York, DAUGHTRY of Cumberland, Representatives: CLUCHEY of Bowdoinham, JAUCH of Topsham.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Eliminate Residency Requirements for District Court Judicial Appointments"

S.P. 109 L.D. 243

Presented by Senator CARNEY of Cumberland.
Submitted by the Judicial Department pursuant to Joint Rule 204.

On motion by Senator **CARNEY** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Require a Person Receiving Unemployment Benefits to Attend Scheduled Interviews to Fulfill the Work Search Requirement"

S.P. 111 L.D. 245

Presented by Senator GUERIN of Penobscot.
Cosponsored by Senators: BRAKEY of Androscoggin, HARRINGTON of York, KEIM of Oxford, LYFORD of Penobscot, MOORE of Washington, STEWART of Aroostook.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

Sent down for concurrence.

Bill "An Act to Improve Housing by Increasing Housing Options"
S.P. 116 L.D. 250

Presented by Senator POULIOT of Kennebec.

Committee on **LABOR AND HOUSING** suggested and ordered printed.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on Joint Select Committee on **HOUSING**.

Sent down for concurrence.

Bill "An Act to Amend the Campaign Finance Laws"
S.P. 112 L.D. 246

Presented by Senator HICKMAN of Kennebec.

Bill "An Act to Amend the Laws Governing Elections"
S.P. 113 L.D. 247

Presented by Senator HICKMAN of Kennebec.

Bill "An Act to Amend the State's Liquor Laws"
S.P. 114 L.D. 248

Presented by Senator HICKMAN of Kennebec.

Bill "An Act to Amend the Campaign Finance Laws Regarding Political Action Committees"
S.P. 115 L.D. 249

Presented by Senator HICKMAN of Kennebec.

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

Sent down for concurrence.

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

ORDERS

Joint Order

Expression of Legislative Sentiment recognizing:

The C.K. Burns School LEGO Robotics Team, of Saco, which won First Place in Robot Design at the Maine State LEGO League Championship. We extend our congratulations and best wishes;

SLS 66

Sponsored by Senator BAILEY of York.
Cosponsored by Representatives: COPELAND of Saco, GATTINE of Westbrook, O'NEIL of Saco.

The Joint Order was **READ**.

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

Senator **BAILEY:** Thank you, Mr. President. Mr. President, men and women of the Senate, today I'm pleased to welcome the Robotics Team coaches, Holly Trottier and Robyn Hollenbeck, and their students to the Senate Chamber. In December 2022, Saco C.K. Burns School LEGO Robotics Team, known as the Electronic Mustangs, you'll notice their t-shirts here today, won the Robot Design award at the Maine State LEGO League Championship. C.K. Burns School was one of twenty-five total Maine robotics teams. For those who aren't familiar with the competition, the Electronic Mustangs challenge had three components: design five robots in partnership, vote on the best parts of each robot, and come up with one final design. The team, using different computers, worked as partners to create codes and accomplish five different tasks on the gameboard. After that, the Electronic Mustangs joined the separate codes onto one computer by using variables to connect the codes. The students maximized the individual strengths from each code and design as they decided how to combine the five separate designs into one unique design, which ultimately claimed the top design prize. Now, if any of you are like me, I didn't understand half of what they did but I am just totally impressed that they not only understood it but were able to do it. Reflecting on this experience Evan said, 'The challenges helped me learn how to work as a team and made me want to research more about real-life problems and solar power.' As a new generation of code experts, computer scientists, and robot designers, the lessons learned from this competition go far beyond robotics. Teamwork is a lifelong endeavor at school, with your family and friends, in the

community, at work that will benefit you and your peers. Learning more about real-life problems will help you become aware, compassionate, and responsible citizens who can make a difference in the world and you've already started doing that. As I close, I'd like to say congratulations to the Electronic Mustangs: Joshua, Evan, Hudson, Aryanna, Adele, Beryl, Andrew, Audio, and Charlotte, and the Mustangs' coaches, Holly and Robyn. I'm honored to present you with the Legislative Sentiment today for winning the Robot Design award at the Maine State LEGO League Championship. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the Chamber, in the rear of the Chamber, Coaches Holly Trottier and Robyn Hollenbeck; the entire team of the Electronic Mustangs: Joshua, Evan, Hudson, Aryanna, Adele, Beryl, Andrew, Audio, and Charlotte. They are all from Saco. They are all from - they are all guests today of the Senator from York, Senator Bailey. Will they please rise and accept the congratulations of the Maine State Senate.

Joint Resolutions

On motion by Senator **MOORE** of Washington (Cosponsored by Representative **FAULKINGHAM** of Winter Harbor), the following Joint Resolution:

S.P. 99

**JOINT RESOLUTION
RECOGNIZING MAY 1, 2023 AS PUREBRED DOG DAY**

WHEREAS, purebred dogs are living legacies of the cultures that created them, and historically these dogs worked alongside their people and provided them companionship; and
WHEREAS, the service of these breeds continues today as they work alongside humans while serving as guide dogs, service dogs, conservation dogs, livestock guardians, search and rescue dogs, earthdogs, police dogs and canine soldiers serving alongside our military men and women; and
WHEREAS, purebred dogs also serve as avalanche dogs, trackers, trailers, herders, controllers of vermin, water rescuers, carting and sled dogs, retrievers, protectors, hunters and bird dogs; and
WHEREAS, purebred dogs have been of enormous help to medical science, serving as models for many heritable human diseases, playing a role in humanity's understanding of the human and canine genomes and benefiting pharmaceutical research and development; and
WHEREAS, purebred dogs are guardians of family, home and hearth, and always they are companions near and dear to humans; and
WHEREAS, each purebred breed is indelibly etched in the history of the culture that created it just as surely as are that culture's music, art and language; and
WHEREAS, all dogs should be valued, whatever their ancestry, but the purpose-bred dog and the predictability of its breed should be cherished and preserved; and

WHEREAS, there is currently no day set aside to celebrate and acknowledge the contributions of the purebred dog; 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 recognize May 1, 2023 as Purebred Dog Day in celebration of purebred dogs and the many service and companion benefits they provide in Maine.

READ and ADOPTED.

Sent down for concurrence.

On motion by Senator **ROTUNDO** of Androscoggin (Cosponsored by Speaker **TALBOT ROSS** of Portland and Senator: President **JACKSON** of Aroostook), the following Joint Resolution:
S.P. 107

**JOINT RESOLUTION
RECOGNIZING INTERNATIONAL HOLOCAUST
REMEMBRANCE DAY AND THE WORKING
DEFINITION OF ANTISEMITISM ADOPTED BY
THIRTY-FOUR MEMBER COUNTRIES OF THE
INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE**

WHEREAS, Friday, January 27, 2023 is International Holocaust Remembrance Day and marks the 78th anniversary of the liberation of the Auschwitz concentration camp; and
WHEREAS, the year 2023 also marks the 80th anniversary of the Warsaw Ghetto Uprising; and
WHEREAS, the Legislature recommits itself to combating the global rise in antisemitism; and
WHEREAS, 34 member countries of the International Holocaust Remembrance Alliance, of which the United States is a member, have adopted a legally nonbinding working definition of antisemitism; and
WHEREAS, the working definition reads as follows:
"Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities"; 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 recognize International Holocaust Remembrance Day and the working definition of antisemitism.

The Joint Resolution was **READ**.

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

Senator **ROTUNDO:** Thank you, Mr. President. Mr. President and colleagues of the Senate, I rise today to recognize that January 27th is the International Holocaust Remembrance Day, an annual day of reflection. The day marks the anniversary of the liberation of the Auschwitz Nazi concentration and extermination

camp in 1945. According to the United Nations, this day highlights our responsibility to respond with humanity to victims of atrocity crimes, to counter hate speech, antisemitism, holocaust distortion and denial, and prejudice and to do all we can to prevent genocide. This year's theme is Home and Belonging, a reminder to all of us to think about how lucky we are to have the structure and stability of a warm home where we can go and find peace and safety. So many people had their homes and senses of belonging taken from them during the Holocaust. In fact, many people around the world right now are experiencing the violence of war and loss of their homes that comes with it. On this solemn occasion, let us consider how fortunate we are and recommit ourselves to working to make the world a safe place for all people. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (1/4/23) matter:

JOINT RESOLUTION - Memorializing Allen Laird Miller, of Arrowsic. After teaching English at the International College in Beirut, Lebanon, Mr. Miller settled in Brunswick in 1971 and taught English at West Harpswell School. He then founded and ran the Young People's Theater in 1972 and a few years later the Summer Theater Project. He also studied mime at Celebration Barn in South Paris and created and performed as Clown Al. In 1986, his theaters, now called The Theater Project, found a permanent home in Brunswick. He taught classes in acting, storytelling, playwriting and directing and conducted workshops for teachers. He also taught in prisons, retirement centers and schools from Aroostook County to Michigan to Palestine and worked with organizations, including Spindleworks and The Telling Room, to reach differently abled people, recently settled refugees and children and adults from historically clashing cultures. Mr. Miller will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 7

Tabled - January 4, 2023 by Senator **DAUGHTRY** of Cumberland

Pending - **ADOPTION**

(In Senate, January 4, 2023, **READ**.)

The Joint Resolution was **READ**.

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

Senator **VITELLI:** Thank you, Mr. President. Women and men of the Senate, I rise to honor the life and memory of Al Miller, my friend and neighbor. I have known Al for decades. I knew him first as a teacher. Sometime in the mid 70's he came to Chewonki as a visiting teacher, where I was in residence. My sister, herself a student at Chewonki's Maine Reach program, was learning about environmental education. She and Al and a group of kids went out onto the salt marsh to see what they could find. Back indoors, Al offered a theatrical interpretation of what they had seen and coached the students to play along, some acting as sea grass, tall and waving, others as mud oozing and sticky, and still others imagined they were the clams, burbling in the mud, opening and closing their shells. For my sister, an aspiring teacher, that experience was an eye opener about the use of creativity and imagination in engaging learners in science.

Al was a clown as well as a teacher. His license plate spelled out LAUGH and he was known to don a red clown's nose at seemingly random moments. Even without the red nose, Al's smile and good humor were infectious and bound to brighten anyone's day. As neighbors, we would meet at the mailboxes, on walks down our rural road, or at the local farmer's market. Not surprisingly, we developed many friends in common and we kept in touch through our various comings and goings over the years. Al's warmth and genuine interest always came through, whether we'd just seen each other the day before or not for the past many months. When Al moved to Arrowsic, he was instantly a treasured member of our community.

Around Christmas time parents and community members would gather at our small town hall and watch in amazement as Al and our children told the story of the Red Mitten, the magical Red Mitten, or the monster of Sewall Pond, using little else but their imaginations. My youngest son, who took part in these shows, recalls the gusto and enthusiasm that Al brought to their rehearsals saying, 'If I weren't so shy he could have made an actor out of me.' I recall any number of informal dinners at Al's house just down the road with other neighbors or visiting international friends from Al's numerous trips abroad. Sometimes local musicians, the likes of Brad Terry, would perform for us before dinner or after dinner we'd assemble in the other room and read excerpts from a book or a play that Al was interested in. Al was always a generous and gracious host.

And that wasn't all. Al was an actor, director, stage manager, and producer of plays from Shakespeare to Beckett, as well as several local playwrights. Al's journey to the world of theater was a circuitous one, as many such journeys are, but as I understand the story, it was while teaching overseas in Lebanon that Al first tasted theater and the magic and fun of dramatic performance. His teaching morphed after that and he began using the tools of imagination, play, and creativity to spark learning. He established the Young Peoples Theater, a traveling troupe of acting students and, ultimately, the Theater Project in Brunswick, where it still has a home. As a devoted audience member, I remember looking forward to each season and, being a repertory group, we got to know the actors well over the years, including many of the young people who started out in theater classes and then took on more challenging roles. Most evenings, as the director or perhaps a character in the play, Al would come out before the performance and welcome us to the theater, thank the community for its support, and encourage all of us to enjoy the production. I don't ever remember being disappointed in the caliber of the production and, in fact, was always amazed at the troupes' ability to turn a

relatively small space into so many different worlds so convincingly. The magic of make believe worked under Al's guidance. My parents were lifelong theater buffs, so when they moved to the area they would often accompany us to productions at the Theater Project and they got to know Al and the rest of the gang as well. Both my sons benefitted from participating in theater and, while I never had the desire or, frankly, the talent to take center stage, I often worked backstage and had a few walk-on parts early in my career.

All of this is to explain why, when my parent's 50th wedding anniversary rolled around, my siblings and I decided that in lieu of a big bash, which we knew our parents would not be crazy about, we decided to establish a scholarship fund in their name at the Theater Project so more young people could find themselves through the magic of theater. To fund it, and this was before the GOFUND ME era, we turned to the extensive list of friends and colleagues my parents had cultivated over the years and asked them to contribute, and they did. In honoring my parents, the Vitelli Scholarship Fund paid tribute to the contributions of Al Miller and the community of actors, clowns, and teachers that he has inspired. He made all of our lives more enjoyable and, simply, more fun. He is sorely missed. Thank you, Mr. President.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Women and men of the Senate, I also rise to honor the extraordinary life of Al Miller. Some people leave an indelible mark on your lives and, for me, that was Al Miller. Without him I don't know what my life or, frankly, where I live would look like today. Some of my earliest memories are of Al and my first as being roughly about mouse-sized along with many other kids, being crouched in our imagined animal form, as all around us Al spun the completely magical story of the Mitten. He was an incredible storyteller, and my Apple watch is trying to get in on the play too. He was an incredible storyteller and we're always transfixed and absolutely transported by his work. Some of my first experiences watching theater were at the Theater Project. I still vividly remember barely being able to see over the front seat in front of me, probably crouched next to either my parents or Lars or Charlene Rydell. I remember the thrill of getting to see Al come out on stage. The thrill was completely matched by all of the children being asked to come onto stage to join him. Being on stage, whether as a mouse or as part of the machine in one of his many theater games, always felt safe and felt like home. He was like the Pied Piper of theater and of children. He could get even the meekest children out of their shell, not that even at that age I was particularly meek or shy, but I watched him work some magic with many of my friends.

From an early age, I was hooked and quickly became a member of the Young Peoples Theater as soon as I was old enough. Al's theater troupe was not your usual acting experience. It wasn't about just merely memorizing lines and making sure you could find your cues on the stage. It was about becoming comfortable in your own skin. It was about being able to envelop and become the characters. It was teaching you to speak and, most importantly, to listen and work well with others. He was bit on improv. He taught you to be quick on your feet, listen, and make due with whatever cue was thrown at you and, frankly, it was probably one of the most important lessons of my life. It was also theater in the round, which I think is a great, you

know, analogy for all of our lives. You never know if something's going to be in front or behind or wherever it's going to be, but you have to make sure that you're able to find your way through.

Later, in my teenage years, the Theater Project was even more important. I think we can all agree that being a teenager is rough, even in the best of times. Often we, as adults, discount teens or dismiss their experiences or stories and that was never the case with Al. He lifted our voices up and he helped us see the value and worthiness in all of our struggles, no matter how small they may seem. I can remember speaking with him on all sorts of matters and him encouraging, while also challenging, me to be the best version of myself.

Yearly, he held an improv-based play called Voices in the Mirror where he would challenge all of us to write our own skits and our plays based on our own experiences. As the good Senator from Sagadahoc said, Al would introduce every show and he would introduce our teenage play with the same (unintelligible) as Shakespeare. I spent every summer I could in the Theater Project and I know we all like to joke that Maine is a small world but I was one of the children that was the beneficiary of the exact scholarship that the good Senator from Sagadahoc mentioned. I kind of wonder, and feel like we need to go back through some photos to see if she was at any of my productions. More than anything else that I took as a child, whether it was piano lessons, dance, or music, everything I learned in the Theater Project from Al serves me the most every day.

Finally, in my final 'it's a small world,' when I was at the Theater Project I liked to sit in front of the theater and draw and I would often sketch a certain house that was across the street and I can remember talking to Al quite a few times, as I probably drew the building for about the fourth or fifth time, about what it would be like to live in that house. Fast forward to seven years ago and the house came up on the market. When I bid on it I told them about my love of the Theater Project and showed them a few of my drawings. It's now my home. Every single morning I get to open my blinds in my bedroom and look out and there's the Theater Project. No matter what chaotic, imaginary chaos, that's going on in our lives, no matter what intense vote is coming before us in this Senate, I open those blinds, I see the Theater Project, and I remember all of Al's lessons, whether it's remembering to stand up, to enunciate, to make sure that you are projecting your voice. But, honestly, the lesson that I take with me every day, and I will be forever grateful for, is to laugh, and I think if there's one thing that Al would want us to take with us is to bring that joy and that laughter into all of our hearts. He'll be greatly missed and thanks for letting me share the story.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber the family and friends of Al Miller. They are from Arrowsic and other towns and they are the guests today of the Senator from Sagadahoc, Senator Vitelli, and the Senator from Cumberland, Senator Daughtry. Would they please rise and accept the condolences of the Maine Senate.

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Assigned (1/10/23) matter:

Bill "An Act to Make It a Crime Not to Report a Death"
H.P. 72 L.D. 104

Tabled - January 10, 2023 by Senator **BEEBE-CENTER** of Knox

Pending - **REFERENCE**

(In House, January 10, 2023, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.)

On motion by Senator **BEEBE-CENTER** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

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

SENATE PAPERS

Bill "An Act to Add Health and Physical Education Requirements to High School Diploma Standards"
S.P. 119 L.D. 253

Presented by Senator DAUGHTRY of Cumberland.
Cosponsored by Senator: RAFFERTY of York.

Bill "An Act to Update the Sex Education and Consent Curriculum"
S.P. 120 L.D. 254

Presented by Senator DAUGHTRY of Cumberland.

Bill "An Act to Provide for a Later Starting Time for High Schools"
S.P. 123 L.D. 257

Presented by Senator DAUGHTRY of Cumberland.
Cosponsored by Representative CLOUTIER of Lewiston and Senator: BRENNER of Cumberland, Representatives: MILLETT of Cape Elizabeth, RIELLY of Westbrook.

On motion by Senator **RAFFERTY** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act to Add Electric Bicycles to the Electric Vehicle Rebate Program"

S.P. 122 L.D. 256

Presented by Senator DAUGHTRY of Cumberland.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Require Campaign Finance Reports for State and County Candidates Other than Governor to Be Filed on the 42nd Day Before Any Election"

S.P. 121 L.D. 255

Presented by Senator DAUGHTRY of Cumberland.

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

Sent down for concurrence.

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

ORDERS

Joint Order

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

S.P. 124

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

READ and PASSED.

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.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess 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

House Papers

Bill "An Act to Support Maine's Potato Farmers and Processors"
H.P. 141 L.D. 220

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act to Authorize a General Fund Bond Issue to Upgrade Municipal Culverts at Stream Crossings"
H.P. 133 L.D. 212

Bill "An Act to Authorize a General Fund Bond Issue to Support the Economic Development of the Fishing Industry and the Portland Harbor Dredging Project"
H.P. 157 L.D. 236

Come from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Resolve, to Require the Commissioner of Public Safety to Conduct a Study Regarding Cadet Law Enforcement Officers Who Are Injured and Law Enforcement Officers Who Leave the Sponsoring Agency
H.P. 136 L.D. 215

Bill "An Act to Compensate Tribal Governments for Basic Training for a Law Enforcement Officer Hired by Another Government Agency"
H.P. 150 L.D. 229

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

On motion by Senator **BEEBE-CENTER** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act to Maintain the Authority of the Maine School for Marine Science, Technology, Transportation and Engineering" (EMERGENCY)
H.P. 134 L.D. 213

Bill "An Act to Require Students to Demonstrate Knowledge of the Constitution of Maine and the United States Constitution"
H.P. 143 L.D. 222

Bill "An Act to Amend the Laws Governing Bonding Restrictions for School Administrative Units"
H.P. 153 L.D. 232

Bill "An Act to Reform Education"
H.P. 162 L.D. 241

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **RAFFERTY** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act to Amend the Laws Governing Water Supply Protection Funds"
H.P. 132 L.D. 211

Bill "An Act to Increase Public Access to Utilities"
H.P. 161 L.D. 240

Come from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act to Amend the Laws Governing Storm Water Management to Provide an Exemption for Trails for Hiking and Other Similar Activities"
H.P. 137 L.D. 216

Bill "An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances"
H.P. 138 L.D. 217

Bill "An Act to Promote Equity in the Permitting Appeals Process"
H.P. 140 L.D. 219

Come from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **BRENNER** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

Bill "An Act Concerning Home Care Services"
H.P. 129 L.D. 208

Bill "An Act to Clarify Maine Law Regarding Background Checks for the Office of Child and Family Services"
H.P. 139 L.D. 218

Resolve, Directing the Department of Health and Human Services to Amend Its Rules Regarding Pharmacy Services
H.P. 144 L.D. 223

Bill "An Act to Expand the Reimbursement to Hospitals for Days Awaiting Placement in Facilities"
H.P. 146 L.D. 225

Bill "An Act to Require Substance Use Disorder to Be Disclosed as a Cause of Death on Death Certificates"
H.P. 149 L.D. 228

Bill "An Act to Support the Maine Pediatric and Behavioral Health Partnership Program"
H.P. 152 L.D. 231

Bill "An Act to Raise from 12 to 24 the Annual Limit on the Number of Public Events and Meals Nonprofit Organizations May Have That Are Exempt from Certain Rules and Regulations"
H.P. 155 L.D. 234

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **BALDACCI** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act to Strengthen Maine's Health Care Workforce by Preventing Discrimination by Requiring Maintenance of Certification for Insurance Reimbursement"
H.P. 145 L.D. 224

Bill "An Act Regarding Health Care in the State"
H.P. 148 L.D. 227

Come from the House, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act Regarding Airboat Noise"
H.P. 142 L.D. 221

Comes from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **CURRY** of Waldo, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act to Create a Program for Mortgage Assistance for Persons with Illnesses Related to COVID-19"
H.P. 159 L.D. 238

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

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

Bill "An Act to Establish the Hessel's Hairstreak as the Maine State Butterfly"
H.P. 160 L.D. 239

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act to Expand the List of Persons Exempt from the Real Estate Transfer Tax"
H.P. 131 L.D. 210

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

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act to Authorize an Interim Use Trail on the Berlin Subdivision Rail Corridor"
H.P. 130 L.D. 209

Bill "An Act to Promote Economic Development in the Fishing Industry by Funding a Dredging Project in Portland Harbor"
H.P. 156 L.D. 235

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

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

Resolve, to Require the Maine National Guard to Sell Certain Property in Hallowell
H.P. 151 L.D. 230

Bill "An Act to Ensure Efficiency in Petitions Reviewed by the Secretary of State by Clarifying Deadlines Related to Those Petitions"
H.P. 154 L.D. 233

Bill "An Act to Require a Registered Voter to Update the Registration"
H.P. 158 L.D. 237

Come from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

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

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025" (EMERGENCY)
H.P. 163 L.D. 258

Comes from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **ROTUNDO** of Androscoggin, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act Making Unified Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025" (EMERGENCY)
H.P. 164 L.D. 259

Bill "An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2023" (EMERGENCY)
H.P. 165 L.D. 260

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

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

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

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, until the Call of the President of the Senate and the Speaker of the House in memory of and lasting tribute to Allen Laird Miller of Arrowsic.