

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

In Senate Chamber
Wednesday
May 3, 2023

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

Prayer by The Honorable Michael E. Carpenter of Houlton.

MR. CARPENTER: That reminds me of a story. Seriously, let us bow our heads.

As we pause here this morning, on a morning, on a day of reflection and a day of welcoming, we represent the people of the state of Maine. As we go forward today and the rest of the legislative session, please help us to keep in mind, dear Lord, that we're here to do the peoples' business, we're here to do what's right by the great people that have sent us here, and to do what's right for the great state of Maine, and please, as we interact with our fellow legislators, fellow Senators, that we do so with kindness, with dignity, and with compassion. Amen.

Pledge of Allegiance led by Senator Jeffrey L. Timberlake of Androscoggin County.

Reading of the Journal of Tuesday, May 2, 2023.

Off Record Remarks

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

Senator **TIMBERLAKE:** Mr. President, permission to pose a question through the Chair.

THE PRESIDENT: So moved.

Senator **TIMBERLAKE:** Mr President, the Honorable Paul Davis is here today, and he asked me this morning if I would run by you the chance that, we know he's a little tight around the edges, and he would ask if he might get mileage for driving down here today.

THE PRESIDENT: Off the record, the Chair would say the Honorable Senator Davis voted with me more than a number of times and I will definitely approve that mileage reimbursement.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities"
H.P. 1193 L.D. 1863

Comes 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 Create the Educational Opportunity Account Program"
H.P. 1190 L.D. 1860

Bill "An Act to Reduce Chronic Student Absenteeism"
H.P. 1191 L.D. 1861

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 Reimburse Training Costs for Emergency Medical and Public Safety Dispatchers"
H.P. 1189 L.D. 1859

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

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

Bill "An Act to Ensure Access to Newly Born Male Infant Circumcision by Requiring MaineCare Coverage"
H.P. 1188 L.D. 1858

Comes 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 Protect Maine Taxpayers by Requiring a Person to Be a United States Citizen to Receive General Assistance Benefits and to Ensure Municipal Compliance with Federal Immigration Laws"

H.P. 437 L.D. 668

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

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

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

Resolve, to Study the Establishment of a MaineCare Public Health Plan

H.P. 1186 L.D. 1856

Comes 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 Increase Maine's Housing Supply by Prohibiting Certain Zoning Requirements in Areas Where Public Sewer and Water Infrastructure Are Available and in Designated Growth Areas"

H.P. 1194 L.D. 1864

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

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

Resolve, to Name 2 Brooks in the Town of Orient

H.P. 1198 L.D. 1868

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 Establishing the Maine Sentencing Guidelines Commission"

H.P. 1195 L.D. 1865

Comes 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 Complete and Implement the Comprehensive Review of the Classification and Compensation System for Executive Branch Employees"

H.P. 1184 L.D. 1854

Bill "An Act to Restore Balanced Powers During a State of Emergency"

H.P. 1192 L.D. 1862

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

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

Bill "An Act to Eliminate the Lodging Tax on Campground Sites and Revert to Using the Current Sales Tax"

H.P. 1182 L.D. 1852

Bill "An Act to Conform the Mining Excise Tax Laws to the Maine Metallic Mineral Mining Act and Set the Mining Excise Tax at 10 Percent" (EMERGENCY)

H.P. 1183 L.D. 1853

Resolve, Directing the Office of Tax Policy to Study Maine's Mining Excise Tax

H.P. 1185 L.D. 1855

Bill "An Act to Establish 5 New Tax Brackets and a Surcharge for Higher Income Levels"

H.P. 1196 L.D. 1866

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 Create the Public Safety Health and Wellness Reimbursement Fund to Benefit Public Safety Workers and Volunteers"

H.P. 1187 L.D. 1857

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

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Bill "An Act to Allow Replacement Candidates to Qualify for Certification Under the Maine Clean Election Act"
H.P. 1181 L.D. 1851

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.

The following Joint Resolution:

H.P. 1180

**JOINT RESOLUTION
RECOGNIZING MAY 2023
AS MENTAL HEALTH AWARENESS MONTH**

WHEREAS, the mental health and well-being of all children, youth, adults and families in the State are of fundamental importance to the Legislature; and

WHEREAS, since 1999, the national suicide rate has increased more than 30%, with more than 10 million individuals experiencing suicidal thoughts and 1.4 million individuals attempting suicide annually in the United States; and

WHEREAS, approximately 129 individuals die by suicide in the United States each day; and

WHEREAS, suicide, opioid misuse and addiction and children's mental health issues are areas of concern in the State; and

WHEREAS, there are approximately 65,000 adults in the State who are living with a serious mental illness, including, but not limited to, bipolar disorder, severe depression and schizophrenia, and 27.2% of the children in the State have a mental illness, the highest rate of any state in the nation; and

WHEREAS, the effective treatment of mental health conditions is critical to reducing the number of individuals and families who find themselves in mental health crises, to breaking individual and generational cycles of mental illness and to promoting healing; and

WHEREAS, recovery from a mental illness requires access to professional services and involves families and caregivers as allies in recovery and as critical members of the care delivery team; and

WHEREAS, maintaining an open dialogue regarding mental health conditions encourages individuals struggling with mental illness to seek help and is an essential component to fighting the stigma associated with mental illness; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize May 2023 as Mental Health Awareness Month in order to raise awareness of mental health conditions and services and to break the stigma surrounding mental illness in the State.

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

The Joint Resolution was **READ**.

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

Senator **BRENNER:** Thank you, Mr. President. Good morning. I rise today to recognize May as Mental Health Awareness Month. While 65% of Americans are concerned about the stigma around mental illness, only half of Americans say they are familiar with the mental health care system. Mental health is an incredibly important part of overall health. Not only is our individual and collective mental health critically important, mental health issues impact just about every one of us. One in five U.S. adults experience mental illness each year and less than half of them receive treatment. One in twenty U.S. adults experience serious mental illness each year and less than two-thirds receive related emergency department visits among adolescents alone. Mental health issues among children are also a growing concern. According to the National Institute of Mental Health, one in six children between the ages of 6 and 17 experience a mental health disorder each year. These issues can impact a child's development, academic performance, and overall wellbeing. Suicide is the second leading cause of death among individuals age 10 to 24 and untreated mental health issues can contribute to this statistic. By providing mental health services to children and their families, we can identify and address mental health issues early, preventing them from becoming more severe. Again, this year's theme, Mr. President, More Than Enough, underscores that all people, no matter where they are on their mental health journey, are deserving of support, resources, fulfillment, and a community that cares. Learning the early warning signs of emotional distress and suicide are important. Engage affected ones, loved ones, in supportive dialogue, fight the prejudice and negative attitudes that discourage those in need from seeking mental health support, and support funding and parity for mental health care and treatment because we are all more than enough. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**, in concurrence.

Off Record Remarks

The following Joint Resolution:

H.P. 1199

**JOINT RESOLUTION
RECOGNIZING MAY 2023 AS
MILITARY APPRECIATION MONTH**

WHEREAS, the freedom and security that United States citizens enjoy today are results of the vigilant commitment of the United States Armed Forces in preserving that freedom and security; and

WHEREAS, it is appropriate to recognize the importance of maintaining a strong, well-equipped, well-educated and well-trained military for the United States to safeguard freedoms, humanitarianism and peacekeeping efforts around the world; and

WHEREAS, it is appropriate to promote awareness of and reflect upon the sacrifices that members of the United States Armed Forces have made in the past and continue to make every day in order to support the Constitution and to preserve the freedoms and liberties that enrich the Nation and to show appreciation for those sacrifices; and

WHEREAS, it is important to give greater recognition for the dedication and sacrifices that individuals who serve in the United States Armed Forces have made and continue to make on behalf of the United States; and

WHEREAS, it is appropriate to emphasize the importance of the United States Armed Forces to all persons in the United States and to celebrate the proper honor and pride United States citizens feel towards members of the United States Armed Forces for their service; and

WHEREAS, it is important to preserve and foster the honor and respect that the United States Armed Forces deserve for vital service on behalf of the United States; and

WHEREAS, it is important to instill in the youth of the United States the significance of the contributions that members of the United States Armed Forces have made in securing and protecting the freedoms that United States citizens enjoy today; and

WHEREAS, it is appropriate to underscore the vital support and encouragement that families of members of the United States Armed Forces lend to the strength and commitment of those members; and

WHEREAS, it is important to acknowledge the contributions of the many individuals who have served in the United States Armed Forces since inception of the Armed Forces; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to designate May 2023 as Military Appreciation Month, to recognize, honor and encourage the dedication and commitment of members of the United States Armed Forces in serving the United States and to encourage greater support for the role of the United States Armed Forces in maintaining the United States as a strong nation and in contributing to world peace.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 424

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON HEALTH COVERAGE, INSURANCE
AND FINANCIAL SERVICES**

April 28, 2023

Honorable Troy Dale Jackson, Senate President
Honorable Rachel Talbot Ross, Speaker of the House
131st Maine State 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 we have approved the request by the bill sponsor Rep. Perry of Calais, to report the following bill Leave to Withdraw:

L.D. 1676 An Act to Strengthen the Sustainability and Value of Maine's Designated Health Information Exchange by Acquiring Enhanced Federal Funding

Sincerely,

S/Sen. Donna Bailey
Senate Chair

S/Rep. Anne C. Perry
House Chair

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

ORDERS

Joint Resolution

On motion by Senator **CARNEY** of Cumberland (Cosponsored by Representative **MOONEN** of Portland), the following Joint Resolution:

S.P. 752

**JOINT RESOLUTION
RECOGNIZING MAY 2023 AS MAINE TREATMENT AND
RECOVERY COURT MONTH**

WHEREAS, Treatment and recovery courts nationwide are the cornerstone of justice reform and are recognized as the most successful justice system intervention in our nation's history; and **WHEREAS**, Maine treatment and recovery courts have been restoring lives and families and increasing public health and safety for more than 2 decades; and

WHEREAS, Maine now has 14 treatment and recovery courts, including 8 drug treatment and recovery courts, formerly known as adult drug treatment courts, 2 veterans treatment courts, 3 family recovery courts and one co-occurring disorder court; and **WHEREAS**, Maine treatment and recovery courts have served more than 2,000 individuals, indirectly benefiting tens of thousands of Maine families, employers and communities; and **WHEREAS**, treatment and recovery courts have substantially lowered the conviction recidivism rate of graduates to 6% compared to 41% of people with comparable characteristics and criminal records who did not attend a treatment and recovery court; and **WHEREAS**, Maine treatment and recovery courts significantly improve substance use disorder treatment outcomes and substantially reduce addiction and related crime and do so at less expense than any other criminal justice strategy in Maine's history; and **WHEREAS**, Maine treatment and recovery courts save an average of \$16,232 for every individual served while in the treatment court, significantly more than the national average of \$6,000 per individual; and **WHEREAS**, Maine treatment and recovery courts improve education, employment, housing and financial stability, promote family reunification, reduce foster care placements and increase the rate of mothers delivering babies who are fully drug free; and **WHEREAS**, Maine treatment and recovery courts facilitate community-wide partnerships, bridging public safety and public health; and **WHEREAS**, the success of treatment and recovery courts is the result of dedicated collaborative efforts and partnership of the following: the Judicial Branch, Maine Pretrial Services, Inc., the Attorney General and District Attorneys, the Maine Commission on Indigent Legal Services, the Department of Corrections, various county sheriff's offices, the Department of Health and Human Services, the Governor's Director of Opioid Response, Maine Behavioral Healthcare, Aroostook Mental Health Services, Inc., Wellspring, Inc., Recovery Connections of Maine, the Community Caring Collaborative and the Co-Occurring Collaborative Serving Maine, as well as a multitude of recovery and sober living homes, independent treatment providers and physicians and recovery support organizations; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to designate May 2023 as Maine Treatment and Recovery Court Month in recognition of the efforts of all professionals and participants who make our treatment and recovery courts work, and of the significant contribution our treatment and recovery courts have made and continue to make in the fight against substance use disorder, in helping our citizens in their recovery and in restoring hope.

The Joint Resolution was **READ**.

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

Senator **CARNEY:** Thank you, Mr. President. Colleagues, I rise briefly to speak about and add to all of the important information in this Resolve. I think we all appreciate that substance use disorder touches every one of our constituents in one way or

another and I hope that you are able to share with the people of Maine all of the steps that are being taken by the Judicial Branch of our government to address substance use disorder. I just want to add to the great information in this Joint Resolution some additional information. So, the Judiciary, as you know, conducts confirmation hearings when judges are appointed or reappointed to the bench and we hear, consistently, every time we do these confirmation hearings that involved judges who have presided over treatment and recovery court, that these judges consider this work among the most important and, honestly, the most rewarding work that they do on the bench, and I just ask that you keep this in mind when constituents reach out to you and ask what is Maine doing to help address substance use disorder. Think of the information in this Joint Resolve as a resource that you can use to point your constituents to and please continue to support this important work that's being done by the Judicial Branch. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **LABOR AND HOUSING** on Bill "An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances"

H.P. 29 L.D. 54

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Joint Select Committee on **HOUSING**.

Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Joint Select Committee on **HOUSING**, in concurrence.

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

Senator **TIPPING:** I apologize, Mr. President, I don't know if that can be walked back, I'd prefer to refer to a different committee.

THE PRESIDENT: 5-1? The Senator from Penobscot, Senator Tipping, is asking for reconsideration whereby we sent this bill to the Labor and Housing Committee.

Senator **TIPPING:** So, it's been sent just now to Housing?

THE PRESIDENT: The Joint Select Committee.

On motion by Senator **TIPPING** of Penobscot, the Senate **RECONSIDERED** whereby the Bill **REFERRED** to the Joint Select Committee on **HOUSING**, in concurrence.

Same Senator moved to **REFER** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

Senator **TIPPING** of Penobscot requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

The Committee on **LABOR AND HOUSING** on Bill "An Act to Increase the Workforce in the State"

H.P. 208 L.D. 310

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in concurrence.

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Strengthen Temporary Protections for Children Living in Dwellings with Identified Lead Hazards"

H.P. 15 L.D. 11

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Improve Access to Children's Behavioral Health Services"

H.P. 52 L.D. 82

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Authorize the Department of Health and Human Services to License Home-based and Community-based Services for Persons with an Intellectual Disability, Autism Spectrum Disorder or a Related Condition or an Acquired Brain Injury and Define Autism Spectrum Disorder"

H.P. 278 L.D. 449

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Amend the Membership of the Rare Disease Advisory Council" (EMERGENCY)

H.P. 678 L.D. 1083

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding the Terms of Trustees of the Phippsburg Cemetery District"

H.P. 84 L.D. 138

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-95)**.

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

Bill **READ ONCE**.

House Amendment "A" (H-95) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Ensure Release of Relevant Background Investigation Material to Current Employers of Law Enforcement and Corrections Officers"

H.P. 64 L.D. 96

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-90)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-90)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-90) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Provide Integrated Behavioral Health Services to Sexual Violence Survivors"

H.P. 505 L.D. 816

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-81)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-81)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-81) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, to Establish the Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients

H.P. 623 L.D. 976

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-91)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-91)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-91) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Amend the Duties of the Office of Affordable Health Care"

H.P. 570 L.D. 914

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-83)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-83)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-83) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **LABOR AND HOUSING** on Bill "An Act to Amend the Laws Regarding Public Sector Bargaining in Public Schools by Providing an Exemption to the Time Limit on Negotiations"

H.P. 690 L.D. 1095

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-79)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-79)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-79) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **MARINE RESOURCES** on Bill "An Act to Allow the Crew Member of a Holder of an Elver Fishing License to Empty an Elver Fyke Net" (EMERGENCY)

H.P. 506 L.D. 817

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-89)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-89)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-89) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Allow Electronic Distribution of Certain Documents to Municipalities and Electronic Acknowledgment of Receipt of Certain Documents as Acceptable Communications"

H.P. 94 L.D. 153

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-85)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-85)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-85) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Establish the Hessel's Hairstreak as the Maine State Butterfly"

H.P. 160 L.D. 239

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-87)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-87)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-87) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act Concerning Bureau of Motor Vehicles Fees, Fines and Driver's License Reinstatement"

H.P. 361 L.D. 556

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-82)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-82)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-82) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Protect the Environment by Funding Ash Tree Management"

H.P. 734 L.D. 1162

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-78)**.

Signed:

Senators:

INGWERSEN of York
HICKMAN of Kennebec

Representatives:

PLUECKER of Warren
HEPLER of Woolwich
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

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

Signed:

Senator:

BLACK of Franklin

Representatives:

COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-78)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-78) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Return the Name of the Maine Community College System to the Maine Technical College System"

H.P. 115 L.D. 174

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

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
POLEWARCZYK of Wiscasset
SARGENT of York
WORTH of Ellsworth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-76)**.

Signed:

Representatives:

BAGSHAW of Windham
SAMPSON of Alfred

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

Reports **READ**.

On motion by Senator **RAFFERTY** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Amend the Opioid Education Requirements"
H.P. 838 L.D. 1323

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MORRIS of Turner
NUTTING of Oakland
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:

BAILEY of York

Representatives:

MASTRACCIO of Sanford

MATHIESON of Kittery

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

Reports **READ**.

Senator **BAILEY** of York moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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

Senator **BRAKEY:** Thank you, Mr. President. I rise opposed to the motion to accept the Minority Ought Not to Pass Report in non-concurrence. I will say I have - I've really appreciated the bipartisan spirit that has existed on the Health Coverage, Insurance, and Financial Services Committee, led by our colleague, Senator Bailey, who does a tremendous job as the chairman of that committee. In this regard, we are on opposite sides of this issue, but I do appreciate that there was strong - a strong bipartisan report among members of the House and Senate to pass this legislation. Because I think ultimately this is a small piece of legislation which would effectively for pharmacists who are - who prescribe opioids, under current law, which I will touch on the history of that in a moment, under current law, they're required to do three years of continuing education - I'm sorry, three hours of continuing education every two years. This would simply lower that from three hours to one hour every two years and for the history on this, this statute was put in place in a much larger package that actually came through the Health and Human Services Committee several years back when I was serving as the Senate Chairman. That package sought to do much bigger things than just address continuing education requirements. It was looking at the opioid epidemic through a much bigger lens, looking at imposing requirements on tapering people off, and I don't need to get into all the history of that. But sufficed to say, when this came through the Health and Human Services Committee, this was one of the smallest pieces of that entire package. We probably spent the least amount of time exploring this particular piece than everything else in that bill. What we've heard from the medical community is that this requirement of three hours every two years versus one hour every two years has just become a make work kind of thing. It takes time, it takes - it creates bureaucracy, and it hasn't actually been helpful in addressing the opioid epidemic, at least not helpful at this point in time. Perhaps years ago, when there was still a need for creating strong awareness about the dangers of overprescribing, perhaps three hours was appropriate then, but at this point one hour is sufficient and that's why a strong majority of

the committee from both parties supported the bill. I'll leave it there. I do think that we all care about the opioid epidemic. We should also make sure, though, that the policies we have in place are actually helping to combat the opioid epidemic, not just creating work to make us feel like we're doing something. Thank you, Mr. President.

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

Senator **BAILEY:** Thank you, Mr. President. I would first start out by saying I agree with the portion of my good colleague's statement saying that on our committee we do do a lot of bipartisan work, and that is also in part to the good Senator from Androscoggin County. We do disagree on this issue. I would first respond to the good Senator's comments by saying, and I think he just misspoke, but just to be clear, this isn't about pharmacists, this is about physicians and doctors and prescribing, and I would say that the three hours that they have to do every two years is part of their other CMEs, their continuing medical education, so it's not burdensome, it's not onerous. And I would say, as we're in the middle still of an opioid overdose epidemic, that this is not the time to cut back CME hours on this important issue and, in fact, the Bureau of Professional Responsibility, that oversees doctors reports, that just last year they received ten reports about doctors in fact overprescribing. So, I'd ask you to follow my light. Thank you.

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

Senator **BRAKEY:** I apologize for rising a second time. I did just want to acknowledge that, yes, I did misspeak. Thank you to Senator Bailey for pointing that out. When I don't write my testimony out ahead of time, sometimes that happens, but yes, we're talking about those who prescribe, not those who dispense. I appreciate the note.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

The Chair noted the absence of the Senator from Somerset, Senator **FARRIN**, the Senator from Kennebec, Senator **LAFOUNTAIN**, the Senator from York, Senator **LAWRENCE**, and the Senator from Cumberland, Senator **NANGLE**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#117)

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

NAYS: Senators: BENNETT, BLACK, BRAKEY, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

EXCUSED: Senators: FARRIN, LAFOUNTAIN, LAWRENCE, NANGLE

19 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **BAILEY** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Provide Youth Lifetime Hunting Licenses to Eligible Dependents of Veterans Who Are 100 Percent Disabled"

H.P. 203 L.D. 305

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

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
CLUCHEY of Bowdoinham
DILL of Old Town
DRINKWATER of Milford
GOLEK of Harpswell
MASON of Lisbon
WOOD of Greene
WOODSOME of Waterboro

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-77).**

Signed:

Representative:

THORNE of Carmel

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

Reports **READ.**

On motion by Senator **CURRY** of Waldo, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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 (5/2/23) matter:

Emergency Measure

An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers

S.P. 73 L.D. 134
(C "A" S-34)

Tabled - May 2, 2023 by Senator **VITELLI** of Sagadahoc

Pending - **ENACTMENT** in concurrence

(In House, April 27, 2023, **PASSED TO BE ENACTED.**)

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

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with 1 Senator having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

Welcome Back Day Ceremony

THE PRESIDENT: So, at this time we're going to pause the deliberations for the Senate to start the Welcome Back Day Ceremony. Welcome Back Day is a biennial event that's been missing for a little bit with COVID, but we're excited to get it back this year. It's hosted by the Legislature. We invite former members and staff back to the State House. This special day is a moment to see familiar faces, meet our predecessors, and reminisce and share stories of sessions past. As I said, we were unable to host the ceremony two years ago because of the

pandemic, so as President of the Senate for the 131st Legislature it is a true honor to welcome you all back here today to the Maine Senate. We're going to start by inviting Former Presidents of the Senate to the rostrum to make a few remarks. I want to make sure he's here. The Chair is very pleased to welcome to the Senate the Senate President of the 112th through the 115th Legislatures, the Honorable Charlie Pray. President Pray served in the Senate from the 107th to the 115th, was the Majority Leader in the 111th, and the Assistant Minority Leader in the 109th and the 110th. The Chair would request President Pray please step forward to address the Senate. Glad to have you here.

CHARLIE PRAY: We're on a time schedule here, so let's cut this short. I want to express my appreciation for this opportunity to get up here and speak. Some of you don't know who I am, I've been here I think once before to Welcome Back Day, but I've explained the story as to how former presiding officers got up here to give a speech. Governor Cross - most of you don't know who Governor Cross is, Senator Bennett does and a few others - always used to come into the State Legislature for Welcome Back Day. Former Governors were the only ones that addressed the Legislature in the House and the Senate and Governor Cross would always come up and wasn't very kind to legislators and what they were doing and always just kind of made them feel a little bit less important than they should be. I was the presiding officer when he came in my first term and he came up, and I sat here for eight years in the Minority, and as was pointed out, I was Majority Leader for a term. My first term as Senate President, Governor Cross comes in. He gets up and he chides the Legislature for everything that it's doing - Republican, Democrat, didn't make a difference. Ken MacLeod, former Senate President, walks in as Governor Cross is leaving the podium and I - the Chair is pleased to welcome the Former Senate President, President Ken MacLeod, to come up and say a few words to the Legislature. Ken comes up and says I wasn't ready to say anything, what am I supposed to say? I said just talk about what it was like when you were presiding officer. I think Ken was the first presiding officer to have multiple terms, he had three terms, followed by Joe Sewall with four terms, followed by myself with four terms, and then you guys went out - or the public went out and enacted term limits, ruining that opportunity to have my record broken. But Ken got up here and, of course, he talked about the importance of the process of getting along, and we've set that since. We haven't had any Governors come back, though, since, so maybe that had some impact on that, too. I just want to quickly point out one thing. Over here on the back wall is former State Senator Howard Trotsky, a Republican. We came in together in '74. We differed on a lot of issues, we agreed on a lot of issues, and we remain friends here some 50 years later. So, the bipartisanship, I know the press gets all the partisan issues, but how many of these bills go through unanimously Ought Not to Pass or unanimously Ought to Pass or there's a compromise, a consensus as a divide, it might be urban rule, it might be north/south, it might be philosophically by party lines, but it - the vast majority of issues are not partisan - the big ones seem to be, and they deserve a little bit more attention. But remember, when you leave here, you guys are all fellow Mainers, you're really neighbors, and you have a lot in common. I want to wish you the best of luck to finishing this legislative session. The sooner you get out of here, the happier I'd be, a lot of people in the State of Maine. Thank you very much.

THE PRESIDENT: So, the Chair is going to just jump script here a little bit because one of our former members must be down in the House, but one of our members actually is here, so the Chair is pleased to welcome the Senate President of the 120th Legislature, Senator Richard Bennett. Senator Bennett served in the Senate from the 118th through the 121st. He served as Assistant Minority Leader in the 119th. He also served in the House during the 115th and the 116th Legislatures, and he returned to the Senate in the 130th and is currently a member of the 131st, and the Chair very much appreciates having the Senator here in this Body with him.

Senator **BENNETT:** Thank you very much, President Jackson. One thing that President Pray didn't tell you is - but he reminded me of this earlier - that Burton Cross, whose building across the way here has his name, actually that was named after Burton Cross because he didn't want the building built, and the Legislature, to get back at him, decided that the best thing to do is to name it after him. So, it stands there as the Burton M. Cross building ever since. It's great to be back, I have to say, it's wonderful to be back, and it's nice to see old friends like Senator Lawrence, I served with years ago, but - and it's great to see people who have served years ago and people who have served recently. You know, we're here as part of a very long story, each one of us, and as I've had the opportunity to come back after a hiatus, I'm reminded of that - how the breadth and depth of Maine's political story - and we're all part of that. And the thing that is most important to me is how - and Senator General Carpenter mentioned this in his prayer, you know, this is the peoples' building, this is the peoples' work that we're doing, and I am so proud of this institution for staying true to that course, that we are the people who are closest to the folks of Maine and it's so critical that we operate in that way, that we have the kind of porous, publicly accessible process that we cultivate here, that we steward here. The fact that anybody can testify on any bill is a rarity in America. The fact that all bills get heard is a rarity in America. This is a special thing that we have here in the Maine Legislature and sometimes we forget it in the hurly-burly. You know, in a - sometime this week, we're going to pass the Solemn Occasion Order to protect the right of the people to petition their government. That's probably coming to us tomorrow on the calendar. And I think that's part of this long tradition we have of fighting for the rights of people, making peoples' voices heard, and I'm just really proud to be part of that and I'm really proud to be back serving after a hiatus and serving with all of you and seeing old friends. Because our role here is to continue to safeguard the blessings of liberty for the people of Maine and it's a tradition that we honor, and I think we remember today and I'm proud to be part of it. Thanks so much.

THE PRESIDENT: We have a couple of the Senate Presidents that aren't - I'm sure they're down in the House Chamber, so we're going to recognize them when they come back in. But we have a number of other people that we're going to recognize. The Chair is pleased to recognize in the Chamber the former Senate Officials who served as Secretary of the Senate and Assistant Secretary of the Senate. Please rise as your name is called and we'll hold the applause until every Secretary and Assistant Secretary has been recognized. We have Joseph G. Carlton, served in the 125th as the Senate Secretary; Valerie Mitchell-Craig, who was Assistant Secretary. I know we still have here Heather Priest, but I don't see her in the Chamber right now,

but certainly she served as the Senate Secretary. Thank you for being here today.

Next, we're going to move into the Senators that are here. In the back, I see the current Secretary of State and former Honorable Senator Shenna Bellows, who served in the 128th, 129th, and the 130th. I also see the Honorable Paula Benoit, who was a Senator in the 123rd and actually owned a retirement home in my district for a while, Senator Benoit. And we saw - we heard him do the prayer this morning, but the Honorable Senator Michael Carpenter who served in the 112th, the 128th, and the 129th. We have the Honorable Justin Chenette who was Senator in the 128th and the 129th. Senator? Over in the corner, the Honorable Ned Claxton, who was a Senator in the 129th and the 130th Legislature. In the back, the Honorable Jonathan Courtney, who was a Senator in the 122nd, 123rd, 124th, 125th. He was the Assistant - actually, the Majority Leader in the 125th and Assistant in the 124th. Jon Courtney. We've already talked about him, but the Honorable Paul Davis, who was a Senator in the 119th, the 120th, the 121st, the 122nd, 127th, the 128th, the 129th, and the 130th. He was the Leader in the 122nd and the 121st and Assistant Leader in the 120th. The Honorable Paul Davis. We have the Honorable Susan Deschambault. She was a Senator in the 127th, the 128th, the 129th, and the 130th, and a pretty fine singer, too. Susan Deschambault. We have the Honorable Robert Foley, who was a Senator of the 129th Legislature. Honorable Senator Robert Foley. Not far away from him, we have the Honorable John W. Hathaway, who was a Senator in the 117th Legislature. John Hathaway. The Honorable Barry Hobbins. He was a Senator in the 114th, 122nd, the 123rd, 124th, and the 125th. He was Democratic Leader in the 125th. Senator Barry Hobbins. In the back, next to John Courtney with the Honorable Dale McCormick. Dale was a Senator in the 115th, the 116th, 117th, and actually did some logging with me in the woods one time. Senator Dale McCormick. On the other side, we have the Honorable Earle L. McCormick. Earle was a Senator in the 123rd, 124th, 125th, and the 127th. The Honorable Earle McCormick. Right alongside of Earle, we have the Honorable John 'the Legend' Patrick. He was a Senator in the 125th, the 126th, and the 127th. Senator John Patrick. Right in that same area with the Honorable Gary Plummer. Gary was a Senator in the 126th. Senator Gary Plummer. In the back, we have the Honorable Sharon A. Treat. Sharon was a Senator in the 118th, the 119th, the 120th, the 121st. She was Assistant Democratic Leader in the 120th and Democratic Leader in the 121st. Senator Sharon Treat. We have the Honorable Howard M. Trotsky, who was a Senator in the 107th, the 108th, the 109th, and the 110th. Senator Howard Trotsky. Up here, we have the Honorable Bruce Bryant, who served in the 121st, the 122nd, the 123rd, and the 124th. Senator Bruce Bryant. In the back, we have the Honorable Mary Small. She was in the Senate, the 117th, the 118th, the 119th, and the 120th. She was the Republican Leader in the 120th. Senator Mary Small. And never late, always on time the Honorable Severin M. Beliveau. Severin was a Senator in the 103rd and the 104th. Senator Severin Beliveau.

As far as other Honorable staff that was here, we have the Honorable Bob Asselin, who was a Sergeant-At-Arms and actually served in the New Hampshire House. Bob Asselin. So, there's a number of staff that I'm not sure if they're all in here or not, but I'm going to read them all off and then we'll have them recognized. The Honorable Dorothy Canelli, who was Senate staff; the Honorable Marilyn Canavan, who was on Senate staff and served in the House; Andrew Roth-Wells, David Loughran,

Diane Johanson, Edna Cayford, Emily Cook, Meghan Russo, Sara Vanderwood, Megan Gean-Gendron, and Kim Russell, all worked here in the Senate. Would they all please rise and accept the greetings of the Maine Senate?

We also have here the Honorable Bonnie Titcomb Lewis. She was - Senator Bonnie Titcomb Lewis, there she is.

So, I believe that's every former member of the Body who returned today. If I missed anyone, could you please rise to be recognized? Wow, awesome. That's always - that's right.

And although I think he's going to rise later on to speak, we have - I'm going to recognize the Honorable Mark Lawrence, who obviously served with us here in the Chamber. He was Senate President of the 118th and the 119th Legislatures. Senator Mark Lawrence served in the Senate from the 116th to the 119th, was Minority Leader in the 117th. He served in the House on the 114th, 115th, and 128th, and returned to the Senate for the 129th, 130th, and is currently a Member of the 131st. The Chair would very much like Senator Lawrence to rise and be recognized by the Maine Senate.

So, it is great to have so many familiar faces back in the Chamber. And I may say this often, but I truly mean it - in the Legislature, we are a family, which includes sitting lawmakers, former lawmakers, and next-generation lawmakers to come. It is undoubtedly a little bit dysfunctional at times, but most of us are here today for similar reasons, as many of the former presiding officers that spoke about. We do love our state and we want to make things better for the people that we love - our friends, family, and neighbors, and the Legislature can be a place of frustration and chaos, but it can be a place that gives way to surprising friendships and great bipartisan triumphs. In Welcome Back Day, a tradition that started nearly 70 years ago in the House, is a good reminder of that. Looking around the room, I see many people who have taught me the way things work here in Augusta, both good and bad, and taught me the way government should and can work for the people we are so fortunate to serve. I see a lot of people here who challenged my long-held beliefs, which have been instrumental in the way I view the world now. In some cases, these challenges led me to expand my views, and in others, these challenges strengthened my beliefs and my values. And it's a real honor to host former - the former Honorable who I haven't seen yet, Libby Mitchell, here today who led the nation as the first woman to serve as both Speaker of the House and President of the Maine Senate. When Libby comes in, I'm definitely going to bring her up. Obviously, we've had the Honorable Charlie Pray, who holds the record for the longest serving Senate President. And the folks who make every day Welcome Back Day in the Senate, the Honorable Mark Lawrence and the Honorable Rick Bennett. As Senate President, I honestly feel very fortunate to serve alongside these two former Senate Presidents that have been, you know, certainly a guiding force for me when things I didn't quite know or weren't sure how to proceed with. And finally, I would be remiss if I didn't pay tribute to those who are no longer with us. I will always be grateful for the Honorable Joy O'Brien's commitment and dedication to this institution, the state and the people of Maine. She served as Secretary of the Senate for 25 years and you all know she ran this Chamber with an iron fist - but in a good way.

On Welcome Back Day, I am reminded how fortunate I am to serve in the Legislature, to serve as Senate President, and to serve with all of you. You'll always be welcome back in the Chamber with open arms and I definitely want to tell you that it has been a great, great privilege to either serve with you or

welcome you back here today as someone that served in this Chamber before me. It is a true honor to stand anywhere in this Body, but certainly up here, and I hope that for all of you, you have great blessings and today is another great day for all of you that have been here in this Chamber. So, thank you very much.

So, just to be clear, we actually are way ahead of schedule. But I still obviously have Senate President Mitchell that I want to recognize when she comes in. We are going to have lunch downstairs at noon, but a little bit off script, if any Members, former Members, have any remarks, now would be the perfect time, which is fine. If you don't, that's okay, too, but certainly want to open it up for any Member that might've had something they wanted to say.

THE PRESIDENT: Senator Davis, would you like to come up, sir? Senator Davis, you want to -

Senator **DAVIS:** (INAUDIBLE)

THE PRESIDENT: Senator Davis, I think I'm going to try really, really hard to pay for that out of my own personal account.

Senator **DAVIS:** (INAUDIBLE).

THE PRESIDENT: So, the Chair is going to bring you back into your printed calendar until we see Senator Mitchell, Senate President Mitchell, rejoin us. We might have perfect timing. Right on time, perfect timing. So, the Chair would like to recognize in the rear of the Chamber, the Honorable John L. Martin, who served in the Senate in the 121st, the 122nd, the 123rd, the 124th, and was Assistant Leader in the 124th. Senator John L. Martin. Senator Martin, Speaker Martin, you just missed - I opened it up for any former member that would like to make any remarks up here. You sure? Okay. Well, if not, then the Chair is also very pleased to welcome in the Senate the President of the 124th Legislature, the Honorable Libby Mitchell. President Mitchell served in the Senate during the 122nd, 123rd, and as Majority Leader - as a Majority Leader in the 123rd. President Mitchell served in the House from the 107th through the 11th, and the 115th to the 118th. During her time in the House, she served as Assistant Majority Leader in the 109th and the 117th, and Majority Leader in the 110th and the 111th, and as Speaker of the House in the 118th. The Chair would also note that President Mitchell is the first woman in Maine to serve as Speaker and the first woman in the country to serve as both the Speaker and the President. The Chair would request that President Mitchell please step forward to address the Senate.

LIBBY MITCHELL: Wow. Never give a former elected official a microphone because we can't say no. But I want to say that I have just had the privilege of being in the House with John, and I think we're the oldest people on the face of the Earth who are in the Legislature. We stood up for every legislative session since Maine became a state, I think, between the two of us. I'll be very brief, you have many more important things to do. But I just want you to know, those of us are on the outside now, looking in, how much admiration we have for you and the work that you're doing. It is a job of grave responsibility, but your integrity is unparalleled. The respect we all have for this Body is just amazing. I had the privilege of serving with the Chair of Judiciary - not serving with, but on a commission that she chaired so well, and knowing many of you personally and from the House days, it's just a real

pleasure to be here. And I'm a big fan of this one over here, I have to tell this story one more time. When I was presiding in this Body, this man was so - as you know, he's passionate about the logging industry. He's passionate about the workers. And so, he made this powerful speech and at the back of the room there was a lobbyist who kept looking at his watch because he knew where the votes were and this gentleman, after this powerful speech, basically stood up and said 'I give up, I'll be back another day.' Well, I was so impressed with his speech, I'm the only person in this Chamber who voted for the bill, but - but at any rate, he does come back and fight for another day, as you all do. And, again, and this one over here is - I've known him forever and every time I see him now, I want to say play ball, because he serves here but he also serves the kids of Augusta with baseball. So, you're amazing. Some of you I served with, and Senator Bennett is back again, I see. And so, as you all know, when you leave this Chamber, you're friends, you're family, and that's what's so special about being in this Body. You never stop caring about the friends you've made here. Thank you for the honor of a few words, and keep up the excellent work, we're so proud of you. Thank you.

THE PRESIDENT: The Chair would also like to recognize former members of the Body: Senator David Woodsome, Senator Scott Cyrway, and Senator Jim Dill, who all served in here up until the last session and now are down in the House. Good Senators.

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

SENATE PAPERS

Resolve, to Construct a New District Headquarters Building for the Bureau of Forestry in Fort Kent

S.P. 759 L.D. 1886

Presented by President JACKSON of Aroostook.
Cosponsored by Representative THERIAULT of Fort Kent.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Regarding the Qualification of Expert Witnesses in Certain Family Court Actions"

H.P. 343 L.D. 538

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-86)**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
LYFORD of Penobscot

Representatives:

MOONEN of Portland
HAGGAN of Hampden
HENDERSON 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:

Representative:

ANDREWS of Paris

(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 Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-86)**.

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-86) **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 Lower the Amount of Seized Currency in a Criminal Asset Forfeiture over Which the Currency May Be Transferred to the Federal Government"

H.P. 609 L.D. 962

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-84)**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
LYFORD of Penobscot

Representatives:

MOONEN of Portland
HAGGAN of Hampden
HENDERSON 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:

Representative:

ANDREWS of Paris

(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 Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-84)**.

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-84) **READ and ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Permit a Short-term Waiver from the Minimum Wage for Chronically Unemployed Individuals"

H.P. 530 L.D. 841

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

Signed:

Senators:

TIPPING of Penobscot
POULIOT of Kennebec

Representatives:

ROEDER of Bangor
DRINKWATER of Milford
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-80)**.

Signed:

Representative:

BRADSTREET of Vassalboro

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

Reports **READ**.

Senator **TIPPING** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#118)

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

NAYS: Senators: BRAKEY, GUERIN

EXCUSED: Senators: FARRIN, LAFOUNTAIN, NANGLE

30 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

The Chair would like to recognize in the rear of the Chamber the Honorable Walter Gooley. Senator Gooley was in the Senate for a number of terms, I believe in the 124th and the 125th. Senator Walter Gooley.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Support Parents by Providing a Sales Tax Exemption for Diapers" H.P. 185 L.D. 287

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-47)**.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
MATLACK of St. George
RANA of Bangor

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

Signed:

Representatives:

CARMICHAEL of Greenbush
LAVIGNE of Berwick
QUINT of Hodgdon

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-47) AS AMENDED BY HOUSE AMENDMENT "A" (H-64)** thereto.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-47) **READ**.

House Amendment "A" (H-64) to Committee Amendment "A" (H-47) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-47) as Amended by House Amendment "A" (H-64) thereto, **ADOPTED** in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Allow the Local Foods Fund for Public Schools to Be Used for Processed and Value-added Maine Food Products"

S.P. 392 L.D. 921

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 INGWERSEN for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Directing the Department of Agriculture, Conservation and Forestry to Conduct an Accessibility Study of All Maine State Parks and Historic Sites and to Develop a Plan to Remove Access Barriers

S.P. 407 L.D. 988

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-62)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-62) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Prohibit COVID-19 Vaccine Mandates for Students Enrolled in Public Institutions of Learning"

S.P. 475 L.D. 1148

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

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-61)**.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

On motion by Senator **STEWART** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Divided Report

Eight members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Protect Education Access by Prohibiting a Mandate for Schoolchildren for a COVID-19 Vaccine or a Vaccine Under an Emergency Use Authorization" S.P. 366 L.D. 869

Reported in Report "**A**" that the same **Ought Not to Pass**.

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass**.

Signed:

Representatives:

- BAGSHAW of Windham
- LYMAN of Livermore Falls
- POLEWARCZYK of Wiscasset
- SAMPSON of Alfred

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-60)**.

Signed:

Senator:

- LIBBY of Cumberland

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** Report "A", **OUGHT NOT TO PASS**.

On motion by Senator **STEWART** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **RAFFERTY** of York to **ACCEPT** Report "A", **OUGHT NOT TO PASS**.

SECOND READERS

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

House As Amended

Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Allowing Parents to Opt Out of Lockdown Drills for Their Children

H.P. 294 L.D. 477
(C "A" H-63)

Bill "An Act to Promote the Use of Free Annual Wellness Visits by Ensuring Proper Medical Billing"

H.P. 414 L.D. 637
(C "A" H-70)

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

Senate

Bill "An Act to Clarify That Haulers Are Under the Jurisdiction of the Logging Dispute Resolution Board"

S.P. 228 L.D. 511

Bill "An Act to Amend the Terms of the Members of the Maine Space Corporation Board of Directors by Requiring Staggered Terms" (EMERGENCY)

S.P. 637 L.D. 1605

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

Bill "An Act to Increase the Limit on Sets of Special Veterans Registration Plates from 3 Sets to 4 Sets"

S.P. 67 L.D. 128
(C "A" S-57)

Bill "An Act to Increase the Amount of Money Allowed to Be Raised for a Charitable Purpose by Certain Raffles"

S.P. 76 L.D. 147
(C "A" S-53)

Bill "An Act to Support Higher Education in Maine by Providing Funds to Maine's Community Colleges"

S.P. 202 L.D. 447
(C "A" S-58)

Bill "An Act to Provide Funding for Sexual Assault Services"

S.P. 237 L.D. 566
(C "A" S-56)

Bill "An Act to Expand the Membership of the Permanent Commission on the Status of Women"

S.P. 353 L.D. 794
(C "A" S-51)

Bill "An Act to Allow a Restaurant to Serve a Bottle of Wine to the Person Who Brought the Bottle"

S.P. 435 L.D. 1066
(C "A" S-54)

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 Resolve

Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection

H.P. 46 L.D. 71

This being an Emergency Measure and having received the affirmative vote of 26 Members of the Senate, with 6 Senators having voted in the negative, and 26 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.

Resolve

Resolve, to Establish the Task Force to Review Work Practices and Treatment of Pharmacists

H.P. 173 L.D. 275
(C "A" H-38)

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

Acts

An Act to Define "Mail" in the Employment Security Law to Include Electronic Notification and to Extend the Appeal Times for Claimants

H.P. 17 L.D. 13
(C "A" H-45)

An Act to Limit Public Access to or Dissemination of Electronic Citation and Electronic Warning Information

S.P. 15 L.D. 23
(C "A" S-28)

An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program

S.P. 20 L.D. 28
(C "A" S-31)

An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board

S.P. 46 L.D. 74
(C "A" S-33)

An Act to Assist Municipalities in Preventing Damage from Storm Water

H.P. 174 L.D. 276
(C "A" H-43)

An Act to Require Mortgage Holders to Notify a Homeowner's Insurance Company on the Sale or Transfer of a Mortgage

H.P. 358 L.D. 553
(C "A" H-37)

An Act to Expand Availability of Naloxone Hydrochloride

H.P. 377 L.D. 600

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

An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects

H.P. 105 L.D. 164
(C "A" H-41)

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

Senate at Ease.

The Senate was called to order by the President.

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

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Thursday, May 4, 2023 at 10:00 in the morning.