

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

In Senate Chamber  
Wednesday  
June 9, 2021

Reading of the Journal of Tuesday, June 8, 2021.

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Off Record Remarks

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

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.

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Prayer by Senator Heather B. Sanborn of Cumberland County.

Senator **SANBORN**: Good morning. Let us give thanks. I give thanks this morning to the spring. This year perhaps even more pointedly than most years, the spring marks the time of reopening, reawakening, and rebirth. I give thanks for the miracle of modern science that has allowed us to beat back the virus that has been plaguing us for the last 16 months. I give thanks that the number of Mainers in hospitals with COVID has begun to drop. I give thanks that last night my whole team was able to gather together for that most American of springtime rituals, watching a minor league baseball game, eating hot dogs, drinking beers, and dancing to the YMCA song on a hot, sticky evening. I give thanks that while we have been here over the last several days, this unusually warm spring has coaxed my peonies into bloom. I want to share with you two poems this morning that spoke to me about not just the beautiful flowers but this moment of audacious and rapid reopening and renewal that we find ourselves in today.

The first by Marian Kent.

After a season of guts wrapped tight against storms,  
quivering at the end of your stalk, refusing opening because when  
you do everyone will notice the sickly-sweet wonder of you, now  
you can feel the sun, but still you wait for the ants to help with  
your blooming.

The second one is by Mary Oliver.

The poppies end up their orange flares; swaying in the wind,  
their congregations are a levitation of bright dust, of thin and lacy  
leaves. There isn't a place in this world that doesn't sooner or  
later drown in the indigos of darkness, but now, for a while, the  
roughage shines like a miracle as it floats above everything with  
its yellow hair. Of course nothing stops the cold, black, curved  
blade from hooking forward, of course loss is a great lesson, but I  
also say this: that light is an invitation to happiness, and that  
happiness, when it's done right, is a kind of holiness, palpable  
and redemptive. Inside the bright fields, touched by their rough  
and spongy gold, I am washed and washed in the river of earthly  
delight, and what are you going to do, what can you do about it,  
deep, blue night?

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

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**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

An Act To Prohibit Marriage of Any Person under 18 Years of Age  
H.P. 458 L.D. 622

In Senate, June 7, 2021, Report "**B**", **OUGHT NOT TO PASS**,  
**READ** and **ACCEPTED**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former  
action whereby Report "**A**", **OUGHT TO PASS**, was **READ** and  
**ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

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**Non-Concurrent Matter**

An Act To Increase the Maximum Pension Deduction for State  
Income Tax

H.P. 92 L.D. 136

In Senate, June 7, 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" (H-323)**, in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former  
action whereby the Majority **OUGHT NOT TO PASS** Report was  
**READ** and **ACCEPTED**.

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

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Off Record Remarks

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**Non-Concurrent Matter**

Resolve, To Establish the COVID-19 Review Commission (EMERGENCY)

S.P. 193 L.D. 817

In Senate, June 7, 2021, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-176)**.

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

Senator **VITELLI** of Sagadahoc moved the Senate **INSIST**.

On motion by Senator **BENNETT** of Oxford, the Senate **INSISTED** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

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**Non-Concurrent Matter**

An Act To Provide Funding for the Maine Outdoor Heritage Fund Program (EMERGENCY)

H.P. 750 L.D. 1012  
(C "A" H-195)

In Senate, 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-195)**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-195) AND HOUSE AMENDMENT "A" (H-420)**, in **NON-CONCURRENCE**.

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

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**COMMUNICATIONS**

The Following Communication: S.C. 636

**MAINE STATE LEGISLATURE  
OFFICE OF THE EXECUTIVE DIRECTOR  
LEGISLATIVE COUNCIL**

June 7, 2021

Honorable Troy D. Jackson  
President of the Senate  
130th Maine Legislature  
Augusta, Maine 04333

Dear President Jackson:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Penobscot County Commissioners on May 18, 2021:

Peter Pray of Millinocket

The County asks that this nomination be considered to continue serving a new four-year term that begins July 9, 2021 through July 8, 2025 which is scheduled to be filled by Penobscot County.

Pursuant to 12 MRSA 683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/ Suzanne M. Gresser  
Executive Director

**READ** and **ORDERED PLACED ON FILE**.

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The Following Communication: S.C. 637

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

June 08, 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. 291 An Act Regarding Continuances for Protection from Abuse Hearings
- L.D. 1401 An Act To Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females at Schools That Receive Federal Funding (EMERGENCY)
- L.D. 1719 An Act To Prevent Human Trafficking and Child Exploitation

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.**

The Following Communication: S.C. 638

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

June 08, 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. 216 An Act To Seal Marijuana Criminal Convictions and Civil Adjudications
- L.D. 725 An Act To Improve Transparency in State Code and License Violations by Making Public the Names of Complainants
- L.D. 1055 Resolve, To Automatically Seal the Criminal History Records Relating to Any Crimes Decriminalized in the 130th Legislature
- L.D. 1210 An Act To Remove Barriers to Employment by Sealing the Records of Persons Convicted of Certain Nonviolent Crimes
- L.D. 1459 An Act Regarding a Post-judgment Motion by a Person Seeking To Satisfy the Prerequisites for Obtaining Special Restrictions on the Dissemination and Use of Criminal History Record Information for Certain Criminal Convictions
- L.D. 1465 An Act To Remove Barriers to Occupational Licensing Due to Criminal Records
- L.D. 1602 An Act Regarding Criminal Records

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.**

**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students"

H.P. 194 L.D. 278

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-450).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-450).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-450) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Teacher Certification Statutes"

H.P. 867 L.D. 1189

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-451).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-451).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-451) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish the Career Advancement and Navigation Initiative in the Department of Education To Lower Barriers to Career Advancement"

H.P. 981 L.D. 1329

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-449)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-449)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-449) **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, To Extend Funding to Maine Veterans' Homes during the COVID-19 Pandemic

H.P. 450 L.D. 614

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-448)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-448)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-448) **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 Ensure Continued School-based Services for Children with Disabilities" (EMERGENCY)

H.P. 622 L.D. 854

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-444)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-444)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-444) **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, To Require Continued MaineCare Reimbursement to Nursing Facilities for Bed Hold Days during Hospitalizations and Therapeutic Leaves of Absence

H.P. 875 L.D. 1197

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-446)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-446)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-446) **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, Regarding Reimbursement for Providing Inpatient Care to Individuals with Acute Mental Health Care Needs

H.P. 1086 L.D. 1470

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-447)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-447)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-447) **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 Improve and Modernize Home-based Care"

H.P. 1148 L.D. 1543

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-491)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-491)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-491) **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 Amend the Law Governing MaineCare Coverage of Chiropractic Treatment"

H.P. 1158 L.D. 1553

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-443)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-443)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-443) **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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Further Protect Consumers from Surprise Medical Bills" (EMERGENCY)

H.P. 12 L.D. 46

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-452)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-452)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-452) **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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Dental Practice Act To Define 'Supervision' and Authorize Teledentistry" (EMERGENCY)

H.P. 42 L.D. 76

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-484)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-484)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-484) **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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Provide Clarity in the Laws Governing the Profession of Counseling"

H.P. 212 L.D. 299

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-485)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-485)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-485) **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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in Carrier Networks"

H.P. 925 L.D. 1258

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-486)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-486)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-486) **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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Improve the Efficiency of Certain Consumer Credit Protection Laws"  
H.P. 1082 L.D. 1466

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-483)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-483) **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 Enact the Maine Uniform Trust Decanting Act"  
H.P. 306 L.D. 422

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-445)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-445)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-445) **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 **LABOR AND HOUSING** on Bill "An Act To Protect Teachers from a Decrease in Retirement Benefits Arising from the COVID-19 Pandemic"

H.P. 372 L.D. 509

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-490)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-490)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-490) **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 **TRANSPORTATION** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023"

H.P. 117 L.D. 161

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-467)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-467)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-467) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Marijuana Legalization Act"  
H.P. 441 L.D. 605

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-466)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-466)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-466) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Ensure Equity in the Cannabis Industry"  
H.P. 1178 L.D. 1589

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-465)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-465)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-465) **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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Definition of 'Machine Gun' To Include Bump Stock Devices"  
H.P. 722 L.D. 976

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

Signed:

Senators:  
CYRWAY of Kennebec  
LAWRENCE of York

Representatives:  
WARREN of Hallowell  
COSTAIN of Plymouth  
NEWMAN of Belgrade  
PICKETT of Dixfield  
PLUECKER of Warren  
RUDNICKI of Fairfield  
SHARPE of Durham

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

Signed:

Senator:  
DESCHAMBAULT of York

Representatives:  
LOOKNER of Portland  
MORALES of South Portland  
RECKITT of South Portland

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect the Firearm Use and Possession Rights of Maine Citizens during an Emergency" (EMERGENCY)  
H.P. 781 L.D. 1052

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**.

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**.

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

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Background Checks for the Sale of Firearms"

H.P. 737 L.D. 999

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

Signed:

Senator:  
DESCHAMBAULT 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 Not To Pass**.

Signed:

Senators:  
CYRWAY of Kennebec  
LAWRENCE of York

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

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Improve Air Quality and Ventilation in Maine's Public Schools

H.P. 517 L.D. 705

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-455)**.

Signed:

Senators:  
RAFFERTY of York  
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-455)**.

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-455) **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 Concerning Mental Health in Public Schools"

H.P. 652 L.D. 896

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-458)**.



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  
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-458)**.

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-458) **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 Limit Homework in Public Schools" H.P. 1017 L.D. 1383

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-456)**.

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-456)**.

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-456) **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 Enhance the Educational Expertise and Knowledge of the Board of Trustees of the University of Maine System"

H.P. 1025 L.D. 1391

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-457)**.

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

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.**

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

Signed:

Signed:

Senator:

WOODSOME of York

Representative:

SAMPSON of Alfred

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-424).**

Reports **READ.**

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-457).**

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

Reports **READ.**

Bill **READ ONCE.**

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

Committee Amendment "A" (H-424) **READ** and **ADOPTED**, in concurrence.

Bill **READ ONCE.**

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

Committee Amendment "A" (H-457) **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 To Reduce the Landfilling of Municipal Solid Waste"

H.P. 23 L.D. 57

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Integrate African American Studies into American History Education"

H.P. 1235 L.D. 1664

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-442).**

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-424).**

Signed:

Signed:

Senators:

BRENNER of Cumberland  
BENNETT of Oxford  
CARNEY of Cumberland

Senators:

RAFFERTY of York  
DAUGHTRY of Cumberland  
WOODSOME of York

Representatives:

TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach  
ZEIGLER of Montville

Representatives:

BRENNAN of Portland  
CROCKETT of Portland

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

Signed:

Representatives:  
HANLEY of Pittston  
JOHANSEN of Monticello  
O'CONNOR of Berwick

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-442)**.

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-442) **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 To Revise Maine's Environmental Laws"

H.P. 119 L.D. 163

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-441)**.

Signed:

Senators:  
BRENNER of Cumberland  
BENNETT of Oxford  
CARNEY of Cumberland

Representatives:  
TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach  
ZEIGLER of Montville

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

Signed:

Representatives:  
HANLEY of Pittston  
O'CONNOR of Berwick  
TUELL of East Machias

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-441)**.

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-441) **READ**.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "A" (S-221) to Committee Amendment "A" (H-441) **READ**.

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

Senator **CARNEY:** Thank you, Mr. President. I just want to briefly explain the floor amendment. It changes three things about the bill. The infrared monitoring that is required by this measure is changed from monthly to quarterly so the monitoring requirement is spread out a little bit. The complete inspection of the cover and seals of these facilities are changed from every two years to every five years. Those changes were made to, essentially, streamline the inspection process of these largest of oil tanks, and then, finally, the amendment omits the report and related fiscal note from the bill as we determined they were not necessary. Thank you.

On motion by Senator **CARNEY** of Cumberland, Senate Amendment "A" (S-221) to Committee Amendment "A" (H-441) **ADOPTED**.

Committee Amendment "A" (H-441) as Amended by Senate Amendment "A" (S-221) thereto, **ADOPTED, NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-441) AS AMENDED BY SENATE AMENDMENT "A" (S-221)** thereto, **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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**Divided Report**

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Promote Energy Production from Recyclable Plastics"

H.P. 257 L.D. 359

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

Signed:

Senators:

BRENNER of Cumberland  
BENNETT of Oxford  
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach  
HANLEY of Pittston  
O'CONNOR of Berwick  
ZEIGLER of Montville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-434)**.

Signed:

Representative:

JOHANSEN of Monticello

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Prevent Increased Heating Fuel, Natural Gas, Gasoline and Diesel Fuel Pricing in Maine by Prohibiting Adoption of Rules Limiting Greenhouse Gas Emissions"

H.P. 1108 L.D. 1498

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

Signed:

Senators:

BRENNER of Cumberland  
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach

ZEIGLER of Montville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-435)**.

Signed:

Senator:

BENNETT of Oxford

Representatives:

HANLEY of Pittston  
JOHANSEN of Monticello  
O'CONNOR of Berwick  
TUELL of East Machias

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

Reports **READ**.

Senator **BRENNER** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**

Senator **POULIOT** of Kennebec requested a Roll Call.

Same Senator requested and received leave of the Senate to withdraw his request for a Roll Call.

On motion by Senator **BRENNER** of Cumberland, the Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Bill **READ ONCE**.

Committee Amendment "A" (H-435) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, To Analyze the Impact of Sea Level Rise

H.P. 1169 L.D. 1572

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-480)**.

Signed:

Senators:

BRENNER of Cumberland  
BENNETT of Oxford  
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach  
TUELL of East Machias  
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston  
JOHANSEN of Monticello  
O'CONNOR of Berwick

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-480)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-480) **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 Resolve, To Study and Recommend Improvements to Maine's Dam Safety

H.P. 1102 L.D. 1488

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-436)**.

Signed:

Senators:

BRENNER of Cumberland  
BENNETT of Oxford  
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach  
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston  
O'CONNOR of Berwick  
TUELL of East Machias

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-436) AS AMENDED BY HOUSE AMENDMENT "A" (H-470)** thereto.

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-436) **READ**.

House Amendment "A" (H-470) to Committee Amendment "A" (H-436) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-436) as Amended by House Amendment "A" (H-470) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-436) AS AMENDED BY HOUSE AMENDMENT "A" (H-470)** thereto, in concurrence.

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**Divided Report**

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Prohibit the Reception of Foreign Waste Plastic in Maine Ports"

H.P. 667 L.D. 911

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

Signed:

Senators:

BRENNER of Cumberland  
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick  
BELL of Yarmouth  
BLUME of York  
DOUDERA of Camden  
GRAMLICH of Old Orchard Beach  
ZEIGLER of Montville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-440)**.

Signed:

Senator:

BENNETT of Oxford

Representatives:

HANLEY of Pittston  
JOHANSEN of Monticello  
O'CONNOR of Berwick

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

Reports **READ**.

Senator **BRENNER** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO** 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 Cumberland, Senator **BREEN**, the Senator from York, Senator **BAILEY**, the Senator from Piscataquis, Senator **DAVIS**, and the Senator from York, Senator **WOODSOME**, 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.

**ROLL CALL (#258)**

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

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

EXCUSED: Senators: BAILEY, BREEN, DAVIS, WOODSOME

18 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **BRENNER** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 7 L.D. 41

Reported that the same **Ought 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 as Amended by Committee Amendment "A" (H-453)**.

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 TO PASS** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

Reports **READ**.

On motion by Senator **SANBORN** of Cumberland, 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 **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Increase Transparency of and Lower Health Care Costs" H.P. 555 L.D. 750

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 as Amended by Committee Amendment "A" (H-421)**.

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.

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

Senator **STEWART:** Thank you very much, Mr. President and ladies and gentlemen of the Senate. I rise today in opposition to the pending motion. What this bill seeks to do is amend a previous law whereby we allowed consumers of healthcare services to shop for those services in an attempt to try to help control healthcare costs. One of the flaws in the previous bill wasn't a major flaw, really, but just sort of an oversight if anything, is that there's no financial incentive to do that for the consumer. It certainly is for the insurance companies effected given that they would stand to pay less for the same procedure if they shopped that procedure. By the way, we're talking in large part about

elective procedures, not emergency room visits and that sort of thing. What this bill seeks to do, does do, is it adds an additional component to that previous measure whereby the consumer would be able to recoup a quarter, 25%, of whatever the cost savings to the insurance company was if they were to go out and shop the prices for whatever procedure they were getting, specifically surgical procedures. For an example, if a consumer was to have a knee replacement done, it's not an emergency surgery but certainly is expensive, and they went to one provider, or recommended to one provider, and they got one price for that procedure. If they then went to another one and shopped that procedure out and was able to find that they could get it done someplace else for \$12,000 cheaper, that consumer would then be able to recoup \$3,000 off of that savings to the insurance company and, obviously, the insurance company would benefit as well because of the fact that they saved \$12,000 minus the \$3,000. The point is it will help to lower healthcare costs. Now the criticism that you heard on the bill in committee is that folks don't really shop and there isn't a lot of it being utilized. Well, the reality is if we don't financially incentivize folks to do something, human beings are rational creatures, they're going to make rational choices and so if there's a financial incentive associated with it, one which will also help to bring down rates overall for everybody else in the insurance market, that's a good thing. So, I would request that this Body reject the pending motion, move on to a different motion subsequent, and please follow my light. Thank you, Mr. President.

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

Senator **SANBORN:** Thank you, Mr. President. Mr. President, what the good Senator from Aroostook just described is a bill that we actually enacted three years ago that would require insurance companies to incentivize, to directly monetarily incentivize. It didn't have a 25% requirement but it directly required incentives and those incentives ranged and were set by the free market, by the insurance company, but they were required to offer at least one plan that had these types of incentives baked in and, being the good legislators that we are, back in 2017 we asked for the Bureau of Insurance to provide us with a report after a few years to tell us whether these programs that we mandated but insurance companies offer were being utilized by consumers and whether consumers were actually getting benefit from them, whether they were choosing to shop for their healthcare. In fact, the Maine State Employee plan, as you know, President Jackson, includes one of these shoppable services provisions for laboratory and imaging services, and the incentive isn't just 25%, it's 100%. There's no deductible and no co-pay if you go to one of the lower cost providers that's on the list. Now, there aren't any in Aroostook County so you're kind of out of luck if you want to shop for imaging or shop for laboratory services because there are no lower cost providers in your county, Mr. President, but it's 100% incentive, it's there for you if you want it. That's what we heard, no one uses it. Guess what the report that the Bureau of Insurance provided to us said? No one uses the programs that we mandated insurance companies offer. Shoppable services makes a ton of sense in theory. It's written down in all of the books about conservative ways, free market ways, to reform our health insurance marketplace and I voted for that bill in 2017. I was a supporter of it and I made sure that that bi-partisan legislation got through the House when I served in that

Body. But then we did the work to follow through and find out if it was a policy that actually, in reality, helps Mainers save money on their health insurance and I have the data, we all have the data now, to show that it does not and so doubling down on that program that does not help Mainers but is a mandate on insurance companies, requiring them to offer plans no one wants, no one uses, doesn't make sense and so I cannot in good faith vote any other way than for the Ought Not to Pass Report. Thank you, Mr. President.

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 Aroostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Mr. President. While I certainly appreciate my colleague's concern, from Cumberland, her concern about putting mandates on insurance companies, the reality is that there's a significant swath of these types of procedures which would be specifically benefited, which also have a tendency to be more expensive procedures. There's no harm in expanding this and so the fact that folks aren't using a policy in large part is a failure, I think, on us, as leaders within our communities, to help not get the word out about that and I would challenge everyone in this Chamber to continue that educational effort to inform our constituents about cost savings that they could incur. So, again, you know, the opposition here is really based on the premise that we don't want to put a mandate on insurance companies even though we've already acknowledged that we do and I understand that, you know, that might be a concern to some at this point in time but it doesn't seem to be, typically, a concern that this Body shares. So for that, I think it's a little bit illogical that we're now going to hold ourselves to a different standard on this, something that could actually make a big difference. So for that, I again appreciate the roll call being ordered and would request that we reject this motion. Thank you, Mr. President.

**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 (#259)**

**YEAS:** Senators: BALDACCI, 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, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE

**EXCUSED:** Senators: BAILEY, BREEN, DAVIS, WOODSOME

20 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **SANBORN** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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**Divided Report**

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Allow Employers To Shop for Competitive Health Plan Options" H.P. 556 L.D. 751

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 as Amended by Committee Amendment "A" (H-422)**.

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 Aroostook, Senator Stewart.



Senator **STEWART**: Thank you very much, Mr. President. We're getting through a number of Health Coverage, Insurance, and Financial Services bills today so you're hearing me rise quite a bit. So this bill is really a pro-business bill and in large part what it seeks to do is allow large groups in the market to be able to share information between the incumbent insurance they may have and other possible insurance agencies which may be able to craft a plan that would be more beneficial for that group and so what we're talking about are experienced rated groups. An example would be like a school department and the accountability that is that you would also have the possibility of lowering property tax rates because health insurance costs are one of the large line items in local budgets. So if the large group is able to get policies that are crafted, that are specific to them and their needs, it will help to lower the cost of that policy and they can, obviously, pass that savings on to others as well. So, you know, one of the concerns that we heard about this bill in committee dealt with information privacy. The reality is that these groups are, it would be P to P transfers of information, groups that would all be subject to the same sort of information privacy laws and so I really don't buy into that argument, but that's the reason it did not pass this bill. I think it makes a lot of sense and I think it will go a long way to help reduce costs, particularly some of the more vulnerable large groups that would have to, necessarily, pass whatever cost increase onto tax payers. So, if there's a way we can counteract that, particularly at the local level, I think that's a good thing and that's why I would encourage my colleagues to reject the pending motion and move on to a subsequent measure. Thank you.

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

Senator **SANBORN**: Thank you, Mr. President. So, Mr. President, we already have a provision in our statute that requires that insurers provide loss information in a P to P fashion to other insurers when large groups are shopping for insurance but what this statute would do, what this bill would do, is to amend that statute to be very specific in terms of the detailed loss information that would have to be provided, including the high cost claimants would have to be specifically delineated so if you had an employee who was very sick and was on a particular type of medication when you're shopping around another insurance company could actually target that particular employee's condition and reduce your cost by reducing coverage, for example, for the pharmaceuticals or the types of treatment that that employee utilizes. That was our concern. With regard to the remaining portions of the bill, there were other problems with the bill originally as well and we felt that there was not really a problem here that needed to be solved but rather a potential for employees to really lose out on specific coverage for their high cost conditions and that's a pretty scary idea, to allow large employers to utilize data in that way to lower their healthcare costs at the expense of employees. I urge you to vote Ought Not to Pass.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#260)**

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

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

**EXCUSED**: Senators: BREEN, MAXMIN, WOODSOME

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **SANBORN** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Protect Workers from Unsafe Working Conditions with Regard to Indoor Temperatures"

H.P. 256 L.D. 358

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

Signed:

Senators:

HICKMAN of Kennebec  
GUERIN of Penobscot  
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland  
BRADSTREET of Vassalboro  
CUDDY of Winterport  
DRINKWATER of Milford  
GERE of Kennebunkport  
MORRIS of Turner  
PEBWORTH of Blue Hill  
PRESCOTT of Waterboro  
ROEDER of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-471)**.

Signed:

Representative:  
WARREN of Scarborough

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Resolve, To Encourage Employment in the Direct Care Workforce (EMERGENCY)

H.P. 642 L.D. 886

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-473)**.

Signed:

Senators:  
HICKMAN of Kennebec  
GUERIN of Penobscot  
MIRAMANT of Knox

Representatives:  
SYLVESTER of Portland  
BRADSTREET of Vassalboro  
CUDDY of Winterport  
DRINKWATER of Milford  
GERE of Kennebunkport  
MORRIS of Turner  
PEBWORTH of Blue Hill  
PRESCOTT of Waterboro  
ROEDER of Bangor

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

Signed:

Representative:  
WARREN of Scarborough

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-473)**.

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-473) **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 Requiring Climate Impact Notes on Proposed Legislation and Agency Rules"  
H.P. 922 L.D. 1256

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

Signed:

Senators:  
BALDACCI of Penobscot  
ROSEN of Hancock

Representatives:  
MATLACK of St. George  
BRYANT of Windham  
DOORE of Augusta  
DOWNES of Bucksport  
GREENWOOD of Wales  
HEAD of Bethel  
PAULHUS of Bath  
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-409)**.

Signed:

Representatives:  
COPELAND of Saco  
RISEMAN of Harrison

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 Authorize a Local Option Sales Tax on Lodging and Other Goods and Provide Funding for Tax Abatement and Rental Relief"  
H.P. 993 L.D. 1342

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-330)**.

Signed:

Senators:

CHIPMAN of Cumberland  
LIBBY of Androscoggin

Representatives:

TERRY of Gorham  
COLLINGS of Portland  
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 Not To Pass**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

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

Reports **READ**.

Senator **CHIPMAN** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-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 Guerin.

Senator **GUERIN:** Thank you, Mr. President and ladies and gentlemen of the Senate. I rise today to speak in opposition to the Ought to Pass motion on L.D. 1342 that would create a local options tax on prepared food and lodging in the state of Maine. As a supplier to the hospitality industry, I know all too well the pain and anguish that my customer base has experienced in this economic downturn that occurred in hospitality businesses due to the Corona virus pandemic. Restaurants were closed for months in some instances and then many only opened to serve take-out and delivery food. For a period of time in 2020, lodging properties

were only able to house essential workers and then only Maine residents before things gradually opened up to some of our tour feeder markets from other states in July and Massachusetts, our largest market, in September. Food service establishments lost months of productivity in what is now a very low margin industry, setting up years of recovery ahead. Restaurants were off 26% in 2020 in an industry where 3% to 5% profit margins are not uncommon and lodging was off by 36%. It will take every advantage for hospitality businesses to be successful again. Taxing their customers additionally will not be one of them. Many of us have eaten at Joyce's in Hallowell. I was meeting another Senator there for lunch yesterday. Sadly, I found out that Joyce's closed permanently during the COVID lock-down. How many other businesses in Maine are on the brink of bankruptcy? Towns and cities have also suffered greatly during the pandemic but that has been recognized by federal and state leaders and there have been sizable attempts to make them whole by providing Cares Act and ARPA funds and this legislature providing increased revenue sharing and General Purpose Aid from municipalities. With all of this funding circulating, you would think our tourism-based industries would get a break but seemingly not. By including this levy on prepared food, the tax may be adding to a family's rotisserie chicken or on a salad from recently instituted salad bars at the grocery store. It highlights the regressive nature of this tax. Hardworking families, in some cases going from job to job to make ends meet, having to pay additional tax on food that they may not have time to prepare or paying tax additionally for food essential to their daily survival. Take-out food is not a luxury for many families. It is a way of life. Maine already has a high state lodging tax of 9% and even more disproportionate prepared food tax of 8%. Connecticut, Rhode Island, and Massachusetts all have lower meal taxes in their statutes. This would give Maine's hardworking families a much higher tax rate than our wealthier neighbors to the south. For all intents and purposes, Maine does not need this tax at this time. The Governor opposes all new tax increases and this is just that, an increase of the current level of meals and lodging tax. It also creates a new form of local taxation that may be broadened at any time to include more items and larger percentages. Please allow our small businesses - hospitality businesses and their employees the ability to rebound from the pandemic and the economic pain associated with it before we even consider raising taxes on Maine residents.

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

Senator **BALDACCI:** Thank you, Mr. President. I rise to speak also in opposition to this tax. Obviously, my views are relatively simple on taxation and the economy. Right now we're running a surplus and we're also in the middle of a recession and a pandemic and this is a well-intentioned proposal. Having served 12 years on the Bangor City Council, there were many times when we, as a city, asked for the imposition of a local option tax because Bangor generates over \$1.2 billion a year in taxable retail sales, it's almost the same amount as the City of Portland, and for many years we were getting very little revenue sharing and aid to education. We now have a budget that's not only in surplus but we are fully funding revenue sharing. We are fully funding schools and we're in a recession. We're trying to help everybody recover. So, I will be voting against passing this measure. Thank you.

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

Senator **CHIPMAN:** Thank you, Mr. President. I'll be brief. For me, this bill is not about a tax increase. This bill is about local control. We know that our service centers around the state do have considerable additional expenses and they have really very few ways, only one way with the property tax, to raise funding to pay for things. So just to let folks know what this bill would do, it's a 1%. It would allow cities and towns, if they choose, to adopt a 1% sales tax on prepared meals and lodging, to be able to do so with a local vote of the residents of that city or town, not town councils or city councils doing this but a local vote of the municipal residents in that city or town, and, in case you didn't know, we're one of only just five or six states, I believe, that do not have some form of local option sales tax. Every other state I've visited there is a local option sales tax on lodging or food in some regard for the states that I've been to. So, it's almost everywhere. We're becoming a real anomaly on this. 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?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#261)**

**YEAS:** Senators: CHIPMAN, LIBBY, MIRAMANT, SANBORN

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

**EXCUSED:** Senators: MAXMIN, WOODSOME

4 Senators having voted in the affirmative and 29 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE, FAILED**.

The Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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**Divided Report**

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Transportation Laws" H.P. 811 L.D. 1133

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-414)**.

Signed:

Senators:

DIAMOND of Cumberland  
FARRIN of Somerset

Representatives:

MARTIN of Sinclair  
BRYANT of Windham  
CEBRA of Naples  
MARTIN of Greene  
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 "B" (H-415)**.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

O'CONNELL of Brewer  
WHITE of Waterville  
WILLIAMS of Bar Harbor

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)**.

Reports **READ**.

Senator **DIAMOND** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)** Report, in concurrence.

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **DIAMOND** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)** Report, in concurrence.

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Establish Ongoing Absentee Voting" H.P. 104 L.D. 148

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-459)**.

Signed:

Senators:

LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough  
COREY of Windham  
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:

DOLLOFF of Milton Township  
HARRINGTON of Sanford  
KINNEY of Knox

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-459)**.

Reports **READ**.

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

The Secretary opened the vote.

**ROLL CALL (#262)**

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

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

EXCUSED: Senators: MAXMIN, WOODSOME

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-459) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Improve Maine's Election Laws" H.P. 1172 L.D. 1575

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-460)**.

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

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-460)**.

Reports **READ**.

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

The Secretary opened the vote.

**ROLL CALL (#263)**

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

EXCUSED: Senators: WOODSOME

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 TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-460) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Address Funding for Maine Clean Elections"

H.P. 685 L.D. 929

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

Signed:

Senators:  
LUCHINI of Hancock  
HICKMAN of Kennebec

Representatives:  
CAIAZZO of Scarborough  
COREY of Windham  
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-419)**.

Signed:

Senator:  
FARRIN of Somerset

Representatives:  
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**.

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

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**Divided Report**

Six members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Maximize Service to Students by Adopting Conditional Allowances for Participation by Families of School Board Members in School Activities"  
H.P. 975 L.D. 1323

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-429)**.

Signed:

Senator:  
RAFFERTY of York

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

Five members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-430)**.

Signed:

Senator:  
WOODSOME of York

Representatives:

LYMAN of Livermore Falls  
MILLETT of Cape Elizabeth  
ROCHE of Wells  
SAMPSON of Alfred

One member of the same Committee on the same subject reported in Report "**C**" that the same **Ought Not to Pass**.

Signed:

Representative:

STEARNS of Guilford

Comes from the House with Report "**B**", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-430)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-430)**.

Reports **READ**.

On motion by Senator **RAFFERTY** of York, Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-430)**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-430) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-430)**, in concurrence.

---

**Senate**

**Ought to Pass As Amended**

Senator **SANBORN** for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Improve Access to Certain Injectable Medications for Treatment of Mental Illness and Substance Use Disorder"  
S.P. 413 L.D. 1293

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-220)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-220) **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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Clarify the Funding for the University of Maine Cooperative Extension Diagnostic and Research Laboratory"  
S.P. 141 L.D. 808

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-217)**.

Signed:

Senators:

BLACK of Franklin  
MAXMIN of Lincoln

Representatives:

O'NEIL of Saco  
BERNARD of Caribou  
GIFFORD of Lincoln  
McCREA of Fort Fairfield  
OSHER of Orono  
PLUECKER of Warren  
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 "B" (S-218)**.

Signed:

Representatives:

HALL of Wilton  
LANDRY of Farmington

Reports **READ**.

Senator **DILL** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Senator **BLACK** of Franklin moved to **TABLE** until Later in Today's Session, pending the motion Senator **DILL** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Senator **VITELLI** of Sagadahoc requested a Roll Call.

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Senate at Ease.

The Senate was called to order by the President.

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Senator **VITELLI** of Sagadahoc requested and received leave of the Senate to withdraw her request for a Roll Call.

On motion by Senator **BLACK** of Franklin, **TABLED** until Later in Today's Session, pending the motion by Senator **DILL** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen Laws Protecting Members of Law Enforcement and Promote In-classroom Drug Use Avoidance Education"

S.P. 472 L.D. 1422

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  
NEWMAN of Belgrade  
PLUECKER of Warren  
RECKITT of South Portland  
RUDNICKI of Fairfield  
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" (S-219)**.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth  
PICKETT of Dixfield

Reports **READ**.

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** 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 Aroostook, Senator Stewart.

Senator **STEWART:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise today because L.D. 1422 is my bill. It was in the Criminal Justice and Public Safety Committee. The bill seeks to do two things. One, strengthen

laws around law enforcement to protect them if they are targeted specifically because of the fact that they are a member of law enforcement. In today's day and age, we are struggling to recruit police officers around the country because they are feeling left out from some of these protections, specifically because of the employment that they have and the sacrifices that they make to serve our communities, protect the public, and our families. The other measure would provide funding that would be specific to the prevention prong of our state's response to the opioid crisis, specifically with regard to children in our public schools. Not necessarily zeroing in on any one program specifically but freeing up money on the state side to promote that educational component. When I served on the Opioid Task Force a number of years ago, I believe it was in 2017, the prevention prong was a major component of how we are going to respond to this crisis and making sure that our communities have all the resources that they need to respond appropriately and to educate our children about the risk of addiction, and opioids specifically, is an important aspect of that. So, I would request that you would reject the pending motion and move this bill forward. Thank you.

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. I totally agree. The bill has two separate requests. One is for \$1 million annual to the Department of Education to teach about drug abuse avoidance education. However, the one having to do with law enforcement I'd like to just read a few sentences from the hearing from the CLAC, Criminal Law Advisory Commission. The members point out that law enforcement officers already have special protection under the criminal code in that a simple assault committed upon a law enforcement officer is a Class C crime already, punishable up to 5 years in prison as opposed to a Class D offense punishable for 1 year. More importantly, however, CLAC members are certain that proof that the victim of a crime was selected because that person was a law enforcement officer would already be considered a substantial aggravating factor by any judge imposing a sentence. The area in statute does protect the victim and property, current statute, that was damaged by a crime because of race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation, or homelessness. This would be the only areas where they would add 'or that a person's status as a law enforcement officer was the owner or occupant of the property.' I venture a guess that CLAC was correcting this. That it is already being addressed in our statutes. Thank you.

**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 (#264)**

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

EXCUSED: Senators: WOODSOME

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

Sent down for 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 Implement Diversity, Equity and Inclusion Training for Educators S.P. 247 L.D. 633

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-211)**.

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

Reports **READ**.

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

On motion by Senator **STEWART** of Aroostook, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in support. Actually, Mr. President, the matter that is on the board, is that the correct matter that we're on? Thank you, Mr. President. Now I rise in favor of the pending motion. This is actually my bill, my measure, and I rise in strong support of this.

**THE PRESIDENT:** Would leadership please approach. Sorry, Senator Daughtry.

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Senate at Ease.

The Senate was called to order by the President.

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Senator **STEWART** of Aroostook requested and received leave of the Senate to withdraw his request for a Roll Call.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-211) **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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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Enact the Campus Free Speech and Free Press Act"

S.P. 524 L.D. 1640

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" (S-212)**.

Signed:

Senator:

WOODSOME of York

Representatives:

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

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** 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 Cumberland, Senator Daughtry.

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen, I rise in support of the pending motion. Before we take this vote I did want to share some testimony on this measure from the Maine Community College System. This actually comes from their General Council. I won't read the whole thing but I do think there's some key portions that are worth all of us having in consideration. First off, this human states: 'Over my ten years with MCCS I cannot recall an instance where there has been a material dispute about how a speaker was treated. We've not had disputes about student assemblies, speaker interruptions, or restrictions on speech. Periodically, there are minor questions about how matters should proceed, but those get handled expeditiously, fairly, and without meaningful complaints.' Let us skip ahead. 'Nonetheless, MCCS has four overarching concerns with this bill. First, the bill primarily just restates already existing free speech law. That law's well established by decades of federal and state court decisions, interpreting both the United States and Maine State Constitutions. This body of law already clearly governs public colleges and universities, so it is clear why this bill is necessary - is unnecessary, and, given that fact, why any bill on that subject could apply, as this one does, only to public colleges. Higher education is one of the most highly regulated sectors in the country and adding a new layer of state

regulation for which there is no demonstrated need on top of a very robust body of existing law is simply not warranted. Secondly, the bill includes very broad prescriptive language and then imposes very substantial financial penalties for violations. As a result of this mix, MCCS could be sued for \$100,000 in attorney fees for allegedly not meeting any number of highly objective standards that would be very difficult to manage. For example, we could be sued for \$100,000 in attorney's fees for not adequately guaranteeing all members of the institution's community, including all the staff and students in the broadest possible latitudes to speak, write, listen, challenge, and learn, for never closing out discussions, ideas, etcetera. These are extremely broad, subjective standards that would be highly unusual to enshrine into Maine law and, as you know, Maine law traditionally provides well-defined, carefully worded guidance to those responsible for compliance. This bill does not reflect this tradition and I will venture further and add that I have been a practicing' not I obviously, 'have been a practicing attorney in Maine for more than 35 years and have never seen subjective language like this in a Maine law.' I could continue but I do urge if any one has any questions the testimony was presented before the committee. You can look at the bill folder and read the rest of her testimony but I found that particularly compelling about why that this is already covered under our First Amendment laws as well as, you know, things that we have on the books for the Maine State Constitution as well as laws governing these types of actions on our higher education campuses. So, I urge you to follow my light and follow the Majority Ought Not to Pass 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?

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The Chair noted the absence of the Senator from Androscoggin, Senator **TIMBERLAKE**, 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 (#265)**

**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

**EXCUSED:** Senators: TIMBERLAKE, WOODSOME

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Eliminate the Current Net Energy Billing Policy in Maine"

S.P. 111 L.D. 249

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

Signed:

Senators:

LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:

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

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter  
GRIGNON of Athens  
WADSWORTH of Hiram

Reports **READ**.

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

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

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Off Record Remarks

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

Senator **STEWART:** Thank you, Mr. President. That might be a sign that this sign is more busy than the other, I don't know. I do have a great litigator seated directly behind me who I expect will be speaking shortly on this measure and the beauty of going second is that you get to figure out what you've got to address after the fact. So, I might rise a second time on this depending on how well he does.

So, L.D. 249, in addition to being in front of the committee that I serve on, is also a bill that I sponsored, and the language of the bill is quite simple in that it would repeal a current policy which is known as net energy billing whereby developers of renewal projects, we're mostly talking about solar projects, would be able to receive a benefit for projects up to five megawatts that would be attached to the grid. Unfortunately, that program is quite expensive and what we've seen play out over the years, in the last few years since the program was enacted in the 129<sup>th</sup>, and to be clear, I opposed it, I wasn't in the Chamber here but I did oppose that bill then when I was serving in the other Body because of the fact that we knew it would increase costs. We didn't know how much. We didn't know what the actual impact was going to be but, at the end of the day, the ratepayer would suffer and these are folks that you and I represent, Mr. President, up in the county and around the state, many of whom are on fixed incomes so any sort of cost increase is a big problem for them. It means choices between going out and purchasing a prescription that they might need or being able to afford groceries for the week. So, I think we have a role within this Body, within the Legislature generally, to look out for those folks and to be enacting policies with them in mind because those are the folks who sent us here to have their backs and, candidly, believe in us, that we're going to be doing the right thing on their behalf. That's why they sent us here. This policy, unfortunately, had resulted in substantial investment, in large part from outside of the state, from investors who see this policy as incredibly financially lucrative. In the words of one individual who spoke at the public hearing in front of the committee, they aren't coming here for the lobster. They're coming here because they can receive a significant financial benefit from the policy which we enacted two years ago and which, literally, boomed as soon as it became law. Why is that? Well, the thing is we can get cheap land in the state of Maine, relative to some other parts of the state, so they buy it up and it's not necessarily in a particularly convenient spot to attach to the grid, which that requires substantial investment in of itself to make those improvements to old infrastructure which is designed to have power flowing, really, one way, from a generator to a consumer, not sporadically with hundreds of different locations and generation all around the grid with just a limited amount of connection points and suddenly electrons are going everywhere. So, in order to address that we have to upgrade the grid. Well, that's a cost to the ratepayer. Then beyond that, the actual rate at which they can receive per kilowatt hour is substantially higher than what you would see in more economically scaled projects that would be like grid scale. Those projects, anywhere between four, five cents per kilowatt hour. These projects are over fifteen cents. Talking the same technology but you don't have the economy to scale. So that results in another impact to the ratepayer. Recent reports, there was a reporting mechanism that was built-in to the underlying legislation which enacted this boom that said that after 10 months or 3 years - I'm sorry, 10% of people that were being hit by these projects or 3 years, whichever one came first, there would be a mandatory report back. Well, we hit that in about 6 months, about

half a year. The reason why is because there is this explosion of folks that saw a way to make money off of Maine people. They're not getting the benefit. They're getting a higher bill. That's problematic for a lot of folks, I'm sure, but it shouldn't be. Mr. President, this is an opportunity to right the ship. This is an opportunity, one of those few opportunities we have, to really chart a course forward that puts the people first and is going to substantially limit their financial exposure. Based on the results in committee, I don't think that's going to happen. It's unfortunate but there's been this long saga and this long process that we've used in EUT to try to come up with some sort of deal but, at the end of the day, the question turns on how hard you want to hit the ratepayer because if we vote no here we're going to hit them to the tune of \$160 million every year. There're other proposals that will hit them for less, maybe half. But the real question is should we hit them for any or should we have their backs? Should we not raise rates on them unnecessarily so the folks from away can get rich on it and, rest assured, that is exactly what is happening. Mr. President, I would request that you and all of my colleagues here today follow me in voting down this motion so that we can pass this bill and we can get back to work in the EUT Committee crafting sensible policy that isn't going to be crippling our constituents as ratepayers. Thank you.

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

Senator **LAWRENCE:** Thank you, Mr. President. I rise to address the remarks by my good friend from Aroostook who's very well-intentioned but, unfortunately, is mistaken on a few points on the net energy billing program, which I hope to correct. First and foremost, I would say why net energy billing has been such a great success and so desired in the state of Maine is because we went through eight years when this state of Maine, through the Executive Branch, discouraged investment in solar energy as a renewable and when we opened up that option, and I might say that that option for solar generation was opened up in a bi-partisan manner originating in this Body with the Republican leader in the Senate at the time, when that was opened up there was a huge unmet demand and desire to bring solar energy into Maine and that's what lead to so many solar projects being promoted or thought of in the state of Maine. It wasn't the low cost of land or anything like that. This idea of repealing it is bad for a score of very specific reasons. One, it's bad for business and it's bad for the Maine economy. Many, many businesses have invested a lot of money in producing this renewable energy in Maine. To do what the good Senator from Aroostook intends means those investments will be lost. That money will go down the tubes and Maine's economy will suffer. It's also bad for the grid in Maine because what the good Senator from Aroostook fails to mention is that distributed generation solar energy actually improves the grid structure by encouraging investment in the distribution portion of the grid and enhancing that portion and we need to invest in our grid, helping transmission and distribution. It's a bad idea for a third reason, because if we continue down this path of burn, burn, burn, burn oil, burn coal, and do not remove - move to renewables, it is bad for our environment and it is bad for climate change. The forth point I would make is that this is - essentially this bill, were it to pass, is bad for ratepayers, both residential and commercial ratepayers, and the reason why is there's a big bill down the road to be paid if we continue on this path of consuming carbon as a basis for producing electricity.

There's a limited amount of carbon on earth and as it is depleted the cost of carbon goes up and the ratepayers will ultimately have to pay higher and higher rates to produce electricity by carbon unless we start to convert to more renewables now. It's also bad in the short-term because there are many ratepayers and many consumers out there who have entered into these net energy billing agreements and they are actually getting electricity cheaper under those agreements than they would if they just bought it without an agreement. It's bad both in the short-term and the long-term for consumers to repeal this program and I ask you to reject this bill and support the Ought Not to Pass committee report.

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

Senator **STEWART:** Thank you very much, Mr. President. I did give this Chamber fair warning I might rise one more time. I do that to address a few of the comments made by my good friend from York County. The first is that these upgrades being done to the grid, realistically, should be done by the utilities. They should be done in accordance with their strategic planning that they have financially accounted for in the long-term and not sporadically as these projects pop up, you know, throughout the grid, without any sort of rhyme or reason, in large part, based on where is the land the cheapest. That was my comment with regard to the land prices. The second is the question about the environment, environmental impacts, and whatnot that were raised by the Senator from York. Point well taken that we should be cognizant of the fact that there are better sources of energy from the environment, but this cuts off our nose to spite our face because what we're actually doing, the big irony here is that we're going to be increasing electric rates at the same time that we're trying to push folks towards things like beneficial electrification, including things like EV. If it's more expensive to charge your EV because the rates went up you're going to be less inclined to buy one because it's suddenly no longer economically feasible compared to a fossil fuel vehicle. I'd say, too, that there's plenty of cheaper options for electricity that are also beneficial to the environment. Hydro is a great example, I'd wager even nuclear, that have minimal impacts on the environment and, yet, we're not paying them 15 cents a kilowatt hour, we're just paying this small subset who, once again, are from out of state and from away. You know, at the end of the day it really boils down to this; who do we prioritize? All of those things that were brought up were good points, that we should care about the environment and there are cheaper ways to do that that are more effective; that we should find ways to incentivize beneficial electrification, which this current program and what this bill seeks to do, to address, will actually hurt in the long-run; but at the end of the day it boils down to do we care enough about the impact to the ratepayer or are we saying solar no matter what cost, energy billing no matter what cost, distributive generation no matter what cost. It doesn't make a lot of sense, doesn't make a lot of sense to me and it shouldn't make a lot of sense to the folks in this room. I'm not arguing the merits and why that measure was put forward. I understand that and I agree with a lot of those points but what I don't agree with is what we're doing to the ratepayers and to our constituents. Thank you, Mr. President.

**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 (#266)**

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

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

**EXCUSED:** Senators: WOODSOME

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Improve Public Sector Labor Relations by Amending the Laws Governing Arbitration under Certain Public Employees Labor Relations Laws"

S.P. 264 L.D. 677

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-215)**.

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

Reports **READ**.

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

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

Senator **POULIOT:** Thank you, Mr. Speaker. I request a roll call.

**THE PRESIDENT:** It's all good.

Senator **POULIOT:** Mr. President. It's just engrained in my brain from those days of yore. Thank you.

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 Guerin.

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, turning over the final authority for our public employees largest cost drivers, wages, insurance, and pensions, to unelected private arbitrators as L.D. 677 would require is, as Governor Mills noted in a veto letter on a similar bill in 2019, 'contrary to the principle of representative democracy.' It would undermine both labor organizations and the ability of locally elected or legislatively confirmed, in the case of higher education trustees, to fulfill their duties, including providing sound fiscal management of their organizations and prudent stewardship of its public assets. What would be the point of citizens taking the time to go to their local polls, as I did yesterday, to elect the select board or a school board or this Legislative Body taking time to confirm University, Community College, and Maritime Academy trustees, which we have done unanimously in recent years? Arbitration is contentious, costly, and should only be used as a very last resort. Were it to become binding in all matters, there would be no incentive for parties to work together in good faith as public employers in Maine have done for decades. Arbitration use would increase and, were the Legislature or school districts or courts were unwilling to or unable to fund the cost of arbitrated decisions, the financial burden would shift to Maine taxpayers or, in the case of our public higher education institutions, students and their families through tuition increases. If taxpayers and tuition payers couldn't make up the difference, this bill would authorize public employees to strike. That's including our public school teachers, seriously disrupting our children's education and the delivery of other critical public services. Our public employers have taken good care of their

employees within their available resources, providing stable pay and benefits, safe working conditions, and flexibility during the pandemic. For those who think public workers deserve better pay and benefits, let's focus on municipal revenue sharing and adequate appropriations for our local, county, and state public employees. In the meantime, let's uphold Maine's long, proud tradition of representative democracy and allow locally attuned public employers, employees, and their bargaining agents and not outside arbitrators to work together to effectively manage our public institutions on behalf of the people they serve.

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

Senator **HICKMAN:** Thank you, Mr. President. Mr. President, women and men of Senate, the committee heard all of these arguments and we moved forward with the Majority Report. I just would like to share a brief response that I wrote to my Superintendent, for the public record, who emailed me just this second to ask me to change my vote. 'I support binding arbitration for all public sector employees, including teachers, and it's not always contentious or shouldn't be. Grown people can negotiate in good faith, but the situation that currently exists in my mind is untenable. It is, can become, a waste of taxpayer dollars if the arbitration process that we pay for leads to a solution that is ultimately rejected because it does not bind the parties to their agreements. None of these issues are easy, trying to weigh all sides of an issue and achieve balance can be complicated, but at the end of the debate we only get to vote yea or nay, not yea but or nay if only. COVID- 19 revealed the ugliest of the ugly for workers across all sectors and industries and, while a bill such as this won't solve all the problems that workers face, I am confident that it is a step in the right direction. I do not believe it takes away local control, even though it certainly pushes up against it. I'm a firm believer in local authority and local control, have always been, will always be, but some matters require preemption. Civil rights springs to mind. As I see it, workers' rights are civil rights and that is why I am comfortable with the conflict that this bill seems to present.' And with that, Mr. President, I cede the rest of my time.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just have a question through the President. Would this effect, would the law enforcement officers be able to strike?

**THE PRESIDENT:** Under this - the Senator from Kennebec, Senator Cyrway, has posed a question through the Chair to anyone who may answer. The Chair would say that the ability for law enforcement to strike would be if binding arbitration was brought forward and ruled in their favor and, still, the municipality, the county, chose not to follow the binding arbitration agreement.

**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 Senator from Penobscot, Senator **DILL**, and the Senator from Waldo, Senator **CURRY**, requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#267)

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

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

**EXCUSED:** Senators: CURRY, DILL, 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** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-215) **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 **LABOR AND HOUSING** on Bill "An Act To Improve the Disability Retirement Program of the Maine Public Employees Retirement System" S.P. 529 L.D. 1644

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-216)**.

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

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-216) **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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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Stabilize Property Taxes for Individuals 65 Years of Age or Older Who Own a Homestead for at Least 10 Years"

S.P. 126 L.D. 290

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

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

TERRY of Gorham  
COLLINGS of Portland  
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" (S-222)**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

Reports **READ**.

Senator **CHIPMAN** of Cumberland moved to **TABLE** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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

Senator **POULIOT**: Thank you, Mr. President. Last I checked we were going to be getting done next Wednesday.

**THE PRESIDENT**: That is not debatable, Senator.

Senator **POULIOT**: I'm just wondering why we're continuing to table bills, Mr. President.

**THE PRESIDENT**: That is still not debatable.

Senator **POULIOT**: I know that but I'm just wondering.

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

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Elections"

S.P. 450 L.D. 1363

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-209)**.

Signed:

Senator:

LUCHINI of Hancock

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#268)**

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

EXCUSED: Senators: WOODSOME

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 TO PASS AS AMENDED** Report **PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (S-209) **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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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Campaign Finance Reform" S.P. 467 L.D. 1417

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-210).**

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.**

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

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**Divided Report**

Seven members of the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Laws Governing Unemployment Compensation"

S.P. 507 L.D. 1564

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A" (S-223).**

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

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 "B" (S-224).**

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
MORRIS of Turner

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 "C" (S-225).**

Signed:

Representative:

WARREN of Scarborough

Reports **READ.**

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

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

\_\_\_\_\_

**ENACTORS**

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

**Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting  
S.P. 91 L.D. 202  
(C "A" S-172)

Comes from the House, **FAILED FINAL PASSAGE.**

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

\_\_\_\_\_  
**Emergency Measure**

An Act To Increase Timely Access to Mental Health Services by Increasing MaineCare Reimbursement Rates  
H.P. 359 L.D. 496  
(C "A" H-309)

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

\_\_\_\_\_  
**Emergency Measure**

An Act To Support the Fidelity and Sustainability of Assertive Community Treatment  
H.P. 425 L.D. 582  
(C "A" H-310)

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

\_\_\_\_\_  
**Emergency Measure**

An Act Regarding the Depth of Phillips Lake in the Town of Dedham  
H.P. 665 L.D. 909  
(C "A" H-307)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **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 Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19  
H.P. 731 L.D. 993  
(C "A" H-333)

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 (#269)**

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

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

EXCUSED: Senators: WOODSOME

This being an Emergency Measure and having received the affirmative vote of 20 Members of the Senate, with 14 Senators having voted in the negative, and 20 being less than two-thirds of the entire elected Membership of the Senate, **FAILED ENACTMENT**, in **NON-CONCURRENCE**.

On motion by Senator **DAUGHTRY** of Cumberland, the Senate **RECONSIDERED** whereby the Bill **FAILED ENACTMENT**, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENACTED**, in concurrence.

---

**Emergency Measure**

An Act Regarding Substance Use Disorder Treatment Services and Increasing Reimbursement Rates for Those Services  
H.P. 813 L.D. 1135  
(C "A" H-294)

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

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**Emergency Measure**

An Act To Allow Maine Shareholders of Banks and Members and Corporators of Credit Unions To Hold Virtual Meetings  
S.P. 426 L.D. 1320  
(C "A" S-161)

---

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

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 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 Resolve**

Resolve, To Establish the Task Force To Study the Process for Bringing Criminal Cases in Situations of Violence against Health Care Workers

H.P. 465 L.D. 629  
(C "A" H-311)

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

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**Emergency Resolve**

Resolve, To Direct the Department of Transportation To Use a Rail Corridor Use Advisory Council in Reviewing the Mountain Division Line for Potential Nonrail Uses

S.P. 258 L.D. 672  
(C "A" S-167)

---

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

---

This being an Emergency Measure and having received the affirmative vote of 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.

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Senate at Ease.

The Senate was called to order by the President.

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**Acts**

An Act To Support Life and Career Readiness Education in Maine  
H.P. 34 L.D. 68  
(C "A" H-351)

An Act To Address Maine's Shortage of Behavioral Health Services for Minors

H.P. 84 L.D. 118  
(C "A" H-286)

An Act To Limit the Use of Hydrofluorocarbons To Fight Climate Change

H.P. 161 L.D. 226  
(C "A" H-206)

An Act Regarding Public Utility Assessments, Fees and Penalties

H.P. 172 L.D. 251  
(C "A" H-289)

An Act To Improve the Process of Disposal of Hospice Medications Used in the Home

H.P. 234 L.D. 330  
(C "A" H-348)

An Act Requiring the Use of Propane and Natural Gas Detectors

H.P. 244 L.D. 346  
(C "A" H-313)

An Act Regarding Certain Employees of and To Provide for the Payment of Certain Filing Fees to the Public Advocate

S.P. 194 L.D. 487  
(C "A" S-169)

An Act Regarding the Citizen Members and the Complaint Review Committee of the Board of Trustees of the Maine Criminal Justice Academy

H.P. 376 L.D. 513  
(C "A" H-314)

An Act To Protect Children from Exposure to Toxic Chemicals

H.P. 382 L.D. 519  
(C "A" H-328)

An Act To Dedicate Sections of Maine's State Highway System to Fallen State Troopers

S.P. 224 L.D. 537  
(C "A" S-166)

An Act To Establish the Thermal Energy Investment Program

S.P. 236 L.D. 597  
(C "A" S-168)

An Act To Create a Municipal Grant Program To Promote Sustainable Economic Development

H.P. 625 L.D. 857  
(C "A" H-350)

An Act To Include Excluded Individuals on Insurance Cards

H.P. 749 L.D. 1011  
(C "A" H-346)

An Act To Amend the Laws Governing Local Bridges

S.P. 322 L.D. 1027  
(C "A" S-162)

An Act To Clarify the Qualifications and Oversight of Sheriffs

H.P. 794 L.D. 1065  
(C "A" H-284)

An Act To Clarify the Definition of "Mortgage Servicer" in the Laws Governing Mortgage Foreclosures

S.P. 334 L.D. 1066  
(C "A" S-179)

An Act Relating to Fair Chance in Employment

H.P. 845 L.D. 1167  
(C "A" H-305)

An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test

H.P. 969 L.D. 1313  
(C "A" H-312)

An Act To Protect Towing Operators Providing Emergency Assistance by Allowing the Use of a Flashing Green Light

H.P. 1034 L.D. 1400  
(C "A" H-345)

An Act To Amend the Motor Vehicle Laws

H.P. 1049 L.D. 1433  
(C "A" H-352)

An Act To Align the Expulsion Process with School Disciplinary Policies

H.P. 1067 L.D. 1451  
(C "A" H-282)

An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees

H.P. 1099 L.D. 1485  
(C "A" H-306)

An Act To Improve Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions

H.P. 1104 L.D. 1490  
(C "A" H-335)

An Act To Create Limited Lines Self-storage Insurance

S.P. 481 L.D. 1494  
(C "A" S-160)

An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling

H.P. 1134 L.D. 1530  
(C "A" H-317)

An Act Directing the Maine State Housing Authority To Report on Emergency Rental Assistance Programs

H.P. 1151 L.D. 1546  
(C "A" H-290)

An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services

H.P. 1194 L.D. 1605  
(C "A" H-325)

An Act To Increase the Number of Lincolnville Sewer District Trustees from 3 to 5

H.P. 1209 L.D. 1625  
(C "A" H-370)

An Act Regarding Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals

H.P. 1233 L.D. 1662  
(C "A" H-347)

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

---

An Act To Establish the Sunrise Review and Legislative Report Fund

H.P. 76 L.D. 110  
(C "A" H-301)

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

---

An Act Regarding Emergency Guardianship

H.P. 264 L.D. 366  
(C "A" H-296)

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

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An Act To Require Certain Schools To Provide Menstrual Products

H.P. 328 L.D. 452  
(H "A" H-344 to C "A" H-244)

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

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An Act To Reduce the Tax Burden on Low-income Electricity Customers

H.P. 369 L.D. 506  
(C "A" H-343)

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

An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee

H.P. 446 L.D. 610  
(C "A" H-316)

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

---

An Act To Expand Eligibility for the Veterans' Property Tax Exemption

S.P. 252 L.D. 647  
(C "A" S-178)

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

---

An Act To Protect Economic Competitiveness in Maine by Extending the End Date for Pine Tree Development Zone Benefits

S.P. 281 L.D. 730  
(C "A" S-174)

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

---

An Act To Advance Palliative Care Utilization in the State

H.P. 793 L.D. 1064  
(C "A" H-287)

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

---

An Act To Require the State To Meet the Mandatory 55 Percent Contribution to Schools

S.P. 377 L.D. 1114  
(C "A" S-163)

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

---

An Act To Provide Safe Gear for Female Firefighters

H.P. 1056 L.D. 1440  
(C "A" H-293)

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

EXCUSED: Senators: LIBBY, WOODSOME

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

---

An Act To Increase the Homestead Property Tax Exemption  
H.P. 1064 L.D. 1448  
(C "A" H-320)

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

---

An Act To Address Student Hunger through Expanding Access to Free School Meals

S.P. 540 L.D. 1679  
(C "A" S-165)

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

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Off Record Remarks

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An Act To Include Grandparents under Maine's Family Medical Leave Laws

H.P. 27 L.D. 61  
(S "A" S-27)

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 Chair noted the absence of the Senator from Androscoggin, Senator **LIBBY**, 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 (#270)**

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

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

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**Resolves**

Resolve, To Conduct a Transit Propensity Study for Communities between Portland and Bangor

S.P. 95 L.D. 227  
(C "A" S-183)

Resolve, Directing the Board of Pesticides Control To Research Workable Methods To Collect Pesticide Sales and Use Records for the Purpose of Providing Information to the Public

S.P. 209 L.D. 524  
(C "A" S-181)

Resolve, Directing the Maine Community College System To Evaluate the Need To Expand Workforce Training Options in Waldo County

S.P. 180 L.D. 814  
(C "A" S-164)

Resolve, Directing the University of Maine System To Study the Potential Effects of the State Adopting Atlantic Standard Time

S.P. 259 L.D. 826  
(C "A" S-182)

Resolve, Directing the Department of Transportation To Conduct an Economic Evaluation Study for Commuter and Passenger Train Service between Portland and the Lewiston and Auburn Area

S.P. 317 L.D. 991  
(C "A" S-180)

Resolve, To Increase Collaboration between the Maine State Housing Authority and the Department of Health and Human Services

H.P. 961 L.D. 1305  
(C "A" H-349)

Resolve, Directing the Maine State Housing Authority To Assist the City of Lewiston with its Rental Registration Program

H.P. 1031 L.D. 1397  
(C "A" H-291)

Resolve, To Direct the Department of Environmental Protection To Determine Staffing Needs To More Efficiently and Effectively Issue Decisions on New, Amendment and Minor Revision Applications

S.P. 465 L.D. 1415  
(C "A" S-171)

Resolve, To Require the Public Utilities Commission To Issue a Request for Information on a Statewide, Multiple-use Online Energy Data Platform

H.P. 1237 L.D. 1666  
(C "A" H-315)

Resolve, Directing the Maine State Housing Authority To Examine and Develop a Program Promoting Home Ownership by Reducing Education Debt

S.P. 562 L.D. 1709  
(C "A" S-173)

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

---

Resolve, To Create the Criminal Records Review Committee

H.P. 408 L.D. 563  
(C "A" H-297)

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

---

Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities

H.P. 40 L.D. 74  
(C "A" H-308)

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

---

Resolve, To Establish a Task Force To Study the Coordination of Services and Expansion of Educational Programs and Vocational Opportunities for Young Adults with Intellectual or Developmental Disabilities or Acquired Brain Injury

H.P. 680 L.D. 924  
(C "A" H-283)

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

---

Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Certain Home-based Services

H.P. 1132 L.D. 1528  
(C "A" H-285)

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

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## ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

An Act To Amend the Transportation Laws  
H.P. 811 L.D. 1133

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-414)** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-415)** (4 members)

Tabled - June 9, 2021 by Senator **VITELLI** of Sagadahoc

Pending - motion by Senator **DIAMOND** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)** Report, in concurrence

(In House, June 8, 2021, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)**.)

(In Senate, June 9, 2021, Reports **READ**.)

On motion by Senator **DIAMOND** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-414) **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-414)**, in concurrence.

---

Senate at Ease.

The Senate was called to order by the President.

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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 **TAXATION** on Bill "An Act To Provide Equity in the State Income Tax Deduction for Certain Public Employees Retirement System Pensions"  
H.P. 898 L.D. 1227

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-321)** (8 members)

Minority - **Ought Not to Pass** (3 members)

Tabled - June 7, 2021 by Senator **CHIPMAN** of Cumberland

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-321).**)

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

Bill **READ ONCE**.

Committee Amendment "A" (H-321) **READ** and **ADOPTED**, in concurrence.

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

---

The Chair laid before the Senate the following Tabled and Later Assigned (6/7/21) matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Create Greater Accountability in the Office of County Sheriff"  
S.P. 163 L.D. 375

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-175)** (2 members)

Tabled - June 7, 2021 by Senator **BALDACCI** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Minority **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 Penobscot, Senator Baldacci.

Senator **BALDACCI:** Thank you, Mr. President. I would note that, first of all, the State of Maine has no standards in terms of accountability over recall for a Sheriff. I think we've seen this in certain counties around the state but there's a lack of kind of a process for situations where they are certainly going beyond their oath of office. Currently, the Maine Constitution provides that the Governor can remove that. The purpose of this bill, and let me just note theoretically that Committee Amendment "A" excludes material that I worked out with the counsel for the Maine Sheriff's Association except for paragraph 4, everything else is language that I worked on directly with the counsel for the Maine Sheriff's

Association, which they were satisfied with. So, it provides a process for both how a complaint is going to be made and how it will be dealt with and also creates an option for the Governor to also, pending an investigation, to place a Sheriff on administrative leave with pay pending a final adjudication. In many ways it provides a due process both for the complainant and for the Sheriff. Paragraph 4, they object to was heard in committee by a member of the House to require - not require but to give the county commissioners the option to prevent the disruption of records if they found that to protect the interest of an investigation. I'm satisfied with moving forward with Committee Amendment "A" in total because, as I said, we currently have no standards for holding Sheriffs accountable. I think it's - this is Senator Keim's bill and I think she's done an excellent job working it through and so I'm happy to also support it.

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

Senator **KEIM:** Thank you, Mr. President. Today I rise in support of the pending motion and want to explain to you a little bit of my reasons why I put in this bill and some of the other situations that have happened. It is past time that Maine had a system of greater accountability for the important and powerful position of County Sheriff. As a county leading law enforcement officer and the people's chosen protector, a County Sheriff holds a position of high esteem. This position is also one of significant, centralized power in one person with equal potential for abuse. Last session, I submitted similar legislation in response to actions of the former Oxford County Sheriff, much of which took place in 2017 and has since become well-documented by the Bangor Daily News. The details of that particular case and others that are equally troubling have been brought to light in recent news, showing us the imperative to create a process of increased oversight and to create a legal course of action that will allow a Sheriff to be placed on leave while an investigation into any alleged wrongdoing can be undertaken. For instance, in the Oxford County case, while being investigated, the Sheriff remained active for more than 40 days, during which that time records were destroyed. Though there were strong indications of egregious behavior with no method of temporary suspension, the Sheriff was fully in charge of law enforcement throughout Oxford County while the County Commissioner worked to collect information that would prove to the Governor the need for his removal. The conclusion of this situation is that the Sheriff continued in his role until he, himself, resigned. A current procedure set by the Maine Constitution, a County Sheriff may be removed from office whenever the Governor upon complaint, due notice, and hearing shall find that the Sheriff is not faithfully or efficiently performing any duty imposed upon the Sheriff by law. The Governor may remove such Sheriff from office and appoint another Sheriff to serve the remainder of the term. The issue this bill seeks to address is that there are no intermediate steps when situations arise requiring investigations prior to a Sheriff's removal. This bill would create that procedure, allowing for a majority of the County Commissioners to file a complaint with the Governor against the Sheriff for improper, unethical behavior, allowing the Governor to place the Sheriff on administrative leave with pay. This is not an isolated incident. There have been other incidents of Sheriff misconduct in Maine beyond the Oxford County case. In 1996, the Sheriff in Cumberland County used \$8,481 from his department drug forfeiture account to get himself a bigger car to

use for work. In 2008, the Sagadahoc Sheriff was investigated after claims of sexual harassment were made. He worked throughout the investigation. Meanwhile, the agent who reported the harassment was suspended without pay for one month based on allegations that he misused his cell phone. Ultimately, it was determined there was insufficient evidence to support the harassment complaint. Yet it is important to note that using too many minutes on a cell phone warranted unpaid leave for his subordinate, yet a sexual harassment complaint did not simply because of the position that each of these held. In 2015, a Washington County Grand Jury indicted the former Sheriff on multiple charges, including two felony theft counts related to illegal expenditures from an inmate benefit account. Had the former Sheriff not lost his reelection he would have been Sheriff at the time of his indictment. Ladies and gentlemen of the Senate, trust in our law enforcement is more important now than ever. Across the country we have witnessed an urgent call for increased accountability in law enforcement. However, many of us here recognize that these national cries do not reflect the reality of law enforcement issues here in Maine. I stand in strong and unwavering support of Maine's law enforcement officers. We trust them daily to put their own lives on the line to keep our communities safe and many of the bills considered by this Body this session do serious injustice to the strong, brave, and upstanding officers who serve us. However, this bill does address a real issue and an issue that is here in Maine, as can be seen in headlines throughout the years, and this is not a one-time Oxford County issue. When there is alleged serious and well-documented misconduct of our County Sheriff there needs to be a way to temporarily remove them so that an investigation can take place. Allowing the Sheriff with enormous authority to remain on duty can severely hinder investigative proceedings. Let's be clear where this opposition comes from. Opposition to oversight stems, of course, from the sixteen politically powerful men who do not want oversight and maybe a few others who aspire to their positions. However, I stand today in support of the numerous men and women who work beneath the Maine Sheriffs, the men and women who are silently in support of this measure because they want accountability in their leader. I stand in support of the law enforcement team who worked under the Oxford County Sheriff who felt their integrity and their reputation tarnished by outstanding allegations that have never been resolved. To be clear, this proposal is pro-law enforcement and in support of the hardworking men and women who work in the County Sheriff's Office. While most of our Sheriffs are and will continue to be excellent law enforcement officers we, sitting here, should recognize the need to protect against those who are not. I ask my colleagues to join me today in voting for the pending motion. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President. Men and women of the Senate, I rise briefly to just share with you that I consider myself extremely fortunate to have in Sagadahoc County a Sheriff with the utmost integrity and reputation and so when a bill like this comes before me I always reach out to him to get his sense of what the bill intends to do and his take on it. Having done that with regard to L.D. 375, I received back this letter that I will read parts of for you. It says: 'Maine Sheriffs, more than any other entity, embrace the concept of accountability of Sheriffs. We've

demonstrated this support by spending countless hours passing language for this bill. Twice the overwhelming majority of members of the Joint Standing Committee on State and Local Government voted Ought Not to Pass. The newest amendment presents a grave opportunity for confusion. By a unanimous vote of the eleven Sheriffs who met today, we stand by our original language. We believe it establishes greater accountability while taking into consideration the Maine Constitution. We do not support the amended language currently on the floor. We look forward to working towards creating successful language in the future but this amendment is not acceptable. We deeply appreciate your commitment to working with the Sheriffs and we urge you and your esteemed colleagues to vote Ought Not to Pass.' Thank you, Mr. President.

**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 (#271)**

**YEAS:** Senators: BAILEY, BALDACCI, BENNETT, CHIPMAN, CLAXTON, DESCHAMBAULT, GUERIN, KEIM, LAWRENCE, LIBBY, POULIOT

**NAYS:** Senators: BLACK, BREEN, BRENNER, CARNEY, CURRY, CYRWAY, DAUGHTRY, DAVIS, DIAMOND, DILL, FARRIN, HICKMAN, LUCHINI, MAXMIN, MARAMANT, MOORE, RAFFERTY, ROSEN, SANBORN, STEWART, TIMBERLAKE, VITELLI, PRESIDENT JACKSON

**EXCUSED:** Senators: WOODSOME

11 Senators having voted in the affirmative and 23 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **FAILED**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

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**

**Senate**

**Ought to Pass As Amended**



Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reduce Lung Cancer Rates in Maine by Requiring Testing for and Mitigation of Radon in Residential Buildings by Landlords"

S.P. 203 L.D. 819

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-228)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-228) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services To Conduct a Review of Rules Governing In-home Personal Care Assistance Services

S.P. 310 L.D. 958

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-227)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-227) **READ** and **ADOPTED**.  
Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Senator CLAXTON for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Homes

S.P. 374 L.D. 1112

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-226)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-226) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BALDACCI for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend Legislative Expenses Reimbursement and Allowances"

S.P. 541 L.D. 1680

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-230)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-230) **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 Make Technical Changes to the Maine Medical Use of Marijuana Act"

S.P. 295 L.D. 881

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-231)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-231) **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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Off Record Remarks  
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On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, June 10, 2021 at 10:00 in the morning.