

STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
FIRST SPECIAL SESSION  
JOURNAL OF THE SENATE

In Senate Chamber  
Tuesday  
June 8, 2021

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

Prayer by Senator Kimberley C. Rosen of Hancock County.

**SENATOR ROSEN:** Thank you, Mr. President, for having me do the prayer today. I'm grateful to be serving my 15<sup>th</sup> year under this dome and especially grateful for all the friends I've made along the way. National Speak No Evil Day was established in 1996. It is intended as one of the 24 hour days when people will strive to control anger and monitor how we speak to others. Let us pray.

Speak No Evil Day will be a day when young children frequently teased by his classmates and called by an ugly nickname can go to school confident no one will say a cruel word to him. It will be a day when a man who once served a prison sentence, but who has led an exemplary life since being released, will not have to fear that a journalist will publicize his earlier behavior. It will be a day when a congressional candidate who suffered a nervous breakdown will not have to worry that his opponent will use this painful episode to publicly humiliate him. It will be a day when an African-American or Hispanic-American be among other Americans without fearing that she will hear prejudicial comments or ugly words about herself or her racial group. It is a day when a husband who usually only tells his wife complaints will tell her instead that he loves her and why. It will be a day when people will use the words that heal others' emotional wounds, not those that inflict them. In short, Speak No Evil Day will be a day when, through human kinds collective efforts, we will experience a taste of heaven on earth. A Jewish proverb teaches if you will it, it is no fantasy if we only want it enough. Speak No Evil Day is possible. Let us try today. Amen.

Pledge of Allegiance led by Senator Glenn C. Curry of Waldo County.

Reading of the Journal of Monday, June 7, 2021.

Off Record Remarks

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Create a Separate Department of Child and Family Services

S.P. 414 L.D. 1263  
(C "A" S-146)

In Senate, June 3, 2021, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-146)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **INSISTED**.

Sent down for concurrence.

The following Joint Resolution:

H.P. 1285

**JOINT RESOLUTION  
URGING THE CONGRESS OF THE UNITED STATES  
TO PASS LEGISLATION ESTABLISHING A VETERANS  
SERVICE ORGANIZATION FOR HOUSING**

WE, your Memorialists, the Members of the One Hundred and Thirtieth Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the Congress of the United States, as follows:

WHEREAS, from the beginning of time, towns, hamlets, kingdoms and countries have needed to have a body of people willing to put their own lives on the line to provide defense; and

WHEREAS, these people by serving have earned a variety of benefits from grateful communities, from medieval knights being granted land to veterans being granted health care and pensions today; and

WHEREAS, in 1789 the first Congress of the United States assumed the responsibility of providing payments to veterans; and

WHEREAS, the United States Government has historically provided bounty land to its war veterans; and

WHEREAS, the United States Department of Veterans Affairs home loan program was created in 1944 as part of the Servicemen's Readjustment Act, better known as the GI Bill of Rights, and signed into law by President Franklin D. Roosevelt in order to help veterans return to civilian life; and

WHEREAS, many veterans are not aware of or able to access benefits that they have earned because of complex program requirements or eligibility; and

WHEREAS, the need for advocates for veterans not connected with the United States Department of Veterans Affairs generated the creation of veterans service organizations, which have historically served as essential advocates for veterans as veterans work to understand the benefits they have earned and are entitled to use; and

WHEREAS, the only veterans benefit that does not have a specifically chartered veterans service organization is housing; and

WHEREAS, according to the National Alliance to End Homelessness, on a single night in January 2020, 37,252 United States veterans were homeless; and

WHEREAS, safe, adequate housing is essential for veterans and their families to achieve their highest potential as thriving members of thriving communities; and

WHEREAS, veterans' understanding and ability to access United States Department of Veterans Affairs housing benefits require strong, independent advocacy; and

WHEREAS, a veterans service organization specifically focused on housing would provide that advocacy; now, therefore, be it

RESOLVED: That We, your Memorialists, respectfully urge and request that the Congress of the United States ensure the creation and approval of a congressionally chartered veterans service organization for housing during the 117th Congress; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to each Member of the Maine Congressional Delegation and to each Member of the United States Senate Committee on Veterans' Affairs and the United States House Committee on Veterans' Affairs.

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

**READ** and **ADOPTED**, in concurrence.

### COMMUNICATIONS

The Following Communication: S.C. 631

#### STATE OF MAINE ONE HUNDRED AND THIRTIETH LEGISLATURE COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

June 4, 2021

The Honorable Troy Dale Jackson  
President of the Senate of Maine  
130th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Energy, Utilities and Technology has had under consideration the nomination of Heather Furth of Old Town, for appointment to the Efficiency Maine Trust Board.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	3	Lawrence, M. of York, Stewart, T. of Aroostook, Vitelli, E. of Sagadahoc
	Representatives	8	Berry, S. of Bowdoinham, Cuddy, S. of Winterport, Foster, S. of Dexter, Grohoski, N. of Ellsworth, Kessler, C. of South Portland, Wadsworth, N. of Hiram, Wood, B. of Portland, Zeigler, S. of Montville
NAYS		0	
ABSENT		2	Rep. Carlow, N. of Buxton, Rep. Grignon, C. of Athens

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Heather Furth of Old Town, for appointment to the Efficiency Maine Trust Board be confirmed.

Signed,

S/Mark W. Lawrence  
Senate Chair

S/Seth A. Berry  
House Chair

### READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#233)

YEAS:	Senators: None
NAYS:	Senators: BAILEY, BALDACCI, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Heather Furth** of Old Town for appointment to the Efficiency Maine Trust Board was **CONFIRMED**.

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

The Following Communication: S.C. 632

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

June 4, 2021

The Honorable Troy Dale Jackson  
President of the Senate of Maine  
130th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Energy, Utilities and Technology has had under consideration the nomination of Patrick J. Scully, Esquire of Naples, for appointment to the Public Utilities Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Lawrence, M. of York, Vitelli, E. of Sagadahoc
	Representatives	6	Berry, S. of Bowdoinham, Cuddy, S. of Winterport, Grohoski, N. of Ellsworth, Kessler, C. of South Portland, Wood, B. of Portland, Zeigler, S. of Montville
NAYS	Senators	1	Stewart, T. of Arrostook
	Representatives	2	Foster, S. of Dexter, Wadsworth, N. of Hiram
ABSENT		2	Rep. Carlow, N. of Buxton, Rep. Grignon, C. of Athens

Eight members of the Committee having voted in the affirmative and three in the negative, it was the vote of the Committee that the nomination of Patrick J. Scully, Esquire of Naples, for appointment to the Public Utilities Commission be confirmed.

Signed,

S/Mark W. Lawrence  
Senate Chair

S/Seth A. Berry  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

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

Senator **LAWRENCE:** Thank you, Mr. President and men and women of the Senate. We're very honored today to have an exceptional person be nominated and recommended for confirmation to the PUC. Patrick Scully is a great attorney who had a tremendous career and then did that awful thing, retiring, and then decided to go back to work and he's volunteered to go back to this position. He worked in the utilities industry, representing all sides on various issues, and the letters of recommendation we got from all sides were tremendous on his behalf. But most importantly, and many of you will know that I met my wife doing local dinner theater, I understand that Pat also has a gig on the side doing local theater in his area, which makes him an extremely well qualified candidate to serve on the PUC. So, I hope you'll join with me in confirming his nomination.

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

Senator **STEWART:** Thank you very much, Mr. President and ladies and gentlemen of the Senate. You'll note in the calendar that this confirmation was a divided report when it came out of committee. We had the hearing last Friday, which was the opportunity to meet with and hear from Mr. Scully and learn about his interests, why he was making the move out of retirement and volunteering himself for public service. I have to be honest about why things panned out the way they did with the vote that day and, in large part, it was at no fault to him. It was in large part frustration from the Minority who felt that there was a specter of political influence being forced on some of these confirmable positions within state government. We have since aired that frustration and I think, I hope, that the Chief Executive has taken our concerns about some of these positions which are substantial within state government to heart in who she chooses to appoint for other positions. Now all of that said, a little bit more about Mr. Scully. We met with him this morning as a caucus and I think that was the first time I was able to look him in the eye and shake his hand. I think that a part of the problem with everything that's going on in the last year is that without human interaction it becomes hard to get a good judge of somebody's character, who they are, why they're doing the things they're doing, what motivates them to want to serve, and I will say that, from a standpoint of candor, he has a really impeccable persona. It's clear why he was a good attorney and was able to make a good case for all those he represented and, ultimately, be successful within the laws. He was in the business of people. To say that he is qualified would be an understatement. In fact, he's probably overly qualified in a lot of respects for a position such as this and

the three body panel which is the PUC, which is essentially a judicial body that oversees electric dealings within the state of Maine. I have no doubt he will do a fantastic job in that role and I have no doubt that concerns that I shared with my colleagues on Friday have been put to bed and today I'm happy to cast the vote supporting Mr. Scully for nomination to the Public Utilities Commission and I look forward to seeing him succeed in that role. Thank you, Mr. President.

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#234)**

YEAS: Senators: None  
NAYS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Patrick J. Scully**, Esquire of Naples for appointment to the Public Utilities Commission was **CONFIRMED**.

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

**THE PRESIDENT:** The would advise that in the rear of the Chamber, sorry, this is the first one I've done this session, is Patrick J. Scully of Naples, who has just been, obviously, confirmed to the PUC and he's here with his wife, Tory Ryden. Would they please rise and accept the congratulations and greets from the Maine State Senate.

The Following Communication: S.C. 633

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

June 4, 2021

The Honorable Troy Dale Jackson  
President of the Senate of Maine  
130th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Inland Fisheries and Wildlife has had under consideration the nomination of Anthony L. Liguori of Kennebunk, for appointment to the Inland Fisheries and Wildlife Advisory Council.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS Senators 1 Dill, J. of Penobscot  
Representatives 6 Landry, S. of Farmington, Hepler, A. of Woolwich, Martin, J. of Eagle Lake, Martin, D. of Sinclair, Nadeau, C. of Winslow, Theriault, T. of China  
NAYS 0  
ABSENT 6 Sen. Black, R. of Franklin, Sen. Curry, C. of Waldo, Rep. Alley, R. of Beals, Rep. Lyford, P. of Eddington, Rep. Mason, R. of Lisbon, Rep. Ordway, L. of Standish

Seven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Anthony L. Liguori of Kennebunk, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Jim Dill Senate Chair S/Scott Landry House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 130<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#235)**

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Anthony L. Liguori** of Kennebunk for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 630

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON JUDICIARY**

June 02, 2021

Honorable Troy Dale Jackson, President of the Senate  
Honorable Ryan Michael Fecteau, Speaker of the House  
130th Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Fecteau:

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. 668 An Act To Ensure Public Accountability While Implementing a Practical Approach to Remote Participation
- L.D. 746 An Act Regarding Remote Participation in Municipal Meetings
- L.D. 1438 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Declare the Natural, Inherent and Unalienable Right of Enjoying Personal Privacy

This is notification of the Committee's action.

Sincerely,

S/Sen. Anne Carney  
Senate Chair

S/Rep. Thom Harnett  
House Chair

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

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**ORDERS**

**Joint Order**

On motion by Senator **LIBBY** of Androscoggin, the following Joint Order:

S.P. 578

ORDERED, the House concurring, that the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature is established as follows.

1. Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature established. The Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature, referred to in this order as "the working group," is established.
2. Membership. The working group consists of 8 members appointed as follows:
  - A. Four members of the Senate appointed by the President of the Senate, including members from each of the 2 parties holding the largest number of seats in the Legislature. Of these 4 members, 2 members must be members of the Government Oversight Committee and 2 members must be members of the Joint Standing Committee on Taxation; and
  - B. Four members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature. Of these 4 members, 2 members must be members of the Government Oversight Committee and 2 members must be members of the Joint Standing Committee on Taxation.
3. Working group chairs. The first-named Senator is the Senate chair of the working group and the first-named member of the House is the House chair of the working group.
4. Appointments; convening of working group. All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the working group shall call and convene the first meeting of the working group. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business.

5. Duties. The working group shall examine and make recommendations regarding the process for the ongoing review of tax expenditures by the Legislature. In its work, the working group shall consider:

A. The provisions of the Maine Revised Statutes under Title 3 and Title 36 governing tax expenditure reviews;

B. The experiences of key entities involved in tax expenditure reviews under the Maine Revised Statutes, Title 3 since 2015, including the Government Oversight Committee, the Office of Program Evaluation and Government Accountability, the Joint Standing Committee on Taxation and the Department of Administrative and Financial Services, Bureau of Revenue Services;

C. Tax expenditure review policies, approaches and processes in other states; and

D. Input from stakeholders engaged in the administration of tax expenditures, including but not limited to the Department of Administrative and Financial Services, Bureau of Revenue Services, the Department of Economic and Community Development and other state agencies.

The working group shall make recommendations, including any appropriate changes to the Maine Revised Statutes, for improvements to the tax expenditure review process to ensure it meets the needs of the Legislature for oversight, evaluation and improvement of tax expenditure policies for the State.

6. Staff assistance. The Legislative Council shall provide necessary staffing services to the working group, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

7. Report. No later than December 1, 2021, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, to the Second Regular Session of the 130th Legislature.

**READ and PASSED.**

Sent down for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **JUDICIARY** on Bill "An Act To Amend the Length of Time and Circumstances for Which a Sheriff May Furlough Individuals Incarcerated in a County Jail" H.P. 581 L.D. 776

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.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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**Ought to Pass As Amended**

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, To Facilitate the Modernization and Streamlining of the Utility Pole Attachment Process

H.P. 894 L.D. 1219

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-417).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-417).**

Report **READ.**

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

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The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in Firefighting Foam"

H.P. 1115 L.D. 1505

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-418).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-418) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Amend the Laws Banning Polystyrene Foam To Exclude Packaging for Meat, Poultry, Fish, Seafood and Eggs" (EMERGENCY)

H.P. 1214 L.D. 1631

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-416).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-416)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-416) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Intensive Case Managers to Counties That Do Not Have County Jails or Regional Jails"

H.P. 375 L.D. 512

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-389)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-389)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-389) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Strengthen Maine's Public Health by Expanding Access to Certain Health Programs and Services"

H.P. 550 L.D. 745

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-399)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-399)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-399) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment (EMERGENCY)

H.P. 637 L.D. 869

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-390)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-390)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-390) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Access to Certified Substance Use Disorder Recovery Residence Services"

H.P. 710 L.D. 964

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-393)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-393)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-393) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Rare Disease Advisory Council"

H.P. 718 L.D. 972

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-391)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-391)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-391) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Protect Drinking Water for Maine Residents"  
H.P. 1167 L.D. 1570

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-392)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-392)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-392) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Resolve, Directing the Maine Economic Growth Council To Create and Share Measures of Progress  
H.P. 1091 L.D. 1476

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-400)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-400) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act To Ensure That Victims of Assault, Battery and False Imprisonment, Including Victims of Domestic Violence, Have Parity under Tort Law"  
H.P. 502 L.D. 690

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-395)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-395) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act"  
H.P. 570 L.D. 765

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-394)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-394)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-394) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act Shielding Fire Departments That Install Smoke and Carbon Monoxide Detectors from Liability"  
H.P. 920 L.D. 1254

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-407)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-407)**.



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

Bill **READ ONCE**.

Committee Amendment "A" (H-407) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **TAXATION** on Bill "An Act To Provide a Sales and Use Tax Exemption for Certain Educational Collaboratives"  
H.P. 315 L.D. 435

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-408)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-408)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-408) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Clarify the Maine Food Sovereignty Act"  
H.P. 419 L.D. 574

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

Signed:

Senators:

DILL of Penobscot  
BLACK of Franklin

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-402)**.

Signed:

Senator:

MAXMIN of Lincoln

Representatives:

O'NEIL of Saco  
McCREA of Fort Fairfield  
OSHER of Orono  
PLUECKER of Warren

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-402)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#236)**

YEAS: Senators: BALDACCI, BENNETT, BLACK, CYRWAY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

NAYS: Senators: BAILEY, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **DILL** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Promote Highway Safety by Restricting the Use of Marijuana and Possession of an Open Marijuana Container in a Motor Vehicle"  
H.P. 597 L.D. 829

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

Signed:

Senators:

DESCHAMBAULT of York  
LAWRENCE of York

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-375)**.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

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

Reports **READ**.

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

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

Senator **DESCHAMBAULT:** When I first read this bill I said of course and then we had hearings and that's when you really find out more information. What I concluded, and what the Majority concluded, is this bill is unnecessary. There are already laws that address this. We have a statute that makes it an offense to operate a vehicle 'while under the influence of intoxicants' which is defined in part to mean being under the influence of a drug other than alcohol. Additionally, the law provides that the Secretary of State shall immediately suspend a license of a person determined to have operated a motor vehicle under the influence of drugs. The additional traffic infraction that this bill would create is unlikely to deter driving under the influence more than the current laws that we have now.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I did want to mention on this bill that it's an open container law just like it would be for liquor, so we are going according to what the marijuana group that did all the - for about two years they worked hard on trying to figure out legalizing marijuana and this was one of the suggestions, having this law take place, and so this was part of the agreement and so we would be, basically, by voting Ought Not to Pass, not going according to their agreement. So, I think that this is a good law and I think that it would be helpful for people not to have open container in their vehicle while operating. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I think the title of the bill is pretty self-explanatory. They don't want us driving down the street with an open beer between our legs. They don't want us riding down with an open whiskey bottle and I think they don't want us driving down the street with a joint in our hand. I just don't understand why we would not support this bill. It's a common-sense approach, to me, and I'll be voting in opposition to the pending motion.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#237)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Protect the Health of Students and Educators by Requiring the Establishment of Health and Safety Committees in School Administrative Units" (EMERGENCY)

H.P. 309 L.D. 429

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-366)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

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

Signed:

Representatives:  
LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

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-366)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-366) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Directing the Department of Education To Review and Assess Existing Educational Mandates  
H.P. 381 L.D. 518

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-358)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-358)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-358) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Directing the State Board of Education To Adopt Rules Prohibiting Teachers in Public Schools from Engaging in Political, Ideological or Religious Advocacy in the Classroom

H.P. 395 L.D. 550

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

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-359)**.

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

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

Reports **READ**.

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

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

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

Senator **WOODSOME:** Thank you, Mr. President. I'd like to speak on this. I rise not in support of the bill as it reads but as the Minority Report as amended and I spoke with my good seatmate here, Senator Rafferty, who is also the Chair of the Education Committee, and he assures me that my concerns are already being taken care of. My concern is that, as we go forward, especially this past year, we have a lot of issues coming before schools, parents, us, kids, that are controversial and the importance of teaching but exploring and inclusion of all the facts, the different sides of an issue, are vital, so vital, and if I may give you a little history of my own self. Back in 1974, I changed school districts and went to another school district and they were developing a course called View Points and it was exactly that. View Points on controversial issues. The sexual revolution, gays, homosexuality, pre-marital sex, drugs, prison system, liberals and conservatives, ecology. I mean, it was a mixed bag, and so they were trying to figure out who could they hire and I was the new kid in town but there were two or three other veteran teachers that wanted to teach it. They decided on Dave Woodsome and they did that because I was open-minded and wanted to explore all sides of the issue. That course became one of the best, I can't say best but the most well-liked course in that school and because I took sides that the kids were against because I had to explore, give them all the information that was out there, make

them think. Even today, some 40 or 50 years later, I get messages from those former students saying, 'Thank you so much for making me think and you have helped me.' Those kids helped me as much as I helped them, okay, because they opened my eyes too and so it is critical that our educators, who are out there expressing views on different issues that are controversial, be honest, open up all doors, and that is my concern with this bill. I didn't like the title. You don't prohibit discussion, but I am concerned that the teachers who are teaching this have good guidance and good intentions. That is my concern and if my fellow seatmate here says that it's taking care of, I don't know if it is. But that's my concern. So, I'm going to be voting against it and going the other way, if I get the chance. So, thank you very much.

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

Senator **RAFFERTY:** Thank you, Mr. President. Senator Woodsome, I commend you for your experience, your dedication to teaching, and it sounds like you're the perfect teacher and that you want to be open and honest with your students and that's what made you and makes any teacher successful, and we had some great discussions in our committee throughout the entire session, but on this particular bill as well, and how I came to, and my caucus came to, this decision is that currently we didn't feel the bill was necessary because currently 70% of school districts has such policies that already prohibit such behaviors. They're in place. We felt that this legislation goes a little bit beyond redundancy in terms of policy and reaches into the curriculum and instruction areas which squarely is in the decision-making domain of local districts and we know, in hearing from the professionals in the field and many of our educators, including myself, we know that and we are taught to refrain from such advocacy. It's a basic ethical practice and it is address in teacher preparation curriculum throughout all educational teaching programs and, last but not least, we know that most schools, and I can't say that all do but most schools, currently have a policy to reduce bias in the classroom. So, I will vote Ought Not to Pass on item 5-20. Thank you.

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

Senator **SANBORN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise today because I was teaching world history in my classroom of freshmen when the first plane struck the World Trade Center. I was about to start a segment of my world history class, ancient world history, on Islam and the origins of the Islamic world. The tone and tenor of those conversations was something that I had to navigate as a professional in 2001, in the days, the hours, the days, and the weeks that followed 9/11. As professionals, we bring our training but also our life experience into the classroom and we react in real time every day. Maine's teachers, particularly our social study teachers, our history teachers, are incredible professionals and this bill, in its origin, is designed to play 'gotya' and to undermine their ability to react and respond as they need to in their classroom in order to facilitate the growth of young minds. Please follow my light and vote Ought Not to Pass.

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

Senator **WOODSOME:** Thank you, Mr. President, and excuse me for getting up a second time. I realize that the amendment of the Minority I don't think has been discussed. If I may read it. The amendment which is the Minority Report of Committee replaces the Resolve and directs the Department of Education to convene a stakeholder group to develop a proposal for professional development for training for teachers, administrators, and school boards regarding academic freedom and teaching about controversial and sensitive issues and report to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2022. The Joint Standing Committee may report out a bill to the Second Regular Session of the 130<sup>th</sup> Legislature which may include a requirement of school boards to adopt a policy on the teaching of controversial and sensitive issues. The amendment also adds an appropriation and allocation section, which is \$9,000. Now Senator Rafferty has said that 70% of the school districts have such a policy. My concern is the other 30%. If we're going to have something, let's have 100% conformity, especially on controversial issues that are going to be discussed. The worst thing that can happen is we have one or two school districts in Maine that are rogues, they are ultra right or left. My concern is we have conformity and equity in our educational system. Thank you very much.

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Off Record Remarks

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in support of the pending motion. I just wanted to share a couple of things that came up in committee. One of the biggest things with this bill is that we heard from folks who are already in the field that a lot of this work is already being done by our schools and our school boards. Many already have these policies, ensuring that this type of activity is not happening. But on the other side, one of the most interesting portions of the debate that really stuck with me was how you handle different aspects of curriculum if this bill were to go into law without being held against this. So, think about, you know, you're teaching something that's potentially controversial and you're trying to instill, you know, inherent critical thinking and curiosity and making sure that you're covering all sides of the aspects of any issue, whether it's history, whether it's, you know, different periods throughout not only our state but our country, and so what we were hearing from teachers is that they're very concerned when they are teaching about something that they didn't agree with, but they were showing what happened, that they could be accused of going for either political advocacy or, you know, ideological advocacy when really all they were doing was teaching the course. This came up especially in, you know, humanities, social study, and history, but we actually heard examples from other subjects as well, and there's a lot of concern from the field that, you know, school boards already do have these policies but that this could actually get in the way of

academic freedom, which I think we can all agree is something that's important and we want to make sure that we are making sure our students have the access to best possible curriculum and a lot of that is getting our students to think about everything and all aspects and all sides of an issue. So, I urge you to follow my light and vote Ought Not to Pass and support this motion.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#238)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Professional Training for School Counselors"

H.P. 470 L.D. 639

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-365)**.

Signed:

Senators:  
 RAFFERTY of York  
 DAUGHTRY of Cumberland  
 WOODSOME of York

Representatives:  
 BRENNAN of Portland  
 CROCKETT of Portland  
 DODGE of Belfast  
 LYMAN of Livermore Falls  
 McCREA of Fort Fairfield  
 MILLETT of Cape Elizabeth  
 ROCHE of Wells  
 SALISBURY of Westbrook  
 STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

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-365)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-365) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Stabilize Student Count in Maine's School Funding Formula" (EMERGENCY)  
H.P. 478 L.D. 651

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-357)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

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-357)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-357) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide Equity in Access to Applications for the National School Lunch Program and School Breakfast Program"  
H.P. 707 L.D. 961

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-360)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

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-360)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-360) **READ** and **ADOPTED**, in concurrence.  
Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Include Librarians and Career and Technical Education Teachers in the Minimum \$40,000 Salary Initiative" (EMERGENCY)

H.P. 866 L.D. 1188

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-354)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

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-354)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-354) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Authorizing an Increase to the Maximum Annual Fund Balance for Public School Districts"

H.P. 876 L.D. 1198

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-361)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

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-361)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-361) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Restore a School District's Ability To Authorize New Types of Schools and Programs"  
H.P. 926 L.D. 1259

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

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-362)**.

Signed:

Senator:  
WOODSOME of York

Representatives:  
LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#239)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Create Education Choices by Creating Education Savings Accounts for Maine Students"  
H.P. 994 L.D. 1343

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

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-356)**.

Signed:

Representatives:  
LYMAN of Livermore Falls  
SAMPSON of Alfred

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

Reports **READ**.



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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#240)**

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, MOORE, RAFFERTY, ROSEN, SANBORN, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, POULIOT, STEWART, TIMBERLAKE

26 Senators having voted in the affirmative and 9 Senators having voted in the negative, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Clarify Safety Issues in Schools with Respect to Health-related States of Emergency" (EMERGENCY) H.P. 1112 L.D. 1502

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-404)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

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

Signed:

Senator:  
WOODSOME of York

Representatives:  
LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

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-404)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-404) **READ** and **ADOPTED**, in concurrence.

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

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Create the Office of the Education Ombudsman and To Establish a Commission To Study the Creation of a Reporting and Response System To Assist Public Schools in Addressing Incidents of Bias, Discrimination and Harassment" H.P. 1120 L.D. 1512

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-355)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
SALISBURY of Westbrook

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

Signed:

Senator:  
WOODSOME of York

Representatives:  
LYMAN of Livermore Falls  
ROCHE of Wells  
SAMPSON of Alfred  
STEARNS of Guilford

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-355)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-355) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Ensure Full Payment of the State's Salary Supplement Obligation to Teachers with National Board Certification"

H.P. 1271 L.D. 1716

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-401)**.

Signed:

Senators:  
RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:  
BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representative:  
SAMPSON of Alfred

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-401)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-401) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend Conflicts in the Laws Governing the Efficiency Maine Trust"

H.P. 269 L.D. 385

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-371)**.

Signed:

Senators:  
LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
CUDDY of Winterport  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:  
CARLOW of Buxton  
FOSTER of Dexter  
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-371)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-371) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Accelerate Weatherization Efforts in the State"

H.P. 396 L.D. 551

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-376)**.

Signed:

Senator:  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
CARLOW of Buxton  
CUDDY of Winterport  
FOSTER of Dexter  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WADSWORTH of Hiram  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

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-376)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-376) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Fund Broadband Internet Infrastructure for Marginalized Groups in the State"

H.P. 1160 L.D. 1555

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-377)**.

Signed:

Senators:  
LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
CUDDY of Winterport  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:  
CARLOW of Buxton  
FOSTER of Dexter  
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-377)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-377) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act Concerning Marina-based Restaurants in the Shoreland Zone"  
H.P. 839 L.D. 1161

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-382)**.

Signed:

Senators:

- BRENNER of Cumberland
- BENNETT of Oxford
- CARNEY of Cumberland

Representatives:

- BELL of Yarmouth
- DOUDERA of Camden
- GRAMLICH of Old Orchard Beach
- HANLEY of Pittston
- JOHANSEN of Monticello
- O'CONNOR of Berwick
- TUELL of East Machias

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

Signed:

Representatives:

- TUCKER of Brunswick
- BLUME of York
- ZEIGLER of Montville

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-382)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-382) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Alleviate the Disproportionate Impact of COVID-19 and Public Health Outcomes"  
(EMERGENCY)

H.P. 1153 L.D. 1548

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-412)**.

Signed:

Senators:

- CLAXTON of Androscoggin
- BALDACCI of Penobscot

Representatives:

- MEYER of Eliot
- CRAVEN of Lewiston
- MADIGAN of Waterville
- PERRY of Calais
- STOVER of Boothbay
- ZAGER of Portland

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

Signed:

Senator:

- MOORE of Washington

Representatives:

- CONNOR of Lewiston
- GRIFFIN of Levant
- JAVNER of Chester
- LEMELIN of Chelsea

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-412)**.

Reports **READ**.

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

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

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

Senator **MOORE**: Thank you, Mr. President. I just would like to bring forward to the Senate to let the other ladies and gentlemen of the Senate know that we did change this bill in the committee and made it a Resolve where we would be doing a study on it. We still had some concerns about it. We have seen a number of bills that have come before us that are assigning tasks for the Permanent Commission on the Status of Racial, Indigenist and Maine Tribal Population and this is another one that is asking them to collaborate with DHHS and take a look at what the amount of federal funding that is being allowed for our disadvantaged communities as well as any of the COVID dollars, any of the state dollars, and also take a look at the existing programs that are designed to target the health disparities. We feel this is unnecessary work that needs to be completed. We're already taking a look. I know the AFA is taking a look at some of the federal funding and how to allocate that. I feel that this is work that does not need to be taken, handled, by the Department and this Commission on their own. I also am a little bit concerned because the disadvantaged communities do include Washington County, one of the poorest communities. So, I feel that we should expand if they were going to do this Resolve to actually take it a little bit further than just the tribes themselves because they do have two reservations within my community. So, I just feel that this is not necessary work and there's a lot more to be done. So, thank you, Mr. President.

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

Senator **CLAXTON**: Thank you, Mr. President. In response to the good Senator from Washington and parts of Hancock County, I agree to the extent that this may not be necessary but we are early in the relationship and how to take advantage of this Permanent Commission and how to have them work with various departmental entities and this seems like a way we could direct them to work together to at least start a conversation about whether there was appropriate allocation of funds dependent upon the population we're talking about. It's early in the life of the Permanent Commission. It's relatively early in the life of the existing Department of Human Services. This just seemed like an opportunity to change what was a very pre-scripted bill into one that's much more flexible and would accomplish what we wanted to without any particular obligation or anticipated outcomes. So, that was why the committee voted in the Majority Report to authorize this bill.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#241)**

**YEAS**: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-412) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Allow a Qualifying Religious Organization To Self-insure for Automobile Insurance"

H.P. 792 L.D. 1063

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

Signed:

Senators:  
SANBORN of Cumberland  
BRENNER of Cumberland

Representatives:  
TEPLER of Topsham  
ARFORD of Brunswick  
BROOKS of Lewiston  
EVANS of Dover-Foxcroft  
MATHIESON of Kittery  
MELARAGNO of Auburn

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:  
BLIER of Buxton  
CONNOR of Lewiston  
MORRIS of Turner  
QUINT of Hodgdon

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

Reports **READ**.

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

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

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

Senator **SANBORN:** Thank you, Mr. President. I just want to put this bill in context, so that there is another potential solution out there and this bill the committee felt was not the correct avenue for us to take to deal with the problem that the Secretary of State does acknowledge is an issue. We want to make sure that motorist out on the road are well protected and there is another solution that we think is a better solution than the one presented in this bill, so I urge you to vote Ought Not to Pass.

On motion by Senator **BENNETT** of Oxford, **TABLED** until Later in Today's Session, pending the motion by Senator **SANBORN** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence. (Roll Call Ordered)

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**Divided Report**

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Waive Professional and Occupational Licensing Fees for Calendar Year 2020" H.P. 698 L.D. 942

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

Signed:

Senators:  
CURRY of Waldo  
LUCHINI of Hancock

Representatives:  
ROBERTS of South Berwick  
BAILEY of Gorham  
GEIGER of Rockland  
HASENFUS of Readfield  
PEBWORTH of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-372)**.

Signed:

Senator:  
CYRWAY of Kennebec

Representatives:  
ANDREWS of Paris  
AUSTIN of Gray

BERNARD of Caribou  
COLLAMORE of Pittsfield  
DUCHARME of Madison

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#242)**

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CURRY** of Waldo to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Resolve, Establishing the Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility H.P. 743 L.D. 1005

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-396)**.

Signed:

Senators:  
CURRY of Waldo  
CYRWAY of Kennebec

Representatives:

ROBERTS of South Berwick  
BAILEY of Gorham  
BERNARD of Caribou  
COLLAMORE of Pittsfield  
GEIGER of Rockland  
HASENFUS of Readfield  
PEBWORTH of Blue Hill

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

Signed:

Representatives:

AUSTIN of Gray  
DUCHARME of Madison

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-396)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-396) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Require the Acceptance of Cash for In-person Retail Transactions"

H.P. 892 L.D. 1217

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

Signed:

Senators:

CURRY of Waldo  
LUCCHINI of Hancock

Representatives:

ROBERTS of South Berwick  
ANDREWS of Paris  
BAILEY of Gorham  
GEIGER of Rockland  
HASENFUS of Readfield  
PEBWORTH of Blue Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-397)**.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

AUSTIN of Gray  
BERNARD of Caribou  
COLLAMORE of Pittsfield  
DUCHARME of Madison

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

Reports **READ**.

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

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, this bill here basically was taking care of the people that tend to use cash as some people don't use credit cards and debit cards and also that I believe cash is a legal tender and so this would be taking the rights of some elderly people that just that's the way they do business. So, I think that this was just trying to help the people that just don't use the credit card or debit card. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Curry.

Senator **CURRY:** Thank you, Mr. President. We heard clearly from the business community that they were opposed to this bill as an overreach and over regulation. They were not aware of any significant issues, or any issues, related to people being unable to use cash. They particularly highlighted specific concerns in this mandate. One was around kiosks, say for example, in malls where you have a single individual that's staffing multiple kiosks and the risk of theft. They also identified areas where vending machines, for example, as we often see in airports where they're far more than sodas and candy, but there are expensive items in there that those vending machines would be required to take cash, and the last area is what is now the innovation that we're seeing in terms of the buy online but pick up. I'm using the wrong phrase there but, for example, all the grocery shopping that you might see where people order, that's it, order online and then pick up on site. That would require a cash transaction and so that would be very problematic because that whole system is based on using cards. So, thank you very much.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#243)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

**NAYS:** Senators: BENNETT, BLACK, CHIPMAN, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MIRAMANT, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **CURRY** of Waldo to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Increase Accountability for Wage Violations" H.P. 452 L.D. 616

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-398)**.

Signed:

**Senators:**  
HICKMAN of Kennebec  
MIRAMANT of Knox

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

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

Signed:

**Senator:**  
GUERIN of Penobscot

**Representatives:**  
BRADSTREET of Vassalboro  
DRINKWATER of Milford  
MORRIS of Turner  
PRESCOTT of Waterboro

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-398)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#244)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, 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-398) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Resolve, Directing the Department of Economic and Community Development, the Department of Labor and the Department of Transportation To Develop Partnerships with Businesses, Unions and Educational Programs and Institutions To Provide Training and Transportation for Workers

H.P. 1202 L.D. 1613



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

Signed:

Senators:

HICKMAN of Kennebec  
MIRAMANT of Knox

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

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

Reports **READ**.

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase the Number of Franklin County Commissioners"

H.P. 457 L.D. 621

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-388)**.

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin  
ROSEN of Hancock

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
DOWNES of Bucksport  
HEAD of Bethel  
PAULHUS of Bath  
RISEMAN of Harrison  
TUELL of East Machias

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

Signed:

Representative:

GREENWOOD of Wales

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-388)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-388) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase Transparency in the Legislature by Removing Certain Freedom of Access Act Exemptions"

H.P. 558 L.D. 753

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

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin  
ROSEN of Hancock

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
DOWNES of Bucksport  
HEAD of Bethel  
PAULHUS of Bath  
RISEMAN of Harrison  
TUELL of East Machias

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-364)**.

Signed:

Representative:

GREENWOOD of Wales

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide Funding To Support the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations"

H.P. 768 L.D. 1034

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-410)**.

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin  
ROSEN of Hancock

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
DOWNES of Bucksport  
HEAD of Bethel  
PAULHUS of Bath  
RISEMAN of Harrison  
TUELL of East Machias

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

Signed:

Representative:

GREENWOOD of Wales

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-410)**.

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Regarding 2021 Municipal Elections and Town Meetings" (EMERGENCY)  
H.P. 934 L.D. 1274

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-386)**.

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin  
ROSEN of Hancock

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
DOWNES of Bucksport  
HEAD of Bethel  
PAULHUS of Bath  
RISEMAN of Harrison  
TUELL of East Machias

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

Signed:

Representative:

GREENWOOD of Wales

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-386)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-386) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Action the Legislature May Take on Initiatives Approved by Voters for a Period of 3 Years  
H.P. 1240 L.D. 1669

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

Signed:

Senators:

CLAXTON of Androscoggin  
ROSEN of Hancock

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
DOWNES of Bucksport  
GREENWOOD of Wales  
HEAD of Bethel  
PAULHUS of Bath  
RISEMAN of Harrison  
TUELL of East Machias

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-411)**.

Signed:

Senator:

BALDACCI of Penobscot

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Create a Graduated Real Estate Transfer Tax"  
H.P. 302 L.D. 418

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

TERRY of Gorham  
BICKFORD of Auburn  
CARMICHAEL of Greenbush  
HANLEY of Pittston  
KRYZAK of Acton  
MATLACK of St. George  
SACHS of Freeport

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-373)**.

Signed:

Senators:

CHIPMAN of Cumberland  
LIBBY of Androscoggin

Representatives:

COLLINGS of Portland  
GRAMLICH of Old Orchard Beach  
PERRY of Bangor

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-373)**.

Reports **READ**.

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

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

Senator **POULIOT:** Mr. President, it's going good today. Thank you very much. I request a roll call and further wish to speak to my motion.

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

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

Senator **POULIOT**: Thank you, Mr. President. I think that the good Chair of the Committee was on the right track when he might have moved the Majority Report but not for a chance to vote on that. Unfortunately, this would set up a structural change within the transfer tax for real estate which would be extremely complicated for the registry of deeds and the clerks that are working in those positions to carry out. We heard from a number of those folks that this would be a challenge. There was an amendment that was made but still it's really problematic. I think the way that this posture is set forth with the Minority Report is problematic for us moving forward. So, Mr. President, I would ask that the members of this Body vote against the pending motion, and the majority of the Committee did as well, and support the Ought Not to Pass report. Thank you, Mr. President.

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Off Record Remarks

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

Senator **CHIPMAN**: Thank you, Mr. President. I'd like to point out that the members in the Committee, some of the members who voted for the Majority Ought Not to Pass report, in the House did vote for the Ought to Pass report and further consideration of the bill and, just to respond to my good friend from Kennebec, the State is actually in the process of redesigning the software used to compute the real estate transfer tax and they said they can incorporate this into that software. It's a simple change that can be made when they come up with the new software they're already working on, so it's not going to be complicated at all. It's actually going to be quite simple to figure this out. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#245)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-373) **READ** and **ADOPTED**, in concurrence.

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

Ordered sent down forthwith for concurrence.

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Remove Sales and Use Taxation on Monetary Metals" H.P. 937 L.D. 1277

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

Signed:

Senators:

CHIPMAN of Cumberland  
LIBBY of Androscoggin

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-374)**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn  
CARMICHAEL of Greenbush  
HANLEY of Pittston  
KRYZAK of Acton

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#246)**

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-353)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-353) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act Regarding Motor Vehicle Registration Violations" H.P. 475 L.D. 644

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

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
CEBRA of Naples  
MARTIN of Greene  
O'CONNELL of Brewer  
PARRY of Arundel  
PERKINS of Oakland  
WHITE of Mars Hill

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-353)**.

Signed:

Senators:  
DIAMOND of Cumberland  
CHIPMAN of Cumberland

Representatives:  
MARTIN of Sinclair  
BRYANT of Windham  
WHITE of Waterville  
WILLIAMS of Bar Harbor

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**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Ensure Public Ways Are Compliant with the Federal Americans with Disabilities Act of 1990" H.P. 496 L.D. 669

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-383)**.

Signed:

Senators:  
DIAMOND of Cumberland  
CHIPMAN of Cumberland

Representatives:  
MARTIN of Sinclair  
MARTIN of Greene  
O'CONNELL of Brewer  
PARRY of Arundel  
PERKINS of Oakland  
WHITE of Waterville  
WILLIAMS of Bar Harbor

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

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
CEBRA of Naples  
WHITE of Mars Hill

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-383)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-383) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Establish Trail until Rail Corridors"  
H.P. 1004 L.D. 1370

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-367)**.

Signed:

Senators:

DIAMOND of Cumberland  
FARRIN of Somerset

Representatives:

MARTIN of Sinclair  
BRYANT of Windham  
CEBRA of Naples  
MARTIN of Greene  
O'CONNELL of Brewer  
PARRY of Arundel  
PERKINS of Oakland  
WHITE of Mars Hill  
WHITE of Waterville

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

Signed:

Representative:

WILLIAMS of Bar Harbor

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-367)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-367) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Require That Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways"  
H.P. 1207 L.D. 1623

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

Signed:

Senators:

DIAMOND of Cumberland  
FARRIN of Somerset

Representatives:

MARTIN of Sinclair  
BRYANT of Windham  
MARTIN of Greene  
O'CONNELL of Brewer  
PARRY of Arundel  
PERKINS of Oakland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-363)**.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

CEBRA of Naples  
WHITE of Mars Hill  
WHITE of Waterville  
WILLIAMS of Bar Harbor

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting" H.P. 174 L.D. 253

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

Signed:

Senators:  
LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:  
CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD 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-387)**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
COREY of Windham  
DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox

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

Reports **READ**.

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

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#247)**

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

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

EXCUSED: Senator: BENNETT

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

---

**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Require Photographic Identification for the Purpose of Voting" H.P. 402 L.D. 557

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

Signed:

Senators:  
LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:  
CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD 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-381)**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
COREY of Windham  
DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox

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

**ROLL CALL (#248)**

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Revise Reporting Requirements for Maine Clean Election Act Expenditures"

H.P. 686 L.D. 930

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

Signed:

Senator:  
HICKMAN of Kennebec

Representatives:  
CAIAZZO of Scarborough  
HARRINGTON of Sanford  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD 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-380)**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
COREY of Windham  
DOLLOFF of Milton Township  
KINNEY of Knox

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

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

EXCUSED: Senator: BENNETT

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

---

**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Strengthen the Integrity of the Maine Clean Election Act by Limiting the Amount of Money Paid to Political Operatives"

H.P. 727 L.D. 981

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

Signed:

Senators:  
LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:  
CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD 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-379)**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
COREY of Windham  
DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox



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

Reports **READ**.

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

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

**THE PRESIDENT:** The Chair recognizes the Senator from Waldo, Senator Curry.

Senator **CURRY:** Thank you, Mr. President. Can you just clarify what bill we're on?

**THE PRESIDENT:** 5-56. L.D. 981. The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#249)**

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit the Consideration of a People's Veto at a Presidential Primary

H.P. 856 L.D. 1178

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-378)**.

Signed:

Senators:  
FARRIN of Somerset  
HICKMAN of Kennebec

Representatives:

COREY of Windham  
DOLLOFF of Milton Township  
KINNEY of Knox  
TUTTLE of Sanford  
WOOD of Portland

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

Signed:

Senator:  
LUCHINI of Hancock

Representatives:

CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the **RESOLUTION PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)**.

Reports **READ**.

Senator **LUCHINI** of Hancock 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#250)**

YEAS: Senators: BENNETT, BLACK, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, FARRIN, GUERIN, HICKMAN, KEIM, LAWRENCE, MIRAMANT, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME

NAYS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, LIBBY, LUCHINI, MAXMIN, RAFFERTY, SANBORN, PRESIDENT JACKSON

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Resolution **READ ONCE**.

Committee Amendment "A" (H-378) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

Eight members of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Establish Balance in the Governor's Emergency Powers"

H.P. 726 L.D. 980

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

Signed:

Senators:

BALDACCI of Penobscot  
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
DOORE of Augusta  
PAULHUS of Bath  
RISEMAN of Harrison

Four members of the same Committee on the same subject reported in Report "**B**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-368)**.

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport  
HEAD of Bethel  
TUELL of East Machias

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 "B" (H-369)**.

Signed:

Representative:

GREENWOOD of Wales

Comes from the House with Report "**A**", **OUGHT NOT TO PASS, READ** and **ACCEPTED**.

Reports **READ**.

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** Report "**A**", **OUGHT NOT TO PASS**, in concurrence.

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

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

Senator **BALDACCI:** Thank you, Mr. President. Just briefly, I want to let the members of the Chamber be aware of the specifics of this bill and why we voted Ought Not to Pass. The bill would limit the power of the Governor to seven days for an emergency. Any extension beyond seven days would have to be voted by two-thirds of each house but, this is important, one house could discontinue an emergency proclamation. So, potentially you could get into a situation which would be a constitutional crisis of one Chamber ending the emergency and another Chamber not wanting to do that. It provides that if the Governor violates the thing in any way it's an impeachable offense. So, all in all, we felt this was bad policy and to talk about the issue of emergency powers is one thing but to vote for bills that would actually leave us defenseless, if not invite a crisis, is never a good thing. So, I urge my colleagues to join me in voting Ought Not to Pass.

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

---

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

---

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#251)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

**EXCUSED:** Senator: DILL

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** Report "**A**", **OUGHT NOT TO PASS**, in concurrence, **PREVAILED**.

**Divided Report**

Seven members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Protect Minor Political Parties That Seek Official Party Status"

H.P. 790 L.D. 1061

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-384)**.

Signed:

Senator:  
LUCHINI of Hancock

Representatives:  
CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD of Portland

Five members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
COREY of Windham  
DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox

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 "B" (H-385)**.

Signed:

Senator:  
HICKMAN of Kennebec

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-384)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-384)**.

Reports **READ**.

On motion by Senator **LUCHINI** of Hancock, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-384)**, **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-384) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-384)**, in concurrence.

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**Divided Report**

Eight members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Create a Voter Identification System"  
H.P. 798 L.D. 1083

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

Signed:

Senators:  
LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:  
CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD of Portland

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-405)**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox

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 "B" (H-406)**.

Signed:

Representative:  
COREY of Windham

Comes from the House with Report "A", **OUGHT NOT TO PASS, READ** and **ACCEPTED**.

Reports **READ**.

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** Report "A", **OUGHT NOT TO PASS**, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#252)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

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

EXCUSED: Senator: DILL

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** Report "A", **OUGHT NOT TO PASS**, in concurrence, **PREVAILED**.

---

**Senate**

**Ought to Pass As Amended**

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve Maine's Education System"

S.P. 108 L.D. 247

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-202)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-202) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Career and Technical Education and Memoranda of Understanding with Community Colleges"

S.P. 340 L.D. 1072

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-201)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-201) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require the Department of Education To Provide Information to Students Allowing Them To Make Informed Choices Regarding Their Education and Professional Futures"

S.P. 462 L.D. 1412

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-190)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-190) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Support Maine Students Who Are Dependents of Current or Former Members of the Military"

S.P. 557 L.D. 1705

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-189)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-189) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator LAWRENCE for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Rural Water Districts"

S.P. 106 L.D. 245

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-198)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-198) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator HICKMAN for the Committee on **LABOR AND HOUSING** on Bill "An Act To Address the Windfall Elimination Provision"

S.P. 148 L.D. 341

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-203)**.

Report **READ**.

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

---

Senator BALDACCI for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Establishing the Commission To Research Effective Strategies and Efficiencies of Legislatures

S.P. 341 L.D. 1073

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-199)**.

Report **READ**.

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

---

Senator CHIPMAN for the Committee on **TAXATION** on Bill "An Act To Establish a Program To Assist Regional Firefighter Training Programs, To Provide Tax Credits to Businesses That Employ Volunteer Firefighters and Emergency Medical Services Persons and To Provide Benefits to Volunteer Firefighters and Emergency Medical Services Persons"

S.P. 283 L.D. 731

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-187)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-187) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Update the Statutes Governing Membership of the Board of Trustees of the Maine Veterans' Homes"

S.P. 373 L.D. 1111

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-194)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-194) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Reform Payments to Legislators by Political Action Committees"

S.P. 514 L.D. 1621

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-196)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-196) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Create Appropriate Standards for the Secretary of State To Follow When Approving the Assignments of Vanity Registration Plates"

S.P. 65 L.D. 130

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-192)**.

Signed:

Senators:

DIAMOND of Cumberland  
CHIPMAN of Cumberland

Representatives:

MARTIN of Sinclair  
BRYANT of Windham  
MARTIN of Greene  
O'CONNELL of Brewer  
PERKINS of Oakland  
WHITE of Waterville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-193)**.

Signed:

Senator:

FARRIN of Somerset

Representatives:

CEBRA of Naples  
PARRY of Arundel  
WHITE of Mars Hill  
WILLIAMS of Bar Harbor

Reports **READ**.

Senator **DIAMOND** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-192)** Report.

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

Senator **DIAMOND:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, just briefly. This vanity plate issue, which I'm sure you've seen some signs around the state over the past few years, how this has really gotten out of hand. Vanity plates started in 18, excuse me, 1989, I wasn't there, 1989 and we initially called it the Initial Plate and then in '93 and '94 it became the Vanity Plate and it was all for the reason of raising money for the Bureau of Motor Vehicles and so we could also let people have fun, and a lot of folks have and things went pretty well for the last 15 or 16 years, but in the last 4 or 5 years it's gotten really out of hand with the vulgarity and the profanity and I did not want to distribute the plates that have already been issued in the Senate Chamber. I felt it was inappropriate but I'm happy to show any one that wants to see what we've got out there now. It's pretty shocking. This bill, by the way, the same - two other bills were submitted by Senator Guerin and also Senator Rosen doing the same thing and I appreciated their efforts and what they contributed to the committee in the public hearing. What we've done, we've sat down with the Attorney General's Office and the Secretary of State and worked, and members of the committee, and worked long and hard and diligently to find, carve out, what

we felt, what the Attorney General mostly felt, was a very constitutional end result and very confident, as is the Attorney General, that this can be defended. What it basically says is the Secretary of State can recall or refuse vanity plates that encourage violence, acts of violence, profane obscenities, derogatory references, connotes genitalia, sexual acts, and also if they try to do that via the mirror effort or through the phonics. Again, it's really gotten way out of hand and it's for those who say 'well, people still have constitutional rights to say and put on what they want to' the answer is you sure do. You can put that sign in your car, put a bumper sticker, you can put a flag on top of your truck, whatever you want to do, but on State property there are restrictions and there are limitations and, again, we have some neighbor states, New Hampshire, Massachusetts, Vermont, that have already done this. Other states, other than New England, as well. So, this is something that's long overdue. The Secretary of State does not have the authority now to limit and it's something that we think, and certainly at the public hearing, was concluded that this is time to be done. It also has a measure for appeal for anybody that doesn't agree with the decision. So, we think we've covered all the bases and look forward to having this passed with your help. Thank you, Mr. President.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President and ladies and gentlemen of the Senate, as my good friend said Senator Rosen and I had also both put in bills dealing with this because, like many of you, I had heard from my constituents who were upset at some of the license plates that had been issued in this state. I think it's time the Legislature take action to address this by allowing the Secretary of State to deny and recall a vanity plate that consists of language that has a sexual connotation or is considered to be obscene, contemptuous, prejudicial, hostile, insulting, racially degrading, ethnically degrading, profane, or vulgar. According to a Portland Press Herald article, October 2019, the State stopped screening vanity license plates for vulgarity in 2015 and now rejects or recalls plates if they are inciting violence. In the same article I was quoted as saying it's an advertisement for Maine, the way life should be. I think we would be better served by having a more family-friendly license plate message. We want to promote that Maine brand of wholesome outdoor life instead of vulgarity. I stand by that comment and will be supporting the pending motion.

**THE PRESIDENT:** The Chair recognizes the Senator from Somerset, Senator Farrin.

Senator **FARRIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just want to add a little bit to my good colleague from Windham. The Committee did look at this and just wanted to make sure both reports were Ought to Pass. This is definitely an issue that we have to deal with and we heard that over and over again in testimony. There was some question about being a former Secretary of State. He had some responsibility when this first started and we let him off the hook on that. But anyway, it just came down to one classification on the justification that the Secretary of State and authority that they would have on this but, in general, everybody on the Committee recognized that this is an issue that needed to be addressed and things have been out of proportion for a while and we heard from

the citizens, overall. So, good work by all those involved. Thank you, Mr. President.

On motion by Senator **DIAMOND** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-192)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-192) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-192)**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Establish Open Primaries" S.P. 99 L.D. 231

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-195)**.

Signed:

Senators:

LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
TUTTLE of Sanford  
WOOD of Portland

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

COREY of Windham  
DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox

Reports **READ**.

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **POULIOT:** Thank you, Mr. President. Today I'm speaking as a co-sponsor to L.D. 231, An Act to Establish Open Primaries. This legislation will allow for semi-open primaries in the state, meaning unenrolled voters would be permitted to cast one ballot in the primary of their choice. Republicans would not be able to vote in Democratic primaries and Democrats would not be able to vote in Republican primaries. To be fair, my support for L.D. 231 isn't simply altruistic. Yes, it's important for unenrolled voters to be permitted to participate in elections for which they pay. These voters pay for the election, they deserve to have a say. A common refrain is that this will cause people to show up and vote in a primary for a weaker candidate to try to get that person on the ballot instead of a stronger candidate that may fare better in the general election. I think this is a reasonable concern but the data does not support this actually happening in states where unenrolled voters are allowed to participate. I'm a lifelong Republican and continue to be proud of the conservative traditions that drew me to the party. Less government involvement and oversight, more free market capitalism, and a personal commitment to help neighbors and friends, regardless of where they fall on the political spectrum. In Maine, unenrolled voters currently outnumber Republicans 32 - 28%. Now more than ever, Republicans needs to engage with unenrolled voters in order to continue building out base. I assume my friends across the aisle are saying the same thing, so inaction is not an option for us. I believe this legislation will give both parties an opportunity to engage more voters, voters who may or may not choose to eventually join a party. This is common-sense legislation that we ought to support. Thank you, Mr. President.

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

Senator **MAXMIN:** Thank you, Mr. President. I rise in support of the pending motion. I've learned that not a lot of folks are excited about open primaries but I am, so please bear with me as I lay out my thinking on this one. I thank my colleague from Kennebec for laying out how this would work. It simply allows an unenrolled voter to choose a Democrat or Republican primary and cast their ballot since they are paying for those elections anyway. There are three reasons why I put this bill in. The first one has to do with inclusivity. The biggest thing that I heard from my constituents when I was campaigning is the need to feel heard and represented and I think the fact that almost a third of our population here in Maine cannot participate in our primary system is a good reason to not feel heard or represented and this bill is one step towards creating a more inclusive representative democracy. Once more, sixty-five percent of legislative races in Maine are decided in our primaries and so we are leaving out so many folks who do not have a say in who will represent them after the general election.

The second reason I support this is because the numbers are showing that more and more folks are registering as unenrolled. Forty-nine percent of veterans, 50% of millennials are registering as Independent voters. In Oregon, in 2016 they initiated their

automatic voter registration system and in the first three years 80% of people enrolled as Independent voters and we are about to go on-line with AVR next year. So, more Independent voters coming are way. We are one of only 14 states without some kind of open primary system. I have also heard from constituents who were Democrats and were Republicans but they have unenrolled because of the partisanship and they still want to be able to participate in the primaries. The third reason that I'm excited about this bill is that it seems to be quite popular these days, although in my life and in my family I'm not known as being that hip. At the moment, Jared Golden, Olympia Snowe, the Portland Press Herald, the Bangor Daily News, the Ellsworth American, and the Mt. Desert Islander have endorsed this bill. Even the clerks said that this bill will make their life easier because so many folks come on primary day to vote but they find out that they can't because they're unenrolled and it makes more work for the clerks who have to enroll them in a party and many folks end up just walking away because they don't want to wait.

I've heard a few arguments against this bill that I wanted to lay out there before we vote. The first one that I hear most commonly is 'why don't folks just register with a party if they want to participate in a primary? It's a privilege to be part of a party and part of that privilege is voting in a primary.' But I'm part of a party and I don't think that that privilege should be exclusive. I think that everyone, every Mainer, deserves access to every single election that we have in our state. For so many folks being an Independent is an identity, just as being a Democrat or Republican is an identity for many of us. Why should we make people switch? Why not make this process easier when folks are paying for these elections anyways? The second argument against this, as the Senator from Kennebec laid out, is that it could be used to eschew a primary but, again, there is no evidence of this in any of the states that have open primaries. The last argument is that open primaries could interfere with the party structure, our ability to caucus, or count delegates, but the amendments have taken care of this language. This bill simply allows an Independent to vote in a primary and it does not interfere with either party's structure. Sometimes I think the smallest ideas can go the furthest and I think that this might be one of them. I am voting today to make sure that every Mainer can vote in every election. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#253)**

**YEAS:** Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DAVIS, DESCHAMBAULT, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, SANBORN, VITELLI, WOODSOME, PRESIDENT JACKSON

**NAYS:** Senators: BLACK, CYRWAY, FARRIN, GUERIN, KEIM, STEWART, TIMBERLAKE

EXCUSED: Senator: DILL

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-195) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

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**ENACTORS**

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

**Emergency Measure**

An Act Regarding the Northeastern Interstate Forest Fire Protection Compact

H.P. 29 L.D. 63  
(C "A" H-235)

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The Chair noted the absence of the Senator from Kennebec, Senator **HICKMAN**, and the Senator from Hancock, Senator **LUCHINI**, and further excused the same Senators from today's Roll Call votes.

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This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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**Emergency Measure**

An Act To Improve the Rights and Basic Protections of Persons with Acquired Brain Injuries

H.P. 404 L.D. 559  
(C "A" H-271)



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

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

**Emergency Measure**

An Act To Support Early Intervention and Treatment of Psychotic Disorders

S.P. 261 L.D. 674  
(C "A" S-132)

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

**Emergency Measure**

An Act To Address the Shortage of Direct Care Workers for Children with Disabilities in Maine

S.P. 389 L.D. 1204  
(C "A" S-156)

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

**Emergency Measure**

An Act Concerning the Controlled Substances Prescription Monitoring Program and the Dispensing of Naloxone Hydrochloride by Emergency Medical Services Providers

H.P. 984 L.D. 1333  
(C "A" H-203)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

**Emergency Measure**

An Act To Provide Services to Maine's Most Vulnerable Citizens by Eliminating the Waiting Lists for Certain MaineCare Services  
S.P. 447 L.D. 1360  
(C "A" S-158)

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

**Emergency Measure**

An Act To Promote Outdoor Recreational Opportunities for Maine Students

H.P. 1089 L.D. 1474  
(C "A" H-222)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

**Emergency Measure**

An Act To Modify Dental Licensure Requirements To Consider Credentialed Individuals from Other Jurisdictions

H.P. 1231 L.D. 1660

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

**Emergency Resolve**

Resolve, To Provide Rural Nonmedical Transportation Services to the Elderly and Adults with Disabilities Receiving Home and Community Benefits under the MaineCare Program

S.P. 24 L.D. 17  
(C "A" S-148)

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

**Emergency Resolve**

Resolve, Directing the Department of Health and Human Services To Increase MaineCare Reimbursement Rates for Targeted Case Management Services and To Expand Eligibility for Targeted Case Management Services for Adults with Substance Use Disorder

H.P. 299 L.D. 415  
(C "A" H-251)

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

**Emergency Resolve**

Resolve, To Expand Recovery Community Organizations throughout Maine

S.P. 195 L.D. 488  
(C "A" S-157)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

**Emergency Resolve**

Resolve, To Amend MaineCare Reimbursement Provisions Governing Supplemental Payments to Nursing Facilities with High MaineCare Use

S.P. 272 L.D. 684  
(C "A" S-133)

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

**Emergency Resolve**

Resolve, To Enhance Access to Medication Management for Individuals with Serious and Persistent Mental Illness

H.P. 825 L.D. 1147  
(C "A" H-278)

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

**Emergency Resolve**

Resolve, To Improve Access to Bariatric Care

H.P. 1020 L.D. 1386  
(C "A" H-276)

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

**Emergency Resolve**

Resolve, To Create a Stakeholder Group To Identify the Needs of Long-term Care Family Caregivers

H.P. 1208 L.D. 1624  
(C "A" H-250)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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.

**Emergency Resolve**

Resolve, Regarding Legislative Review of Chapter 124: Emergency Medical Services Personnel Reporting Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention

H.P. 1224 L.D. 1653

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senators having voted in the negative, and 32 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 Require Annual Information Reporting by the Maine Information and Analysis Center

S.P. 19 L.D. 12

An Act To Clarify the Timing of an Appeal of a Finding Regarding Involuntary Mental Health Treatment at a Designated Nonstate Mental Health Institution

S.P. 46 L.D. 38  
(C "A" S-149)

An Act To Address Airboat Operation in the State

H.P. 80 L.D. 114  
(C "A" H-238)

LEGISLATIVE RECORD - SENATE, TUESDAY, JUNE 8, 2021

An Act To Facilitate Licensure for Credentialed Individuals from Other Jurisdictions	H.P. 105 L.D. 149 (C "A" H-214)	An Act To Limit Liability Regarding Donations of Menstrual Products	S.P. 304 L.D. 952
An Act To Make Technical Changes to Maine's Marine Resources Laws	H.P. 184 L.D. 263 (C "A" H-239)	An Act To Allow a 5-year Open Enrollment in the Participating Local District Retirement Program for Certain Law Enforcement Officers, Firefighters and Other Municipal Employees	S.P. 364 L.D. 1103 (C "A" S-145)
An Act Regarding Voluntary Participation in Work Projects by Inmates Who Are Pretrial, Presentence and Sentenced	H.P. 303 L.D. 419 (C "A" H-230)	An Act To Amend the Membership Requirements of the Board of Pesticides Control	H.P. 837 L.D. 1159 (C "A" H-211)
An Act To Give Special Weight to Discriminatory Motive in Sentencing for False Public Alarm or Report	S.P. 198 L.D. 491 (C "A" S-143)	An Act To Delay State-mandated Teacher and Principal Evaluation	H.P. 850 L.D. 1172 (C "A" H-241)
An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards	S.P. 204 L.D. 521 (C "A" S-135)	An Act To Amend the State Tax Laws	H.P. 891 L.D. 1216 (C "A" H-269)
An Act To Provide for the Well-being of Companion Animals upon the Dissolution of Marriages	S.P. 222 L.D. 535 (C "A" S-136)	An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions	H.P. 896 L.D. 1221
An Act Regarding Agency Liquor Store Licensing	H.P. 434 L.D. 591	An Act To Allow Unlicensed Persons To Sell Caskets To Bury Human Remains	H.P. 948 L.D. 1287 (C "A" H-260)
An Act To Amend the Laws Governing Wastewater Treatment Plant Operator Certification	H.P. 576 L.D. 771 (C "A" H-220)	An Act To Clarify and Enhance Maine's Fish and Wildlife Laws	H.P. 1010 L.D. 1376 (C "A" H-225)
An Act To Include within the Definitions of "Public Employee" and "Judicial Employee" Those Who Have Been Employed for Less Than 6 Months	H.P. 580 L.D. 775 (C "A" H-191)	An Act To Create a James Weldon Johnson Annual Observance Day and an Observance Task Force	H.P. 1057 L.D. 1441 (C "A" H-199)
An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming	H.P. 587 L.D. 782 (C "A" H-281)	An Act To Update the Classification of Service Employees	H.P. 1103 L.D. 1489 (C "A" H-194)
An Act To Affirm That Food Seeds Are a Necessity in Maine	S.P. 225 L.D. 822 (C "A" S-151)	An Act Regarding Municipal Public Hearings on Citizen-initiated Municipal Referenda	H.P. 1141 L.D. 1536 (C "A" H-272)
An Act To Amend the Child and Family Services and Child Protection Act	H.P. 605 L.D. 837 (C "A" H-270)	An Act To Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection	H.P. 1219 L.D. 1635
An Act To Promote Bulk Retail Purchasing	H.P. 641 L.D. 885 (C "A" H-227)	An Act To Make the Shared Living Program Accessible for Persons with Intellectual Disabilities or Autism	S.P. 536 L.D. 1649 (C "A" S-152)

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

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An Act To Increase Investment Caps in the Maine Seed Capital Tax Credit Program

S.P. 97 L.D. 229  
(C "A" S-138)

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

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An Act To Preserve Deer Habitat

H.P. 288 L.D. 404  
(C "A" H-254)

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

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An Act To Increase Property Tax Relief for Veterans

S.P. 229 L.D. 576  
(C "A" S-139)

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

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An Act To Create a 24-hour Shelter Capital Project Funding Program

H.P. 481 L.D. 654  
(C "A" H-202)

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

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An Act To Increase the Amount to Which a State Employee or Teacher Retiree's Cost-of-living Adjustment Is Applied from \$20,000 to the Retiree's Actual Retirement Benefit

H.P. 515 L.D. 703  
(C "A" H-200)

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

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An Act To Restructure the Taxation of Adult Use Marijuana

H.P. 598 L.D. 830  
(C "A" H-267)

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

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An Act To Amend the General Assistance Laws Governing Reimbursement

H.P. 666 L.D. 910  
(C "A" H-223)

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

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An Act To Improve Dental Health Access for Maine Children and Adults with Low Incomes

H.P. 734 L.D. 996  
(C "A" H-219)

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

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An Act To Create an Income Tax Return Checkoff for Hunger Prevention

H.P. 774 L.D. 1046  
(C "A" H-253)

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

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An Act To Establish a Sales Tax Exemption for the Purchase of Firearm Safety Devices

H.P. 818 L.D. 1140  
(C "A" H-236)

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

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An Act To Permit Emergency Funding for Food Banks When a State of Emergency is Declared

H.P. 955 L.D. 1299  
(C "A" H-252)

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

An Act To Provide Funding for the Maine Length of Service Award Program

H.P. 972 L.D. 1316  
(C "A" H-224)

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

An Act To Prohibit Employers from Retaliating against the Use of Earned Paid Leave

H.P. 989 L.D. 1338  
(C "A" H-193)

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

An Act To Improve Access to Property Tax Exemptions for New Homeowners

H.P. 1097 L.D. 1482  
(C "A" H-249)

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

**Resolves**

Resolve, Directing the Department of Professional and Financial Regulation To Develop a Draft Registration Program for General Contractors for Home Improvement and Construction

S.P. 83 L.D. 195  
(C "A" S-137)

Resolve, To Ensure That Community Mental Health Service Providers Can Access Pandemic Stimulus Funds

S.P. 85 L.D. 197  
(C "A" S-131)

Resolve, Regarding Legislative Review of Chapter 234: Lead Testing in School Drinking Water Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention

H.P. 141 L.D. 206  
(C "A" H-207)

Resolve, Directing an Examination of Issues Related to Operation of Watercraft on Waters of the State

H.P. 247 L.D. 349  
(C "A" H-234)

Resolve, To Improve the Individualized Education Program Process

H.P. 397 L.D. 552  
(C "A" H-247)

Resolve, Directing the Department of Economic and Community Development and a Representative from the Office of the Governor To Study the Softwood Pulp Industry

H.P. 573 L.D. 768  
(C "A" H-261)

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Issues Related to Hunting Dogs and Civil Trespass

H.P. 575 L.D. 770  
(C "A" H-226)

Resolve, Directing the Department of the Secretary of State To Develop Website Information Related to Promoting Benefit Corporations

H.P. 614 L.D. 846  
(C "A" H-237)

Resolve, To Create the Working Group To Design Jail Resource Navigator Services for Maine County Jails

H.P. 747 L.D. 1009  
(C "A" H-218)

Resolve, Directing the Family Law Advisory Commission To Review Preliminary Injunctions in Judicial Separation and Divorce Actions

S.P. 363 L.D. 1102  
(C "A" S-154)

Resolve, To Require Maine Postsecondary Educational Institutions To Review the Level of Student Debt and Develop Plans To Limit Student Debt

H.P. 830 L.D. 1152  
(C "A" H-221)

Resolve, Regarding Electronic Tagging of Big Game Animals

H.P. 888 L.D. 1213  
(C "A" H-257)

Resolve, Directing the Department of Health and Human Services To Develop a Comprehensive Statewide Strategic Plan To Serve Maine People with Behavioral Health Needs throughout Their Lifespans

S.P. 412 L.D. 1262  
(C "A" S-150)

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

Resolve, To Establish a Task Force To Study Safe and Stable Housing in Lodging Facilities

S.P. 268 L.D. 681  
(C "A" S-155)

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

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

S.P. 501 L.D. 1559  
(C "A" S-142)

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

Resolve, Directing the Department of Health and Human Services To Conduct an Assessment of Human Trafficking in the State

H.P. 976 L.D. 1324  
(C "A" H-277)

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

Resolve, Directing the Department of Economic and Community Development To Create and Administer a Fund To Provide Seasonal and Tourism Industry Recovery Grants

S.P. 480 L.D. 1493  
(C "A" S-144)

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

Resolve, Directing the Department of Economic and Community Development To Create a Program and Fund To Provide Grants To Movie and Stage Theaters and Music Venues

S.P. 526 L.D. 1641  
(C "A" S-153)

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

**ORDERS OF THE DAY**

**Unfinished Business**

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/7/21) matter:

HOUSE REPORT - from the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify All-terrain Vehicle Registration Requirements and Establish Regular Maintenance of Designated State-approved All-terrain Vehicle Trails"  
H.P. 1055 L.D. 1439

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-326)**

Tabled - June 7, 2021 by Senator **DILL** of Penobscot

Pending - **ACCEPTANCE OF REPORT**

(In House, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-326).**)

Senator **POULIOT** of Kennebec requested a Roll Call.

Senate at Ease.

The Senate was called to order by the President.

Senator **POULIOT** of Kennebec requested and received leave of the Senate to withdraw his request for a Roll Call.

Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-326) **READ** and **ADOPTED**, in concurrence.

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

Off Record Remarks

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

**RECESSED** until the sound of the bell.

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

Off Record Remarks

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass**

Senator CARNEY for the Committee on **JUDICIARY** on Bill "An Act To Authorize Remote Participation in Maine State Cultural Affairs Council Meetings"

S.P. 397 L.D. 1224

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

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

**Ought to Pass As Amended**

Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Restore the MaineCare Nursing Facility COVID-19 Temporary Rate Increase (EMERGENCY)

S.P. 301 L.D. 949

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-205)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-205) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Laws Governing Proof of Financial Responsibility with Respect to Motor Vehicles"

S.P. 151 L.D. 368

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-208)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-208) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Regulate Insurance Carrier Concurrent, Prepayment and Postpayment Review"

S.P. 423 L.D. 1317

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-207)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-207) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Occupational Therapy Licensing Statutes"

S.P. 531 L.D. 1646

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-206)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-206) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator CARNEY for the Committee on **JUDICIARY** on Bill "An Act Regarding Violation of a Protective Order"

S.P. 117 L.D. 803

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-204)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-204) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution"

H.P. 1113 L.D. 1503

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-432)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-432)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-432) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding the Qualifications for Licensure as a Physician or Surgeon"

H.P. 1212 L.D. 1629

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-431)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-431)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-431) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Make Technical Changes to the Tax Laws"

H.P. 97 L.D. 141

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-439)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-439)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-439) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Exclude Energy Efficiency Improvements from Property Tax"

H.P. 132 L.D. 179

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-438)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-438)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-438) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Exempt Certain Disabled Veterans from the Motor Vehicle Excise Tax"

H.P. 871 L.D. 1193

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-437)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-437)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-437) **READ** and **ADOPTED**, in concurrence.



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

The Committee on **TAXATION** on Bill "An Act To Provide for Exemption from the Sales Tax for Basic Needs Products and Offset the Loss of Revenue"

H.P. 986 L.D. 1335

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-433)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-433) **READ** and **ADOPTED**, in concurrence.

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

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator DIAMOND for the Committee on **TRANSPORTATION** on Bill "An Act To Promote Public Safety by Allowing Lighted Signs on Certain Vehicles"

S.P. 385 L.D. 1122

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-214)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-214) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Maine Medical Use of Marijuana Act"

S.P. 296 L.D. 882

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-213)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-213) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Strengthen Maine's Workforce by Expanding English Language Acquisition and Workforce Training Programs"

H.P. 1253 L.D. 1684

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-423)**.

Signed:

Senators:

RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:

BRENNAN of Portland  
CROCKETT of Portland  
DODGE of Belfast  
McCREA of Fort Fairfield  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SALISBURY of Westbrook  
STEARNS of Guilford

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

Signed:

Representatives:

LYMAN of Livermore Falls  
SAMPSON of Alfred

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-423)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-423) **READ** and **ADOPTED**, in concurrence.

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

**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Allow Microgrids That Are in the Public Interest"

H.P. 782 L.D. 1053

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-425)**.

Signed:

Senator:  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
CUDDY of Winterport  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:  
CARLOW of Buxton  
FOSTER of Dexter  
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-425)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-425) **READ** and **ADOPTED**, in concurrence.

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

**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Require Certain Veterans' Organizations To Be Billed for Electricity Usage at the Same Rate as Residential Customers"

H.P. 1047 L.D. 1431

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-427)**.

Signed:

Senators:  
LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:  
CARLOW of Buxton  
FOSTER of Dexter  
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-427)**.

Reports **READ**.

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

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

**ROLL CALL (#254)**

Senator **LAWRENCE**: Thank you, Mr. President. Men and women of the Senate, this is a very simple bill that does something very good for veterans' organizations. If you have a veterans' organization in your district you may understand what I'm talking about, but certain organizations are taxed - excuse me, are charged electricity rates as a business would be charged, so if there are certain fixed charges and demand charges they have to pay. Veterans' organizations don't use continually their electricity, they use them only on certain occasions, yet they have to pay these high demand charges and high fixed charges. This allows veterans' organizations to choose to be treated as a residence and get the residentially exemptions instead of as a commercial property and it allows them to avoid those high demand charges. It also, this bill, sunsets this provision in 2025. So, I would encourage you to support the motion and, Mr. President, I would ask for the yeas and nays.

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

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

Senator **STEWART**: Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I originally wasn't intending on speaking on this bill. After talking about it with my colleagues, both on the House and within my caucus, we do feel as though this is a positive move overall, particularly given the sunset. Obviously, the concern in Committee being that if we carve out one group over another eventually that cost will fall back to the ratepayers, although we feel that the sacrifice veterans have made is certainly substantial and enough to warrant at least this pilot program going into effect and, therefore, I would encourage my colleagues to support the pending motion. Thank you.

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

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

**NAYS:** Senators: NONE

**EXCUSED:** Senators: KEIM, LUCHINI, SANBORN

32 Senators having voted in the affirmative and no Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

**Bill READ ONCE.**

Committee Amendment "A" (H-427) **READ** and **ADOPTED**, in concurrence.

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

**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Update the Municipal Gigabit Broadband Network Access Fund"

H.P. 1048 L.D. 1432

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-426)**.

Signed:

Senators:  
LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:  
BERRY of Bowdoinham  
CUDDY of Winterport  
GROHOSKI of Ellsworth  
KESSLER of South Portland  
WOOD of Portland  
ZEIGLER of Montville

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

Signed:

Senator:  
STEWART of Aroostook

Representatives:

CARLOW of Buxton  
FOSTER of Dexter  
WADSWORTH of Hiram

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-426)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-426) **READ** and **ADOPTED**, in concurrence.

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

**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Establish an Advisory Panel To Study the Implications of Genome-editing Technology for the Citizens of the State  
H.P. 1190 L.D. 1601

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-413)**.

Signed:

Senators:

CLAXTON of Androscoggin  
BALDACCI of Penobscot

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
MADIGAN of Waterville  
PERRY of Calais  
STOVER of Boothbay  
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

CONNOR of Lewiston  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-413)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-413) **READ** and **ADOPTED**, in concurrence.

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

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

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**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Assigned (3/30/21) matter:

HOUSE REPORTS - from the Committee on **TRANSPORTATION** on Bill "An Act To Require Third-party Certification for Persons Undertaking Corrosion Prevention and Mitigation Projects for Public Water Supply and Wastewater Infrastructure and Bridges"

S.P. 137 L.D. 311

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-39)** (12 members)

Minority - **Ought Not to Pass** (1 member)

Tabled - March 30, 2021 by Senator **DIAMOND** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

On motion by Senator **DIAMOND** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

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The Chair laid before the Senate the following Tabled and Later Assigned (4/28/21) matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Expand the Definition of Unlawful Sexual Touching"

S.P. 291 L.D. 877

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass** (1 member)

Tabled - April 28, 2021 by Senator **DESCHAMBAULT** of York

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report

On motion by Senator **DESCHAMBAULT** of York, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

---

The Chair laid before the Senate the following Tabled and Later Assigned (6/2/21) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Direct the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations To Study and Propose Solutions to Disparities in Access to Prenatal Care in the State (EMERGENCY)  
S.P. 376 L.D. 1113

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-116)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-117)** (4 members)

Tabled - June 2, 2021 by Senator **CLAXTON** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

Senator **CLAXTON** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-116)** Report.

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

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

Senator **MOORE:** Thank you, Mr. President. I'll be brief. I know everyone's getting tired for the day. This is another one of the bills that is going before another request of the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations for another study. While we think it's very important that we take a look at the disparities in access to prenatal care in the state, we just felt like it was necessary that it be for all disadvantaged populations, not just racial, indigenous, and tribal populations. Thank you, Mr. President.

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

Senator **CARNEY:** Thank you, Mr. President. Esteemed colleagues of the Senate, I rise in support of the pending Ought to Pass as Amended motion on L.D. 1113. Our state has a significant racial disparity in access to prenatal care. Data from 2019 shows that in Maine 90% of all women started prenatal care in the first trimester, although less than 75% of Black women started prenatal care in the first trimester. In Maine just 4% of all women had no prenatal care until the third trimester, compared with 12% of Black women in Maine who had no prenatal care until the third trimester. This is worse than the national rate of 10% and Maine is tied with Texas for the worst rate in the country. Maine has been working to improve both infant and maternal mortality. The Perinatal System of Care Workgroup established and published an excellent study called 'Understanding and Addressing the Drivers of Infant Mortality in Maine' in January 2020. That study looked at the causes of infant mortality in Maine and proposed improvements in perinatal care to reduce infant mortality. The study showed that for the period 2014 to 2017 the infant mortality rate among Black and African-American women in Maine was 1.4 times higher than the rate for white women in Maine. The study did not delve into the racial disparity in access to care or its impact on maternal morbidity and mortality and infant mortality. This Resolve picks up that unfinished work. It directs the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations to study the extent of disparities in access to prenatal care for racial, indigenous, and tribal populations and to recommend solutions. The Resolve authorizes the Health and Human Services Committee to submit legislation that serves to address the lack of access to prenatal care in the Second Regular Session of the 130<sup>th</sup> Legislature. I urge you to support the pending Ought to Pass as Amended motion. Thank you.

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

Senator **CLAXTON:** Thank you, Mr. President. I rise to correct a statement that my respected Senate colleague, Senator Carney, just made. It's clear and it's confusing at the same time. I think because of the reference to the Permanent Commission, and the language of how it's in title, that people are confused about what the objective is and the objective is to propose solutions to disparities in access to prenatal care in the state. It doesn't specify what populations or why as a solution, so it's a much broader tasking than has been suggested by several of the speakers preceding. Thank you, Mr. President.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" (S-116) Report. Is the Senate ready for the question?

---

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

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#255)**

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

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

EXCUSED: Senators: KEIM, SANBORN, WOODSOME

21 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-116)** Report **PREVAILED**.

Resolve **READ ONCE**.

Committee Amendment "A" (S-116) **READ**.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "A" (S-159) to Committee Amendment "A" (S-116) **READ**.

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

Senator **CARNEY:** Thank you, Mr. President. I just wish to let my colleagues know that the purpose of Senate Amendment "A" is simply to remove the Emergency clause. Thank you.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "A" (S-159) to Committee Amendment "A" (S-116) **ADOPTED**.

Committee Amendment "A" (S-116) as Amended by Senate Amendment "A" (S-159) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-116) AS AMENDED BY SENATE AMENDMENT "A" (S-159)** thereto.

Ordered sent down forthwith for concurrence.

\_\_\_\_\_  
The Chair laid before the Senate the following Tabled and Later Assigned (6/2/21) matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide Transparency Regarding State Contracts during a State of Emergency" S.P. 280 L.D. 729

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass** (5 members)

Tabled - June 2, 2021 by Senator **BALDACCI** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS** Report

(In Senate, June 2, 2021, the Majority **OUGHT NOT TO PASS** Report **FAILED**.)

On motion by Senator **BALDACCI** of Penobscot, the Minority **OUGHT TO PASS** Report **ACCEPTED**.

Under suspension of the Rules, **READ TWICE**.

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "A" (S-197) **READ**.

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

Senator **BALDACCI:** Thank you, Mr. President. I would note that this amendment would just change the original language which required contracts to be posted within 72 hours, changing 72 hours 30 days. From discussions with colleagues in both parties, I think this is a reasonable amount of time and gets to the issue about releasing these types of contracts for public knowledge. I would ask my colleagues to join me in supporting this amendment.

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "A" (S-197) **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-197)**

Ordered sent down forthwith for concurrence.

\_\_\_\_\_  
The Chair laid before the Senate the following Tabled and Later Assigned (6/3/21) matter:

HOUSE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Promote Socially Responsible Investing by the Maine Public Employees Retirement System by Prohibiting Investment in the Fossil Fuel Industry or For-profit Prisons"

H.P. 223 L.D. 319

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-233)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 3, 2021 by Senator **HICKMAN** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, 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-233).**)

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

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

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

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, this amendment only deals with for-profit prisons because there's another bill that deal with this fossil fuel industry and to quote briefly from Jan Collins, the Assistant Director of the Maine Prisoner Advocacy Coalition, she says, 'We support Maine's incarcerated citizens, their families, and friends in their struggle with Maine's criminal justice system. Our purpose is to reduce Maine's use of incarceration by creating a criminal justice system that is ethical, humane, and restorative in nature. Private prisons do none of these things. Private prisons and private prison service companies dominate the correctional services market, many with troubling records of price gouging some of the poorest families and violating the human rights of prisoners, but the problem doesn't end there. These companies are often controlled by private equity firms which, through financial alchemy, transform the prison industrial complex into lavish returns for pensions, endowments, and charitable foundations. To many companies the roughly \$80 billion that the United States spends on corrections each year is not a national embarrassment but a gold mine.' Thank you, Mr. President.

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

Senator **BENNETT:** Thank you, Mr. President. Friends and colleagues of the Senate, I don't disagree with my friend from Kennebec, Senator Hickman, about private prisons. I actually oppose private prisons and I, personally, would not invest in them. I do want to say this, and to save the Senate's time, there's another bill that's going to be debated later, L.D. 99, that does relate to fossil fuels and I understand that that is no longer part of the divestiture which would be required with this bill, but I think the arguments are the same. So, I want to speak to both at the present time.

There's a legitimate and ongoing debate about the merits of divestiture, divestment, versus engagement if you wish to have socially responsible investment. It's a legitimate debate and various people come down on different sides of it. Two weeks ago there was a report, and many of you probably saw it, of an extraordinary thing that happened in the investment world. A small, scrappy hedge fund named, strange name, Engine No. 1, the name of the hedge fund, elected three dissident directors to the board of Exxon Mobile. This was an amazing event. Engine No. 1 had just a \$59 million investment in a company with a market cap of \$259 billion. How could Engine No. 1, on the strength of that position, elect three directors to the Exxon Mobile

board? They made the argument successfully that Exxon Mobile, once the leading oil and gas firm in the world, had lost its way, had not come along with the times in reexamining its strategy in the energy sector. Critically, it was the shareholders, the other owners, who heard that argument and voted their shares. If it were not for public pension funds, like our own Maine PERS, supported by others like CalPERS, and CalSTRS, and the State of Florida and New York City Comptroller, and New York State Comptroller, and dozens of others that particular change would not have happened. If you care about corporate power being misused, if you care about insuring that the capital markets are working for ordinary people, if you care about holding CEOs accountable for the performance and making sure that they're not being paid millions while their companies are failing, you need to support engagement by the owners. Ownership matters in the capital markets. Engaged ownership is the only way to make an impact on these companies. That's the argument for engagement over divestment. As I said, people will have different views. The boards of trustees of the pension funds have the ultimate responsibility and duty, and particularly here in Maine under the Maine Constitution, to make this choice. Article IX, Section 18 of the Maine Constitution reads, 'All assets shall be held, invested, or dispersed as in-trust for the exclusive purpose of providing for such benefits and shall not be encumbered for or diverted to other purposes.' The bill before you says this, 'The board,' that is the Maine PERS Board of Trustees, 'shall, in accordance with sound investment criteria and consistent with fiduciary obligations, divest any such holdings.' Listen to that. It asks for two different things. It says you have the fiduciary duty, trustees of Maine PERS, but the Legislature's directing them 'shall divest any such holdings.' If you're a member of the Board of Trustees with the fiduciary duty to invest these assets well, and I would contend that you could draw a conclusion that investing prudently would lead to the conclusion of divesting from a fossil fuel company or from private prisons or anything if you're taking a long view about investment returns. But that is their decision to make. It constitutionally is their decision to make and the Maine Constitution is quite clear about it. If you're a member of the Board of Trustees and you get this bill, enacted into law, what are you going to do? It's asking two potentially separate things of trustees who have a difficult, in today's world exceedingly difficult, fiduciary duty to uphold. This, fundamentally and constitutionally, is not our money, as a Legislature, to take responsibility for. We have earlier given that responsibility to the Maine PERS Board and it is they who should be held accountable for it and we can hold them accountable for it in their reappointments when they come before us. We should not have it both ways. We should not put this pressure on them. We should follow the Constitution. I ask you to, please, vote against the Majority Report. Thank you.

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

Senator **BALDACCI:** Thank you, Mr. President. I would just speak in support of the passage of L.D. 319. I understand the arguments that have been made by some, but the fact of the matter is that for-profit prisons are rife with abuses to begin with. There's no reason not to divest. The Committee has done its due diligence. The Directors of Maine PERS and the Treasurer have both indicated that they can support these bills and implement these bills. So, I find that the arguments to say that we should constructively engage, which has been a disabused theory for

some time, is equally not applicable when it comes to something as extremely abusive in terms of its history, in terms of its misuse of public money, and its misuse of people as for-profit prisons. So, I think we're sending an important message in L.D. 319 and I think it's an important message that needs to be sent because for-profit prisons are almost inherently not in the public interest. Thank you.

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

Senator **HICKMAN:** Thank you, Mr. President. I just want to clarify one thing that my good friend from Penobscot said. The Director of Maine PERS and the State Treasurer are neither for nor against these bills as amended. The section that is important to read in these bills that makes the Director of Maine PERS comfortable with it, on the constitutional grounds, are these: nothing in this subsection precludes de minimis exposure of any funds held by the Board to stock securities or other obligations of any corporations or companies that owns or operates prisons for-profit. She understands the policy behind these bills and the language that we included in these amendments deals with the constitutional issues in such a way that neither for nor against is usually the position of Maine PERS on all of these bills and that is what their position is now, and with that the defense rests.

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

Senator **MAXMIN:** Thank you, Mr. President. I rise in support of the pending motion. I have spent about the last decade of my life leading the largest fossil fuel divestment group in the country and one of the biggest arguments that we hear is that we should be using shareholder engagement, but it is very difficult to engage with a company when your ask is to change their core business model. The only way to send a signal that we do not approve of these businesses is to divest and we can choose to reinvest one day but today the choice is to divest. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#256)**

**YEAS:** Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, HICKMAN, LAWRENCE, LIBBY, MAXMIN, MIRAMANT, RAFFERTY, VITELLI, PRESIDENT JACKSON

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

**EXCUSED:** Senators: KEIM, SANBORN, WOODSOME

18 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 3 Senators 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-233) **READ** and **ADOPTED**, in concurrence.

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

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The Chair laid before the Senate the following Tabled and Later Assigned (6/3/21) matter:

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses"

H.P. 732 L.D. 994

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-240)** (11 members)

Minority - **Ought Not to Pass** (1 member)

Tabled - June 3, 2021 by Senator **VITELLI** of Sagadahoc

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

(In House, 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-240)**.)

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

Bill **READ ONCE**.

Committee Amendment "A" (H-240) **READ** and **ADOPTED**, in concurrence.

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

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The Chair laid before the Senate the following Tabled and Later Assigned (6/7/21) matter:

HOUSE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry"

H.P. 65 L.D. 99



Report "A" - Ought to Pass as Amended by Committee Amendment "A" (H-337) (6 members)

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Off Record Remarks

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Report "B" - Ought Not to Pass (5 members)

Report "C" - Ought to Pass as Amended by Committee Amendment "B" (H-338) (1 member)

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Wednesday, June 9, 2021 at 10:00 in the morning.

Tabled - June 7, 2021 by Senator **HICKMAN** of Kennebec

Pending - motion by same Senator to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-337)**, in concurrence

(In House, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-337)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-337)**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#257)**

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

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

EXCUSED: Senators: KEIM, SANBORN, WOODSOME

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-337)**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-337) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-337)**, in concurrence.

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