

MAINE STATE LEGISLATURE

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

In Senate Chamber
Wednesday
April 12, 2023

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

Prayer by Dr. Kharma Amos of Unitarian Universalist Church in Brunswick.

DR. AMOS: Good morning. I'd like to thank Senator Daughtry for the invitation and all of you for the privilege of being able to open the day in prayer with you. So, would you pray with me? Spirit of life and love, we give thanks for the gift of another day. Another day of beauty and possibility here in the state of Maine, this ancestral land of the Wabanaki, the People of the Dawn Land. May our gratitude for this and each day be grounded in humility. Aware of past wrongs and ready to be in right relationship with all of our neighbors. We give thanks for the changing seasons, the return of new life being ushered in by spring, the earth's loud, diverse, and colorful testimony that life is resilient despite us. May our love of the natural world translate into renewed commitment to care for and preserve it. We give thanks for democracy and teamwork, for the idealistic notion that we can come together across our differences to make decisions for our common good. As we do so, help us hear the voices and hearts of the most vulnerable among us, those without sufficient resources and support systems to survive, for when their needs are met, we may all thrive. There is so much to do, O' God, and it seems as if there is never enough time. Let each of us do all the good we can with the precious resources of this day, that our efforts might bring more love, more justice, more compassion, and more peace into the world. Amen and so may it be.

Pledge of Allegiance led by Senator Timothy E. Nangle of Cumberland County.

Reading of the Journal of Tuesday, April 11, 2023.

Off Record Remarks

ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (2/9/2023) matter:

JOINT RESOLUTION - Memorializing Leon J. Tanguay, of Sanford. Mr. Tanguay was a veteran of the United States Army who served during World War II. He earned the Silver Star Service Medal and was held as a prisoner of war from August 1944 to April 1945. He later worked as a mason with his brother Lionel at Tanguay Masons and then for many years at Bowley Construction before retiring in 2009 at 85 years of age. A devout Catholic, he was a communicant of St. Therese of Lisieux Parish in Sanford. He was a 3rd and 4th Degree member of the Knights of Columbus, was a member of the Elks, the Veterans of Foreign Wars, the Disabled American Veterans, the Ex-POWs, the Franco-American Vets and Rolling Thunder Chapter 1 and was also involved with Wreaths across America. The City of Sanford recently honored him by naming his street Tanguay Street. Mr. Tanguay will be long remembered and sadly missed by his family and friends and all those whose lives he touched.

SLS 107

Tabled - February 9, 2023 by Senator **HARRINGTON** of York

Pending - **ADOPTION**

(In Senate, February 9, 2023, **READ**.)

The Joint Resolution was **READ**.

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

Senator **HARRINGTON:** Thank you, Mr. President. Today, we pay tribute to the life of Leon Tanguay. Mr. Tanguay was a man of great courage, distinction, and unmatched commitment to veteran causes in Maine. I don't think in my eight years representing the Sanford community there was ever a veterans-related event I failed to see him at, most recently this past fall for the dedication of the Prisoner of War Memorial at the Southern Maine Veterans Cemetery in Springvale. In 1943, Leon was drafted into the U.S. Army and shortly thereafter sent to England, awaiting the invasion of Normandy. As a scout, he was sent ahead of his platoon and in August of 1944 he was captured by German troops. He was held as a prisoner of war until his work camp was liberated by Allied Forces in April of 1945, to which Leon received a Silver Star for his service. Although his efforts in the war were undoubtedly stand-apart from the rest in their own way, Leon's civic life was similarly impressive. He was fondly remembered for having a wide social circle and participating in numerous groups and organizations, including the Elks, Veterans of Foreign Wars, the American Legion, Knights of Columbus, among many others. Leon was married for 52 years until his wife, Irene's, death in the year 2000. He is survived by eight - five loving children. Leon Tanguay represents the very best this country has to offer, from his tenacious and enduring spirit to his unwavering devotion to family, professionalism, and community. Our nation, our state, and our community of Sanford is left with an immense hole with the passing of Leon. He truly lived a life symbolic of what has become known as the Greatest Generation. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Celeste Bemis, Ginnette Goodhue, Marian and John Cote, Joe and Debbie Doiron. They're all from the city of Sanford. They are the guests today of the Senator from York, Senator Harrington, and the entire Maine Senate. Would the guests please rise and accept the condolences of the Maine Senate.

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

ORDERS

Joint Order

The Dirigo High School Boys Basketball Team, of Dixfield, which won the Class C State Championship. We extend our congratulations and best wishes;

SLS 382

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: SCHMERSAL-BURGESS of Mexico.

The Joint Order was **READ**.

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

Senator **KEIM:** Good morning, ladies and gentlemen of the Senate. I am pleased to stand today and recognize the achievements of the Dirigo High School Boys Basketball Team who are with us today in the Gallery. They are the two-time defending Class C State Champions. They closed out the regular season with a record of 17 and 1, losing to Monmouth in late January. The Cougars used that loss to motivate themselves to improve. They met stiff competition in their tournament run, having to get past Mount Abram in the regional semi-final, where they trailed for much of the game, and Monmouth Academy in the regional title game, where they needed to beat the only team that had handed them a loss all year. In the State Title game, Dirigo faced off against the North Champions from Calais, my apologies, Senator Moore. Dirigo got out early and had an 11-4 lead in the first quarter, but Calais fought back and evened the score at 15. The game continued in this manner until the fourth quarter when the Cougars were able to pull away and secure the win, with a final score of 65-58. I am so proud of these young men. They have worked extremely hard to get where they are and represented their community with pride. I offer my sincere congratulations to their coach, Cody St. Germain, and the entire team on an amazing season. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber the Dirigo High School Basketball Team. They're all from the town of Dixfield and they are the guests today of the Senator from Oxford, Senator Keim, and the entire Maine Senate.

Would they please rise and accept the greetings of the Maine Senate.

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

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act Regarding the Distribution of Revenue from the Real Estate Transfer Tax (EMERGENCY)

S.P. 572 L.D. 1454

In Senate, April 6, 2023, on motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Joint Select Committee on **HOUSING** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **TAXATION**, in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act to Reduce Rental Housing Costs by Eliminating Additional Fees at or Prior to the Commencement of Tenancy

H.P. 945 L.D. 1490

In Senate, April 6, 2023, on motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **LABOR AND HOUSING**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **JUDICIARY**.

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

House Papers

Bill "An Act to Address Food Insecurity and Support Local Agriculture"

H.P. 1037 L.D. 1612

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

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

Bill "An Act to Remove the Duty of an Individual Exercising Self-defense to Safely Retreat or Abstain from Performing Certain Acts upon Demand"

H.P. 1005 L.D. 1560

Bill "An Act to Restore Firearm Rights and Hunting Privileges to Persons Previously Convicted of Certain Nonviolent Felony Crimes"

H.P. 1006 L.D. 1561

Bill "An Act to Provide a Pathway to Sobriety for Formerly or Currently Incarcerated Individuals"

H.P. 1028 L.D. 1583

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

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

Bill "An Act to Increase and Enhance School Safety by Allowing Individuals with Concealed Carry Permits to Possess Handguns on School Property"

H.P. 1002 L.D. 1557

Resolve, to Establish a Pilot Program to Provide Grants to Expand Age Eligibility for Life Skills and Vocational Programs in Public Schools

H.P. 1010 L.D. 1565

Bill "An Act to Create a Training Program for School Board Members and Establish School Board Meeting Standards"

H.P. 1012 L.D. 1567

Bill "An Act to Provide Meaningful Public Participation at Local School Board Meetings"

H.P. 1016 L.D. 1571

Resolve, Directing the Department of Education to Adopt Rules Prohibiting Teachers in Public Schools from Engaging in Political, Ideological and Religious Advocacy in the Classroom

H.P. 1034 L.D. 1589

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 Eliminate Metallic Mineral Mining Activities Without a Permit"

H.P. 1009 L.D. 1564

Bill "An Act to Create the Storm Water Infrastructure Repair and Replacement Fund"

H.P. 1015 L.D. 1570

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 to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies"

H.P. 1003 L.D. 1558

Bill "An Act to Promote Quality and Innovation in Nursing and Residential Care Facilities"

H.P. 1020 L.D. 1575

Bill "An Act to Provide Funding for the Supplemental Nutrition Assistance Program to Temporarily Restore Benefits Being Reduced by the Federal Government" (EMERGENCY)

H.P. 1029 L.D. 1584

Resolve, to Increase Access to Brain Injury Waiver Services (EMERGENCY)

H.P. 1042 L.D. 1617

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 Require an Ultrasound and Certain Counseling Before an Abortion"

H.P. 1039 L.D. 1614

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

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

Bill "An Act to Require Health Insurance Coverage for Biomarker Testing"

H.P. 1022 L.D. 1577

Bill "An Act Regarding Dental Hygienists and Dental Therapists"

H.P. 1026 L.D. 1581

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 to Enable Occupational License Portability and Prohibit Use of Good Character Qualifications in Occupational Licensing"

H.P. 1031 L.D. 1586

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

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

Bill "An Act to Allow a Resident of Agricultural Land to Enlist License Holders to Hunt on the Land" (EMERGENCY)

H.P. 1008 L.D. 1563

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Eliminate the Diversion of Revenue from Professional and Occupational Licensing Fees

H.P. 1024 L.D. 1579

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 Regarding Limits on Medication in Vending Machines"

H.P. 1040 L.D. 1615

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

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

Bill "An Act to Update the Laws Governing Electronic Device Information as Evidence"

H.P. 1021 L.D. 1576

Bill "An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine"

H.P. 1038 L.D. 1613

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

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

Bill "An Act to Protect the Retirement of State Employees and Teachers by Establishing Standards for Fiduciary Responsibility"

H.P. 1007 L.D. 1562

Bill "An Act to Help Maine Small Businesses with Increasing Costs by Removing the Annual Cost-of-living Adjustment for the Minimum Wage"

H.P. 1025 L.D. 1580

Bill "An Act to Provide Public Sector Labor Unions Reasonable Access to Information Regarding Employees"

H.P. 1033 L.D. 1588

Come from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

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

Bill "An Act to Create Rent Stabilization and Amend the Laws Regarding Termination of Tenancy and Rent Increase Limitations"

H.P. 1019 L.D. 1574

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

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Resolve, to Convene a Lobster Industry Working Group

H.P. 1043 L.D. 1618

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

On motion by Senator **RENY** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Bill "An Act to Provide Financial Relief for Certain Volunteers Under the Corporation for National and Community Service, the Maine Service Fellows and the Maine Climate Corps"

H.P. 1018 L.D. 1573

Bill "An Act to Make the Description of the State Seal Gender-neutral and to Depict One of the Human Images on the State Flag as Female"

H.P. 1041 L.D. 1616

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 Exempt Certain Disabled Veterans from Property Taxes in Accordance with Their Disability Ratings"

H.P. 1014 L.D. 1569

Bill "An Act to Clarify What Constitutes a Homestead for the Homestead Property Tax Exemption"

H.P. 1027 L.D. 1582

Come 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 Advance the State's Public Transit Systems by Reinvigorating the Public Transit Advisory Council and Increasing Funding"

H.P. 1004 L.D. 1559

Resolve, to Establish the Task Force to Recommend Strategies to Achieve the Goal of Eliminating Traffic Fatalities and Serious Injuries

H.P. 1011 L.D. 1566

Bill "An Act to Ensure Proper Funding of the Highway Fund by Imposing a Surcharge on Electric Vehicle Registration"

H.P. 1017 L.D. 1572

Bill "An Act to Amend the Motor Vehicle Inspection Law to Exempt Certain Motor Vehicles Less than 3 Years Old"

H.P. 1032 L.D. 1587

Comes 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.

Bill "An Act to Protect Access to Absentee Ballot Drop Boxes"

H.P. 1013 L.D. 1568

Bill "An Act to Adopt an Interstate Compact to Elect the President of the United States by National Popular Vote"

H.P. 1023 L.D. 1578

Bill "An Act to Amend Maine's Cannabis Laws to Protect Small and Medium-sized Cultivators"

H.P. 1030 L.D. 1585

Comes 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.

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

COMMUNICATIONS

The Following Communication: S.C. 303

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

April 06, 2023

Honorable Troy Dale Jackson, President of the Senate
Honorable Rachel Talbot Ross, Speaker of the House
131st Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 1150 Resolve, Requiring the Department of Agriculture, Conservation and Forestry to Document, Disclose and Publish All Best Management Practices Regarding the Use of Noise Devices to Control Birds at Orchards (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. Henry Ingwersen S/Rep. Bill Pluecker
Senate Chair House Chair

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

The Following Communication: S.C. 304

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

April 07, 2023

Honorable Troy Dale Jackson, President of the Senate
Honorable Rachel Talbot Ross, Speaker of the House
131st Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 271 An Act Requiring the University of Maine System and the Maine Community College System to Offer a For-credit Course on Hunting, Fishing, Recreational Shooting and Trapping
L.D. 837 An Act to Ensure College Credit Classes Taken in Secondary School Are Credited at the University Level
L.D. 944 An Act to Allow Refugees, Asylees and Asylum Seekers to Qualify for In-state Tuition

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 305

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON JUDICIARY**

April 10, 2023

Honorable Troy Dale Jackson, President of the Senate
Honorable Rachel Talbot Ross, Speaker of the House
131st Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 41 An Act to Increase the Hourly Reimbursement Rate of the Maine Commission on Indigent Legal Services Lawyers to \$150 per Hour (EMERGENCY)
L.D. 557 An Act to Decrease Discrimination Based on Evictions in Housing Applications
L.D. 558 An Act Regarding Rental Housing Applications
L.D. 681 An Act Regarding Indigent Legal Services

L.D. 690 An Act to Streamline Rental Application Screenings by Allowing Potential Tenants to Use Screening Services

Bill "An Act to Standardize Requirements Between Boards of Visitors for County Jails and Department of Corrections Correctional Facilities"

S.P. 643 L.D. 1626

This is notification of the Committee's action.

Sincerely,

S/Sen. Anne Carney
Senate Chair

S/Rep. Matt Moonen
House Chair

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

Presented by Senator BEEBE-CENTER of Knox.
Cosponsored by Senators: DUSON of Cumberland,
LaFOUNTAIN of Kennebec.

On motion by Senator **LaFOUNTAIN** of Kennebec, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

The Following Communication: S.C. 306

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

April 06, 2023

Honorable Troy Dale Jackson, President of the Senate
Honorable Rachel Talbot Ross, Speaker of the House
131st Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 1032 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Specify the Qualifications of Electors

L.D. 1055 An Act to Prohibit the Use of Ballot Drop Boxes

L.D. 1109 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Create Consistent Election Dates for Citizen-initiated Referenda in Even-numbered Election Years

This is notification of the Committee's action.

Sincerely,

S/Sen. Craig V. Hickman
Senate Chair

S/Rep. Laura Supica
House Chair

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

Bill "An Act to Reform the Occupational Licensing Regime by Including Portability and Removing Good Character Requirements"

S.P. 645 L.D. 1628

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative MORRIS of Turner and Representatives: CLUCHEY of Bowdoinham, HYMES of Waldo, WHITE of Guilford.

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

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Recognize the Right to Personal Privacy

S.P. 646 L.D. 1629

Presented by Senator BRAKEY of Androscoggin.

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

Sent down for concurrence.

Bill "An Act to Update Criminal Indictment Procedures and Expand the Provision of Counsel to Certain Indigent Defendants"

S.P. 642 L.D. 1625

Presented by Senator BEEBE-CENTER of Knox.
Cosponsored by Senators: DUSON of Cumberland,
LaFOUNTAIN of Kennebec.

Committee on **JUDICIARY** suggested and ordered printed.

On motion by Senator **CARNEY** of Cumberland, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

SENATE PAPERS

The Committee on **TAXATION** on Bill "An Act to Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY)
H.P. 11 L.D. 7

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-27)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-27)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-27) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Bill "An Act to Improve Disclosure of Lobbyist Activities"
S.P. 644 L.D. 1627

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative O'NEIL of Saco and Senator: HICKMAN of Kennebec, Representative: BOYER of Poland.

Bill "An Act Regarding Campaign Finance and Lobbying Disclosure and Enforcement of Income Source Reporting Requirements"
S.P. 647 L.D. 1630

Presented by Senator HICKMAN of Kennebec.
Submitted by the Commission on Governmental Ethics and Election Practices pursuant to Joint Rule 204.

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

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **LABOR AND HOUSING** on Bill "An Act to Eliminate the Cap on Retirement Benefits for State Employees and Teachers to Which a Cost-of-living Adjustment Is Made"
H.P. 45 L.D. 70

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-24)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-24) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Repeal the Hospital and Health Care Provider Cooperation Act"
H.P. 65 L.D. 97

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-25)**.

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford
MATHIESON of Kittery
MORRIS of Turner
PRINGLE of Windham
SWALLOW of Houlton

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion
NUTTING of Oakland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-25)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-25)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-25) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Provide Funding for Guardians Ad Litem"

H.P. 81 L.D. 113

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-26)**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
ENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-26) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Provide Electronic Access to Confidential Juror Information" (EMERGENCY)

H.P. 213 L.D. 339

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
ENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
MORIARTY of Cumberland

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

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

Reports **READ**.

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Update the Maine Human Rights Act with Respect to Gender Identity"

H.P. 476 L.D. 707

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford

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

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

Reports **READ**.

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Provide Support Services for Military Members Transitioning to Civilian Life in Maine"

H.P. 170 L.D. 265

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-23)**.

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
BOYER of Poland
COLLINGS of Portland
HYMES of Waldo
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison
RUDNICKI of Fairfield

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

Signed:

Representative:

ANDREWS of Paris

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-23)**.

Reports **READ**.

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

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

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

Senator **TIMBERLAKE:** Yes, Mr. President, ladies and gentlemen of the Senate. I ask - a lot of times we have this three Senate rule, but this time we have the three farmer rule, so I ask that everybody vote in support of this.

The Chair noted the absence of the Senator from Franklin, Senator **BLACK**, and the Senator from Penobscot, Senator **LYFORD**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#78)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BENNETT, BRAKEY, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, FARRIN, GROHOSKI, GUERIN, HARRINGTON, HICKMAN, INGWERSEN, KEIM, LAFOUNTAIN, LAWRENCE, LIBBY, MOORE, NANGLE, PIERCE, POULIOT, RAFFERTY, RENY, ROTUNDO, STEWART, TIMBERLAKE, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: None

EXCUSED: Senators: BLACK, LYFORD

33 Senators having voted in the affirmative and no Senators having voted in the negative, with 2 Senator being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-23) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass

Senator BEEBE-CENTER for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Promote Public Safety and Retain Essential First Responders by Funding the Maine Length of Service Award Program"
S.P. 256 L.D. 588

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator LaFOUNTAIN for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Include an Expanded Archery Permit in the Super Pack License Issued by the Department of Inland Fisheries and Wildlife"
S.P. 93 L.D. 189

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-21)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-21) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Require All Emergency Medical Services Persons to Be Trained in the Dispensing of Naloxone Hydrochloride"
S.P. 400 L.D. 981

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

Signed:

Senators:
BEEBE-CENTER of Knox
LaFOUNTAIN of Kennebec

Representatives:
SALISBURY of Westbrook
ARDELL of Monticello
HASENFUS of Readfield
LAJOIE of Lewiston
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Representatives:

LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

Reports **READ**.

On motion by Senator **BEEBE-CENTER** of Knox, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

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, Regarding Legislative Review of Chapter 5, Section 63: Home Based Supports and Services for Older and Disabled Adults and Chapter 11: Consumer Directed Personal Assistance Services, Major Substantive Rules of the Department of Health and Human Services, Office of Aging and Disability Services (EMERGENCY)

H.P. 328 L.D. 523

READ A SECOND TIME and **PASSED TO BE ENGROSSED**, in concurrence.

Senate As Amended

Bill "An Act to Ensure Continuity of Care for Pretrial Defendants"

S.P. 57 L.D. 118
(C "A" S-20)

Bill "An Act to Make Permanent the Ability of Certain Retailers and Distilleries to Sell Liquor for Off-premises Consumption and Cocktails for On-premises Consumption"

S.P. 101 L.D. 201
(C "A" S-19)

Resolve, Directing the Department of Labor to Request a Federal Waiver to Allow Presumptive Work Eligibility for Asylum Seekers

S.P. 419 L.D. 1050
(C "A" S-18)

READ A SECOND TIME and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act to Increase the State's Share of Retired Teacher Health Insurance

H.P. 80 L.D. 112
(C "A" H-15)

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

Emergency Measure

An Act to Provide Funding for the Fund to Address Food Insecurity and Provide Nutrition Incentives

S.P. 239 L.D. 568
(C "A" S-11)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization

H.P. 226 L.D. 375
(C "A" H-13)

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

Acts

An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements

S.P. 19 L.D. 27

An Act to Make Technical Amendments to Banking Laws

S.P. 53 L.D. 114
(C "A" S-12)

An Act to Allow the Adjutant General to Sell the Houlton Armory
S.P. 240 L.D. 569
(C "A" S-10)

Sent down for concurrence.

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

Bill "An Act to Charter a Maine State Bank That Accepts Deposits and Issues Gold Currency Celebrating Maine's Heritage"
S.P. 652 L.D. 1635

An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers
H.P. 265 L.D. 432
(H "A" H-22)

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senator: LIBBY of Cumberland,
Representatives: BOYER of Poland, FREDERICKS of Sanford,
MORRIS of Turner, SAMPSON of Alfred.

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

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.

Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection
H.P. 243 L.D. 392
(S "A" S-17)

Bill "An Act to Prohibit the Revocation of a Professional or Occupational License for Lapsed Child Support Payments"
S.P. 654 L.D. 1637

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

Presented by Senator BRAKEY of Androscoggin. (BY REQUEST)
Cosponsored by Representatives: BOYER of Poland, SAMPSON of Alfred.

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

Sent down for concurrence.

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

SENATE PAPERS

Bill "An Act to Require Proper Storage of Forensic Exam Evidence"
S.P. 649 L.D. 1632

Bill "An Act to Ensure the Right to Work Without Payment of Dues or Fees to a Labor Union"
S.P. 653 L.D. 1636

Presented by Senator BAILEY of York.
Cosponsored by Senators: BEEBE-CENTER of Knox, President JACKSON of Aroostook, Representative: SALISBURY of Westbrook.

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative QUINT of Hodgdon and Senators: HARRINGTON of York, LIBBY of Cumberland, MOORE of Washington, STEWART of Aroostook, Representatives: DRINKWATER of Milford, FAULKINGHAM of Winter Harbor, LIBBY of Auburn, SAMPSON of Alfred.

Bill "An Act to Establish a Community-based Reentry Program in All Department of Corrections Facilities"
S.P. 650 L.D. 1633

Bill "An Act to Address Unsafe Staffing of Nurses and Improve Patient Care"
S.P. 656 L.D. 1639

Presented by Senator BEEBE-CENTER of Knox.
Cosponsored by Representative GEIGER of Rockland and Senator: BAILEY of York, Representatives: DOUDERA of Camden, GRAMLICH of Old Orchard Beach, HASENFUS of Readfield, MADIGAN of Waterville, MATLACK of St. George, SHAGOURY of Hallowell.

Presented by Senator BRENNER of Cumberland.
Cosponsored by Speaker TALBOT ROSS of Portland and Senators: HICKMAN of Kennebec, President JACKSON of Aroostook, TIPPING of Penobscot, Representatives: GEIGER of Rockland, GRAHAM of North Yarmouth, MADIGAN of Waterville, ROEDER of Bangor, STOVER of Boothbay.

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

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 Lower the State's Individual Income Tax"
S.P. 655 L.D. 1638

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senators: KEIM of Oxford, LIBBY of
Cumberland, MOORE of Washington, STEWART of Aroostook,
Representatives: BOYER of Poland, SAMPSON of Alfred.

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

Sent down for concurrence.

Bill "An Act to Grant Municipalities the Authority to Set Certain
Lower Motor Vehicle Speed Limits Without a Department of
Transportation Speed Study"
S.P. 651 L.D. 1634

Presented by Senator BENNETT of Oxford.
Cosponsored by Senators: CHIPMAN of Cumberland,
DAUGHTRY of Cumberland, Representatives: ANKELES of
Brunswick, ZAGER of Portland, ZEIGLER of Montville.

Bill "An Act to Require Industry Training and Certification for
Persons Undertaking Corrosion Prevention and Mitigation for
Bridges"
S.P. 657 L.D. 1640

Presented by Senator CHIPMAN of Cumberland.
Cosponsored by Representative WILLIAMS of Bar Harbor and
Senators: HARRINGTON of York, President JACKSON of
Aroostook, LaFOUNTAIN of Kennebec, NANGLE of Cumberland,
Representatives: ANKELES of Brunswick, CRAFTS of Newcastle,
MASON of Lisbon, THERIAULT of Fort Kent.

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

Sent down for concurrence.

Bill "An Act to Establish the Gas Tax Fairness Credit"
S.P. 648 L.D. 1631

Presented by Senator BAILEY of York.
Cosponsored by Representative GRAMLICH of Old Orchard
Beach and Senator: LIBBY of Cumberland, Representative:
PERRY of Bangor.

Committee on **TRANSPORTATION** suggested and ordered
printed.

On motion by Senator **CHIPMAN** of Cumberland, **TABLED** until
Later in Today's Session, pending **REFERENCE**.

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

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until
Thursday, April 13, 2023 at 10:00 in the morning in memory of
and lasting tribute to Leon J. Tanguay of Sanford.