

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

In Senate Chamber
Tuesday
June 6, 2023

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

Prayer by Senator Matthea E. L. Daughtry of Cumberland County.

SENATOR DAUGHTRY: Still good morning. Good morning. Let us be together in the spirit of prayer. Again, this is a prayer from my late uncle, Bob Storer, and this is called Confidence.

We seek to give expression to our highest hopes and deepest needs. If there are those of us who are filled with thoughts of defeats large and small, help us to find and see that living is not all victory, it is also learning through our failures and wrong choices. If there are those of us with unlovely thoughts about others, about people we misunderstand or mistrust, help us to move to a higher plane of thinking. Help us to preserve affection even when we cannot harmonize. Help us to live and let others live their way. And if there are those of us who feel helpless or not very useful, may we come to know that the communication of good thoughts and a happy expression are a much-needed service to the world. And if there are those of us who feel insecure about the future, about new decisions, help us to gain the assurance that going ahead involves change and, at times, chance. If there are those of us who feel too good about ourselves, if we are complacent, bring us back to becoming modest. Help us to see how much we have yet to learn, how much we will be willing to face any circumstance, and thus may we ever grow in wisdom and experience and enthusiasm for life. Amen.

Pledge of Allegiance led by Senator Anne M. Carney of Cumberland County.

Reading of the Journal of Thursday, June 1, 2023.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program
H.P. 442 L.D. 673
(C "A" H-217)

In Senate, May 30, 2023, 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-217)**, 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** and **ASKED FOR A COMMITTEE OF CONFERENCE**.

Sent down for concurrence.

Joint Resolutions

The following Joint Resolution:

H.P. 1283

**JOINT RESOLUTION
RECOGNIZING MAY 2023 AS
ASIAN AMERICAN, NATIVE HAWAIIAN AND
PACIFIC ISLANDER MONTH**

WHEREAS, the Asian American, Native Hawaiian and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects, and its members have different experiences, histories and cultures; and

WHEREAS, within the Asian American, Native Hawaiian and Pacific Islander community there is intersectionality among those who are multiracial, adopted and first generation; and

WHEREAS, the story of Asian Americans, Native Hawaiians and Pacific Islanders in the United States is an inextricable part of the history of the United States; and

WHEREAS, the first Asian communities to settle in the State were Chinese families in the late 1850s; and

WHEREAS, in the 1970s and 1980s, many Cambodian, Laotian and Vietnamese families immigrated to the State, escaping the upheaval of the Vietnam War and escaping persecution and the Cambodian Genocide conducted by Pol Pot and the Khmer Rouge; and

WHEREAS, the numbers of people who identify as Asian in the State have increased significantly each decade, doubling from 1990 to 2000, increasing by 33% from 2000 to 2009 and increasing by 23.8% for those who identify as Asian alone and by 82.2% for those who identify as Asian in combination from 2010 to 2020; and

WHEREAS, Asian Americans, Native Hawaiians and Pacific Islanders are playing a significant role in the State's labor force and are employed in all sectors of the State's economy, including work in high-tech industries, service industries, the financial sector, government, health care, biomedical research, public schools and higher education, and Asian Americans, Native

Hawaiians and Pacific Islanders in the State have high civic participation and voter turnout rates; and

WHEREAS, Asian Americans, Native Hawaiians and Pacific Islanders have made significant contributions to the United States at all levels of the Federal Government and in the United States Armed Forces; and

WHEREAS, the month of May was selected to honor Asian Americans, Native Hawaiians and Pacific Islanders because the first Japanese immigrants arrived in the United States on May 7, 1843 and the first transcontinental railroad was completed on May 10, 1869 with substantial contributions from Chinese immigrants; and

WHEREAS, nationwide, there was a 167% increase in hate crimes against Asians from 2020 to 2021; and

WHEREAS, there remains much to be done to ensure that Asian Americans, Native Hawaiians and Pacific Islanders have access to resources and a voice in the government of the United States and the State and continue to advance in the political landscape; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize May 2023 as Asian American, Native Hawaiian and Pacific Islander Month and pay tribute to the contributions of generations of Asian Americans, Native Hawaiians and Pacific Islanders who have enriched the history of the State and the United States.

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

The Joint Resolution was **READ**.

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

Senator **BRENNER:** Thank you, Mr. President. President Jackson and esteemed Members of the Maine Senate, I rise to speak today to the importance of this Joint Resolution to honor Asian American, Native Hawaiian, and Pacific Islander Month in May 2023. Between the Asian American, Native Hawaiian, and Pacific Islander communities, there are a multitude of different languages, experiences, histories, and cultures. The population of Asia and the Pacific region consists of about 60% of the world's total population, about 4.3 billion people, 2300 different languages are spoken, including 302 living languages just in China alone. AANHPI communities in the United States and Maine reflect the vast diversity of Asia. The first Chinese immigrants came to Maine in 1857, after stowing away on a ship. Since then, the Chinese community has steadily grown, building new businesses as more people arrived. In the 1970s and 80s, Vietnamese, Laotian, and Cambodian immigrants arrived, escaping the violence of the Vietnam War. For many Cambodian families in Maine, their story is one of surviving Pol Pot state-sponsored genocide in the mid-70s. For many in the Japanese community, they came to Maine in search of new opportunities, like the story of my legislative aide, whose father came to the United States to build Japanese restaurants in California, Nebraska, and here in Maine. With the rising of Asian hate, it is important now more than ever to recognize the contributions of the Asian American, Native Hawaiian, and Pacific Islander communities. I am grateful to Rep. Ambureen Rana of Bangor for sponsoring this Joint Resolution, and I hope this is not the last time we see this

resolution on the Senate floor. Thank you, Mr. President, and colleagues.

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

Senator **DUSON:** Thank you, Mr. President. I rise today to speak to this historic Joint Resolution to honor and recognize Asian American, Native Hawaiian, and Pacific Islander Month. I'm also grateful to Representative Ambureen Rana, the first Asian woman to be elected into the legislature, for sponsoring this Joint Resolution. While it is no longer May, with this Resolve, we honor every Asian American, Native Hawaiian, and Pacific Islander in our state. Asian hate is on the rise, and it takes many different forms. It can look like someone pushing an elder Korean woman in a busy street or chasing a young Burmese man down the street with a baseball bat. It can also look like President Roosevelt's Executive Order No. 9066 that resulted in the incarceration of 125,000 Japanese Americans during World War II. This violence has nearly doubled for the AANHPI communities across the country in the last year. The drastic rise in hate crimes against members of these communities is devastating, but it's not new. Asian communities have been targeted since their arrival in Maine in the 1800s. With this Resolve, we recognize that the AANHPI community has contributed so much to our state. These communities have brought so many parts of their culture to our state. Some of the more public signs of this influence is in the range of music, from Bollywood to BTS, a multitude of commercial establishments, restaurants, and stores, and even a few shops that sell bubble tea. As a resident of Maine's foodie town and a lover of restaurants, I have to conclude with a shoutout to the contributions of our AANHPI neighbors and friends, to the richly diverse food culture that exists in our city. Portland would not be what it is today without your presence, your leadership, and contributions in city schools, neighborhoods, our business community, our city council, and our boards and commissions. Thank you very much.

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

The following Joint Resolution:

H.P. 1286

**JOINT RESOLUTION
RECOGNIZING JUNE 2, 2023 AS
NATIONAL GUN VIOLENCE AWARENESS DAY**

WHEREAS, every day, more than 120 Americans are killed by gun violence and more than 200 are shot and wounded, with an average of more than 17,000 gun homicides every year; and
WHEREAS, Americans are 26 times more likely to die by gun homicide than people in other high-income countries; and
WHEREAS, protecting public safety in the communities they serve is among Legislators' highest responsibilities; and
WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand in hand with keeping guns away from people who should not have them; and

WHEREAS, gun violence prevention is more important than ever as we see an increase in firearm homicides, nonfatal shootings across the country, increased calls to domestic violence hotlines and an increase in city gun violence; and

WHEREAS, in January 2013, Hadiya Pendleton was tragically shot and killed at 15 years of age, and on June 2, 2023 people across the United States will wear orange to recognize National Gun Violence Awareness Day, Hadiya Pendleton and other victims of gun violence and the loved ones of those victims and to raise awareness about gun violence; and

WHEREAS, the idea of wearing orange was inspired by a group of Hadiya Pendleton's friends, who chose that color because hunters wear orange to announce themselves to other hunters when in the woods and because orange is a color that symbolizes the value of human life; and

WHEREAS, the Legislature is committed to reducing gun violence and encouraging responsible gun ownership to help keep our families and communities safe; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize June 2, 2023 as National Gun Violence Awareness Day, to honor and remember all victims and survivors of gun violence and to encourage all citizens to support their communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

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

The Joint Resolution was **READ**.

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

Senator **CARNEY:** Thank you, Mr. President. Mr. President and colleagues of the Senate, on Saturday, I attended this year's Wear Orange Rally, which as you heard is dedicated to honoring the lives of people in our country who have been affected by gun violence and raising awareness to end gun violence. You heard the statistic, every day in our country 120 people die because of gun violence. Our challenge nationally and in Maine is to help our friends, colleagues, and communities understand the impact of gun violence has on everyone, help them understand what causes gun violence in our communities, and join together in a commitment to reduce gun violence in Maine.

What does gun violence in Maine look like? Often, it involves families in crisis who call law enforcement when they desperately need help for a loved one who is violent and threatening to harm themselves and others with a gun. Firearm-related homicides also occur in our state. Just recently, four Mainers died and three were wounded in a shooting incident that stretched from Bowdoin to Yarmouth. Most often, though, gun violence in Maine relates to death by suicide. In both 2020 and 2021, over 85% of firearm-related deaths in our state were by suicide. Most of those who died were middle-aged men living in rural Maine. Piscataquis, Somerset, Franklin, and Washington Counties have the highest rates of firearm caused death by suicide. Sadly, about 10% of firearm suicide in Maine involved people 24 years of age and younger, and this corresponds with Maine's high teen suicide rate, which at 8.3 per hundred thousand people is significantly higher than the national rate of 6.9. Our country experiences nearly six firearm deaths per 100,000 children, and in 2021, gun

violence became the leading cause of death for children in the United States. Sadly, Maine contributed to this trend, two of our children died due to firearms in 2021. I don't mean to weigh us all down with statistics that make us feel hopeless. On Saturday, here in Augusta, it was 50 degrees and pouring rain throughout the Wear Orange Rally, yet hardy Mainers, some as young as eight and others in their 80s, spoke, read poetry, and sang in remembrance of those who have died and whose lives have been impacted by gun violence. And together, we resolved to continue raising awareness and building a broad commitment to address gun violence in all its forms. And I will end my remarks today on that same hopeful note, that we can honor those -- together, we can honor those impacted by gun violence. Thank you for your attention this morning, everyone.

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

Senator **BRAKEY:** Thank you, Mr. President. I do think it's a worthy cause to recognize all acts of violence that take place, and certainly we want to do everything we can to minimize acts of violence that take place against innocent victims. I do think it's worth noting on this occasion, though, to celebrate that Maine has the number one lowest violent crime rate in the country, and that took place immediately after the passage of our constitutional carry law in 2015. We were an early trendsetter with constitutional carry. It's been so effective in our state that now 26 states have followed suit. In our country, a majority of Americans are - have their right to defend themselves from those who would victimize them through violent means protected, and that is certainly something I hope we can all agree on is allowing people the right to self-defense is a strong way to reduce these acts of violence targeting people. Thank you, Mr. President.

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

COMMUNICATIONS

The Following Communication: S.C. 591

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

May 31, 2023

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

Dear Secretary Grant:

Pursuant to my authority under Title 5, Chapter 167, §2041(2) (A), I am pleased to appoint Sharon Treat to the Maine Prescription Drug Affordability Board, effective the date of this letter.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 596

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

June 1, 2023

The Honorable Darek Grant
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5, section 12004-1, subsection 52-C, I am pleased to appoint the following individuals to the Cannabis Advisory Commission, effective the date of this letter:

Senator Craig Hickman
Senator Eric Brakey

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 590

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

May 31, 2023

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

Dear Secretary Grant,

Pursuant to my authority under Title 1, MRSA, Ch. 13, Subchapter 1, §411.2-B, I am pleased to appoint the Honorable Erin Sheehan of Biddeford to the *Right to Know Advisory Committee* effective immediately.

Representative Sheehan will serve as a member of the House of Representatives who is also a member of the joint standing committee of the Legislature having jurisdiction over judiciary matters.

Should you have questions regarding this appointment, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 597

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

June 1, 2023

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

Dear Secretary Grant,

Pursuant to my authority under M.R.S.A. Title 20-A, Chapter 413, subchapter 2, §11053, 1-E, I am pleased to appoint the Honorable Holly Sargent of York to the *New England Board of Higher Education*, effective immediately.

Should you have questions regarding this appointment, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

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

Senator **CURRY:** Thank you, Mr. President. I want to recognize a couple gentlemen who are in the room here today, Ryan Otis and Rich Johnson, who are here with - being recognized previously in the House and also having received a Governor's

Proclamation today for their work with the Shriners and that today is International Day of Awareness for the Shriners, and I want to just celebrate the amazing amount of service and work and community that the Shriners bring to the State of Maine and I hope that we would be able to recognize them properly. Thank you.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Ryan Otis of Belfast and Rich Johnson of Dover-Foxcroft. They are both Anah Shriners. As Senator Curry said, they are here today being recognized on International Shriners Awareness Day. They are the guests today of the Senator from Waldo, Senator Curry, and the entire Maine Senate. Would they please rise and accept the congratulations of the Maine Senate.

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

The Following Communication: S.C. 593

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

June 1, 2023

The Honorable Troy Dale Jackson
President of the Senate of Maine
131st Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Thomas H. Platz of Auburn, for appointment to the Maine Public Broadcasting Corporation, Board of Trustees.

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

YEAS	Senators	2	Rafferty, J. of York, Libby, J. of Cumberland
	Representatives	8	Brennan, M. of Portland, Dodge, J. of Belfast, Lyman, S. of Livermore Falls, Murphy, K. of Scarborough, Polewarczyk, E. of Wiscasset, Sampson, H. of Alfred, Sargent, H. of York, Worth, J. of Ellsworth

NAYS	0	
ABSENT	3	Sen. Pierce, T. of Cumberland, Rep. Bagshaw, B. of Windham, Rep. Millett, R. of Cape Elizabeth

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Thomas H. Platz of Auburn, for appointment to the Maine Public Broadcasting Corporation, Board of Trustees be confirmed.

Signed,

S/Joseph E. Rafferty
Senate Chair

S/Michael F. Brennan
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 131st Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#207)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Thomas H. Platz** of Auburn for appointment to the Maine Public Broadcasting Corporation, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 586

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

May 31, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 1700 An Act to Protect Agricultural Lands by Creating a Permitting Process for Solar Development on Those Lands

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 599

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

June 02, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 193 An Act to Provide Excess General Fund Revenue to the School Revolving Renovation Fund and the Education Stabilization Fund

This is notification of the Committee's action.

Sincerely,

S/Sen. Margaret R. Rotundo S/Rep. Melanie Sachs
Senate Chair House Chair

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

The Following Communication: S.C. 587

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

June 1, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 151 An Act Regarding Child Welfare

L.D. 389 An Act to Improve Rural Transportation and Access to Mental Health Care and Physical Health Care

L.D. 545 An Act to Establish a Cabinet-level Position to Ensure a Continuum of Care to Support Children and Their Families

L.D. 1131 An Act to Support Continuity in Perinatal and Emergency Care by Requiring Notice of a Voluntary Hospital or Facility Closure or Reduction in Services

L.D. 1754 Resolve, to Establish the Commission to Study the Delivery of Services to Children and Families (EMERGENCY)

L.D. 1941 Resolve, to Ensure Access to Critical Orthodontic Care by Increasing the MaineCare Reimbursement Rate

L.D. 1993 An Act to Expand Home Visiting Services and Provide for Reimbursement Under the MaineCare Program for Perinatal Doula Services and Midwifery Services

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

This is notification of the Committee's action.

Sincerely,

S/Sen. Joseph M. Baldacci
Senate Chair

S/Rep. Michele Meyer
House Chair

The Following Communication: S.C. 588

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

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

May 31, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

The Following Communication: S.C. 600

**STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
JOINT SELECT COMMITTEE ON HOUSING**

June 1, 2023

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

L.D. 1629 RESOLUTION, Proposing an Amendment to the Constitution of Maine to Recognize the Right to Personal Privacy

This is notification of the Committee's action.

Sincerely,

S/Sen. Anne Carney
Senate Chair

S/Rep. Matt Moonen
House Chair

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

Dear President Jackson and Speaker Talbot Ross:

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

L.D. 388 An Act to Require the State and Municipalities to Reimburse Landlords for Unpaid Rent During Eviction Moratoriums

L.D. 885 An Act to Help First-time Home Buyers in Maine

L.D. 1265 An Act to Make Adjustments to Affordable Housing Requirements

L.D. 1293 An Act to End Chronic Homelessness by Creating the Housing First Fund

L.D. 1901 An Act to Improve Affordability and Opportunity for Maine Renters and Landlords

L.D. 1905 An Act to Create a Residential Rental Unit Registry

The Following Communication: S.C. 601

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

June 1, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

This is notification of the Committee's action.

Sincerely,

S/Sen. Teresa S. Pierce
Senate Chair

S/Rep. Traci Gere
House Chair

- L.D. 719 An Act to Support Maine Industry
- L.D. 856 An Act to Reduce Recurring Workplace Harassment and Provide Consequences for Serial Offenders
- L.D. 1759 An Act to Clarify the Disability Retirement Program of the Maine Public Employees Retirement System

This is notification of the Committee's action.

Sincerely,

S/Sen. Michael Tipping S/Rep. Amy Jean Roeder
 Senate Chair House Chair

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

The Following Communication: S.C. 602

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

June 1, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 1616 An Act to Make the Description of the State Seal Gender-neutral and to Depict One of the Human Images on the State Flag as Female
- L.D. 1758 An Act to Require a Municipality to Pay a Homeless Shelter on a Per Capita Basis for Persons Released or Delivered by the Municipality to the Shelter

This is notification of the Committee's action.

Sincerely,

S/Sen. Tim Nangle S/Rep. Holly B. Stover
 Senate Chair House Chair

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

The Following Communication: S.C. 589

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

May 31, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 1212 Resolve, to Study the Economic Effects of Instituting a Seasonal Sales Tax
- L.D. 1355 An Act to Establish a Behavioral Health Employment Income Tax Credit for Student Loan Payments
- L.D. 1569 An Act to Exempt Certain Disabled Veterans from Property Taxes in Accordance with Their Disability Ratings
- L.D. 1595 An Act to Exempt the Estates of Veterans Who Were Disabled in the Line of Duty from Property Taxes
- L.D. 1853 An Act to Conform the Mining Excise Tax Laws to the Maine Metallic Mineral Mining Act and Set the Mining Excise Tax at 10 Percent (EMERGENCY)
- L.D. 1894 An Act to Establish a Home Heating Income Tax Deduction
- L.D. 1928 An Act to Protect Maine Taxpayers from Unconstitutional Federal Expenditures
- L.D. 1945 An Act to Provide a Property Tax Exemption to All Veterans Who Are 62 Years of Age or Older and Increase the Current Exemption

This is notification of the Committee's action.

Sincerely,

S/Sen. Nicole Grohoski S/Rep. Joe Perry
 Senate Chair House Chair

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

The Following Communication: S.C. 592

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

May 31, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 1572 An Act to Ensure Proper Funding of the Highway Fund by Imposing a Surcharge on Electric Vehicle Registration
- L.D. 1780 An Act to Regulate the Operation of Micromobility Devices on Public Ways
- L.D. 1897 An Act to Improve Public Roadways on Unbridged Islands Not Served by the Maine State Ferry Service
- L.D. 1899 An Act to Establish a Maine Commercial Driver's License for Use Within State Borders
- L.D. 1938 An Act to Require a Reminder for Vehicle Registration Renewal

This is notification of the Committee's action.

Sincerely,

S/Sen. Ben Chipman Senate Chair S/Rep. Lynne A. Williams House Chair

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

The Following Communication: S.C. 603

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

June 1, 2023

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

Dear President Jackson and Speaker Talbot Ross:

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

- L.D. 94 An Act Regarding the Use of Medical Cannabis by Minors
- L.D. 839 An Act to Allow On-premises Consumption of Adult Use Cannabis and Adult Use Cannabis Products on the Premises of Cannabis Store Licensees

This is notification of the Committee's action.

Sincerely,

S/Sen. Craig V. Hickman Senate Chair S/Rep. Laura Supica House Chair

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

The Following Communication: S.C. 594

**MAINE DAIRY & NUTRITION COUNCIL
EXECUTIVE DIRECTOR'S OFFICE
AUGUSTA, MAINE**

May 31, 2023

Senator Troy Jackson
President of the Senate
3 State House Station
Augusta, ME 04333-0003

Attn: Senate President

Enclosed for your review is the calendar year 2022 Audit Report of the Maine Dairy and Nutrition Council, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 530-9043.

Sincerely,

S/Sarah J. Littlefield
Executive Director

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

The Following Communication: S.C. 595

**MAINE DAIRY PROMOTION BOARD
EXECUTIVE DIRECTOR'S OFFICE
AUGUSTA, MAINE**

May 31, 2023

Senator Troy Jackson
President of the Senate
3 State House Station
Augusta, ME 04333-0003

Attn: President of the Senate

Enclosed for your review is the calendar year 2022 Audit Report of the Maine Dairy Promotion Board, prepared by Austin & Associates, P.A., Certified Public Accountants. We are pleased to offer it for your consideration.

If you have any questions regarding this report, please contact either Austin & Associates or myself. Austin & Associates can be reached at their office in Auburn at 783-9111 and I can be reached at our office in Augusta at 530-9043.

Sincerely,

S/Sarah J. Littlefield
Executive Director

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

SENATE PAPERS

Bill "An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals"

S.P. 830 L.D. 2009

Presented by Senator STEWART of Aroostook.
Cosponsored by Senator: BLACK of Franklin, Representatives: MILLETT of Waterford, THERIAULT of Fort Kent.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Resolve, to Remove the Prohibition Against Live Plants in State-owned Buildings

S.P. 829 L.D. 2008

Presented by Senator BRENNER of Cumberland.
Cosponsored by Speaker TALBOT ROSS of Portland and Senators: DAUGHTRY of Cumberland, President JACKSON of Aroostook, KEIM of Oxford, STEWART of Aroostook, VITELLI of Sagadahoc, Representatives: CLOUTIER of Lewiston, FAULKINGHAM of Winter Harbor, TERRY of Gorham.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

On motion by Senator **NANGLE** of Cumberland, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Ordered sent down forthwith for concurrence.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Recovery Connections of Maine, in Lewiston, recipient of a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We extend our congratulations and best wishes;
SLS 637

Sponsored by Senator ROTUNDO of Androscoggin.
Cosponsored by Representatives: ABDI of Lewiston, CLOUTIER of Lewiston, CRAVEN of Lewiston, LAJOIE of Lewiston.

The Joint Order was **READ**.

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

Senator **ROTUNDO:** Thank you, Mr. President. Colleagues of the Senate, I rise to recognize the important work being done by Recovery Connections of Maine, a multi-phase recovery program for substance use disorders. Recovery Connections has served - has received the Spirit of America Foundation Award for its commitment to helping stem the tide of addiction in Maine. Overdose deaths in Maine continue to rise, despite our best efforts. Last year, Maine lost two people per day to opiate overdoses. Recovery Connections recognizes that these victims are people from all walks of life. They treat patients with respect

and understanding, working hard to get to know them in order to find the best method of treatment. This compassionate, holistic approach can also include helping them find sober housing, getting a driver's license, or transitioning from incarceration. I'd like to present Recovery Connections with this legislative sentiment to thank them for their commitment to the people of Lewiston and to the people from all over Maine who have sought treatment for addiction. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Jeremy Hiltz, Michael Connors, Brandy Hiltz, and James Skelton. They are all from the city of Lewiston. They are the guests today of the Senator from Androscoggin, Senator Rotundo, and the entire Maine Senate. Would they please rise and accept the greetings and thanks of the Maine Senate.

Dawn McLaughlin, of Milo, a teacher at Milo Elementary School, who has been named the Piscataquis County Teacher of the Year by the Maine Department of Education. We extend our congratulations and best wishes;

SLS 638

Sponsored by Senator GUERIN of Penobscot.
Cosponsored by Representative: PERKINS of Dover-Foxcroft.

The Joint Order was **READ**.

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

Senator **GUERIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, each year, Educate Maine selects one teacher from every county who has been nominated by students, colleagues, and community members for being an expert in the field of teaching and a positive influence on their students and community. It's a tremendous honor to speak in support of the 2023 Piscataquis County Teacher of the Year, Dawn McLaughlin, who is a physical education teacher and health teacher at the elementary schools located in Brownville and Milo. Ms. McLaughlin has dedicated over 35 years teaching, and she goes above and beyond the students she serves. When asked the question 'why I teach?' she said she teaches because she wants to make the world a better place one student at a time.

While teaching things like reading, writing, and mathematics are foundational to a student's learning, it's educators who know their area of teaching well, make learning fun, and invest in their students thriving that have the most visible impact. These are the educators who are most often regarded as a favorite teacher or a role model by their students for years to come. It should be no surprise that Ms. McLaughlin was selected as the Piscataquis County Teacher of the Year. Without question, she has been a positive light in the lives of her students and community. In fact, it was a former student, and now teaching colleague, who nominated her for this recognition.

Outside of teaching Phys. Ed and Health, Ms. McLaughlin goes above and beyond. She started Blessed Bags - Blessing Bags, a program that allows students to take home a bag of food

before every vacation from school. She coordinates an outing club, that I'd like to be a member of, an opportunity for fifth and sixth grade students to spend time being outdoors, experiencing different things like camping trips and hiking. And over the past two years, she has coordinated and run an afterschool program, serving up to 40 children. All of these programs are free to - free of cost to students.

Stephanie Hurd, the Milo Elementary School principal, said the following about Ms. McLaughlin; 'She is aware of our population and how devastating some of our children's home lives are. When she is in the classroom, her energy and love for life and excellence is energetic and encouraging. She is a true gem to the community and everyone around her. Dawn is one of the most selfless people and educators I have ever met and would give the shirt off her back to ensure a child was safe and basic needs were being met. She is motivating and intelligible. She is one in a million.'

Congratulations on this honorable recognition and thank you for your commitment to educating and investing in Maine students, Ms. McLaughlin. You are truly making the world a better place one student at a time. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Dawn McLaughlin. She's joined with her mother, Pat McLaughlin. They are both from the town of Milo and they are the guests today of the Senator from Penobscot, Senator Guerin, and the entire Maine Senate. Would they please rise and accept the greetings of the Maine Senate.

Off Record Remarks

Joint Resolutions

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Richard Allen Morrell, of Brunswick. Mr. Morrell was a veteran of the United States Army Signal Corps. He joined the family business, Brunswick Coal Company, in the 1950s. He and his brother led the company, later named Downeast Energy and Building Supply, into the third generation. In the 1960s, he served on the Brunswick Board of Selectmen, and he served in the Maine House of Representatives in the 103rd and 105th Legislatures and the Maine Senate in the 106th and 108th Legislatures. He supported the United Way, the Boy Scouts and an expansion of the former Parkview Memorial Hospital. He served on the board of trustees at Bigelow Laboratory for Ocean Sciences, including as chair in 2005. He served Bowdoin College as an overseer, trustee and chair of many committees. He served on the board of Regional Memorial Hospital for eight years and Mid Coast Health Services for twenty-one years. He was instrumental in the merger of the Bath and Brunswick hospitals,

creating Mid Coast Hospital in 2001. Mr. Morrell will be long remembered and sadly missed by his wife of seventy-three years, Eleanor, his family and friends and all those whose lives he touched;

SLS 704

Sponsored by Senator DAUGHTRY of Cumberland.
Cosponsored by Representatives: ANKELES of Brunswick, ARFORD of Brunswick, GOLEK of Harpswell, STOVER of Boothbay.

The Joint Resolution was **READ**.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I want to take a brief opportunity to share my condolences to the Morrell family and our Brunswick community. Dick Morrell was one of those people whose loss will be felt for many years to come. His public service spanned decades and centered on building up his beloved community, whether that was our town, his alma mater, Bowdoin, or his other beloved home on the Isle of Springs, or our state during his service to the Legislature. For me, Dick was someone I knew my entire life. Whether it was getting to chat with him on the island wharf or hoping that I could sneak off and look around the lumber yard while my father was there on business. Dick was a huge presence in our community and our whole entire area felt his presence and his public service. For many philanthropic gestures we know of, you'll find the Morrell name in libraries, hospitals, and more, and there are more that we don't even know about. Dick believed strongly in paying it forward and ensured that if there was a community need that he could meet it, he would meet it. In his obituary, his family shared a story of one of his campaigns for the legislature. It read; 'He ran on a platform that called for government to face challenges with human concern, imagination, and prudence.' When the local papers looked for controversy during one close election, Dick described his rival as 'a damn good man,' and his rival said of Dick, 'I can't help liking him.' Let's all carry on in his legacy. Please join me in sending our deepest gratitude and well wishes to Eleanor and the entire Morrell family. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

WHEREAS, the Legislature has learned with deep regret of the death of:

Diane Lynn Black, of Brunswick. Mrs. Black was an avid artist, poet, storyteller and actress. She also worked as a Tai Chi instructor at Spindleworks in Brunswick. Mrs. Black will be long remembered and sadly missed by her husband of 36 years, Earl, her family and friends and all those whose lives she touched;

SLS 705

Sponsored by Senator DAUGHTRY of Cumberland.
Cosponsored by Representatives: ANKELES of Brunswick, ARFORD of Brunswick, GOLEK of Harpswell.

The Joint Resolution was **READ**.

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 to recognize another key figure that we have lost in the Brunswick community. Diane was a celebrated artist and she was a key figure at the Spindleworks Art Center. For those of you who have not had a chance, we actually have an exhibit in the Senate Majority Office of many different artists from Spindleworks, and I urge you after session to go take a peek.

I was able to work with her after college, going full circle, and able to exhibit her art through DSA Arts of Maine, where I worked as a curator. She was an absolute spitfire. You would see her and her husband, Earl, working on art throughout our community. And in her memory, I just want to share one of her poems from their book, They Understand Me Now, which I thought it was suiting to remember her and to be in our record. It's entitled 'If I was 70.' I'd like to be young artist at 70, drawing right into my 70s. I won't have anywhere to go, because I won't have a car. Maybe I'll have a horse and buggy, maybe I'll get a ride with the old ladies assistance. We'll all go out to eat. If I was old, I'd be eating Chinese food. That's a good meal for an older person, maybe all you can eat American. I'll be kind of old then, not quite in shape, might have a seeing eye dog, might use a cane. I can still do work at home, though. When my grandmother was way over 70, she saw okay and did all of her artwork at home.

Thank you, Diane, for everything you did for Brunswick.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, to Name 2 Brooks in the Town of Orient
H.P. 1198 L.D. 1868

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

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

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

Resolve **READ ONCE**.

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

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Support the Distribution of Free Summer Lunches for Children and to Create a Program to Distribute Leftover School Food Within Communities"

H.P. 594 L.D. 947

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-246)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-246) **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 Resolve, Establishing the Commission to Update Maine's Public Policy on Higher Education

H.P. 812 L.D. 1264

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-248)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-248)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-248) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Directing the Department of Health and Human Services to Amend Its Rules Regarding Pharmacy Services

H.P. 144 L.D. 223

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-253)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-253)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-253) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Support Young People Affected by Substance Use Disorder"

H.P. 189 L.D. 291

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-258)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-258)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-258) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Simplify and Clarify the Licensing of Assisted Housing Facilities"

H.P. 292 L.D. 475

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-256)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-256)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-256) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Allow Employers to Shop for Competitive Health Plan Options by Expanding the Disclosure of Health Claims Information"

H.P. 887 L.D. 1373

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-259)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-259) **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 **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act Facilitating the Efforts of the Midcoast Regional Redevelopment Authority and the Town of Brunswick to Design and Carry Out Improvements to the Storm Water System and Other Infrastructure at the Former Brunswick Naval Air Station"

H.P. 588 L.D. 941

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-257)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-257)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-257) **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 **JUDICIARY** on Bill "An Act to Strengthen Freedom of Access Protections by Allowing Remote Meetings to Be Recorded"

H.P. 921 L.D. 1425

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-249)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-249)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-249) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Create the Public Art Fund"
H.P. 438 L.D. 669

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-247)**.

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-247)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-247)**.

Reports **READ**.

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

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.

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

Senator **BRAKEY:** Thank you, Mr. President. Colleagues of the Senate, this proposed legislation seeks to allocate \$6 million towards the establishment of a public art fund. To that, I stand opposed, not only as a matter of financial priorities, but also to the very question of the purpose and premise of government art. Certainly, as custodians of public funds, we have a responsibility to prioritize the efficient allocation of resources. In a state facing pressing challenges in healthcare, infrastructure, and an overtaxed citizenry, is it truly wise to divert \$6 million to establish a public art fund? Are there not more pressing needs that warrant our attention and resources? These are the questions we should ask on every bill seeking appropriation of taxpayer money. But something else I think must be considered here as well. Art, like any other form of human creativity, should flourish organically, untethered by the heavy hand of government. The allocation of public funds to create an art fund raises critical questions about the proper role of government in supporting artistic endeavors.

While I appreciate the cultural enrichment that art can bring to our communities, it is not the government's responsibility to subsidize or to dictate artistic expression. Artistic expression, by its very nature, should challenge, provoke, and evoke a range of emotions. It is through this diversity of perspectives and artistic visions that we achieve true cultural enrichment and progress, but when government takes on the role of funding art, it opens the door to censorship, favoritism, and the suppression of dissenting voices. That is why it should be left to the discretion of individuals, private organizations, and voluntary associations to support and nurture the direction of artistic expression - by the way, which is supported with millions and millions of dollars of private giving.

As someone who has spent a decade of my life in the performing arts, I say without reservation that the arts hold a special place in our society, but it is through the voluntary actions and choices of individuals that art will flourish. It is not the role of the State to substitute its judgment for that of the people.

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

Senator **RAFFERTY:** Thank you, Mr. President. I just want to make one clarifying correction, if I could, and that is at the public hearing and then work session, later work session, that the committee amended the bill and the - and they reduced the ask from six million to five million to promote arts throughout the state. Thank you.

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 strong support of the bill

pending in front of us. I would like to add in response to the good Senator from Androscoggin that we, as a nation, a state, and society, already invest at a government level in public art, whether it's on the federal level from the National Endowment of Arts and many different spending bills that have invested in artists nationwide. As a working artist who has seen how hard it can be to pay through your livelihood, I was really grateful when the good U.S. Senator Susan Collins voted for and advocated for funding for artists with disabilities, which actually helped me get my first job. Additionally, on a state level, we already have the Maine Arts Commission, which provides funding, including an incredible program which has made our state better of the public art and percent for art, which ensures that all new local public buildings have a portion of art from a local artist that goes through a public process of vetting and competitive applications. And I might add for the record, if we forget art, we forget our soul.

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

Senator **HICKMAN:** Thank you, Mr. President. As the lead co-sponsor of this important piece of legislation in the Senate, I stand in support of the pending motion. As a fellow performance artist and a visual artist, I also know the value of art in a society. I'm just going to read this quote at the very end of a green paper called Americans for the Arts, Public Art Network Council, which you can find via the Google, I suppose, but this last paragraph sums it up for me. Equilibrium on the edge, public art does something that neither a public space without art nor even a museum with all of its art can do. It can capture the eye and mind of someone passing through our public spaces. It can make us pay attention to our civic environment. It can encourage us to question what's around us. Much of our newly built environment lacks the resonance of history or reflection of civic ownership which makes residents proud of where they live. Carefully conceived public art installations and environments rich with connections to our history, the natural world, or the ephemeral quality of life help make places of meaning within a community. Art can celebrate the qualities that make one place different from another. The best of public art can challenge, delight, educate, and illuminate, and most of all, public art creates a sense of civic vitality in the cities, towns, and communities we inhabit and visit.

I learned how to watercolor paint in the museum on the lakeshore of Milwaukee and most people may know now, there is a tremendous public art installation that is attached to the Milwaukee art museum which is a stunning piece of architecture. And so, I hope we understand that it is the role of society and the people who pay taxes to ensure that our public spaces can be a place where public art allows us to come together in a way that we can't always see when we stand together with each other in it. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#208)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-247) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Preserve Maine's Sporting Heritage and Enhance Sporting Opportunities for Maine's Youth by Allowing Maine's Youth to Hunt on Sunday"
H.P. 403 L.D. 626

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

Signed:

Senators:
BLACK of Franklin
CURRY of Waldo

Representatives:
LANDRY of Farmington
CLUCHEY of Bowdoinham
DILL of Old Town
DRINKWATER of Milford
GOLEK of Harpswell
HEPLER of Woolwich
WOODSOME of Waterboro

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

Signed:

Representatives:
MASON of Lisbon
THORNE of Carmel
WOOD of Greene

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, to Convene a Firearm Range Safety Working Group Within the Department of Inland Fisheries and Wildlife

H.P. 636 L.D. 1000

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

Signed:

Senators:
LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:
LANDRY of Farmington
CLUCHEY of Bowdoinham
DILL of Old Town
DRINKWATER of Milford
HEPLER of Woolwich
MASON of Lisbon
THORNE of Carmel
WOOD of Greene
WOODSOME of Waterboro

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

Signed:

Representative:
GOLEK of Harpswell

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Implement the Recommendations of the Department of Inland Fisheries and Wildlife's Report on Boater Safety Education"

H.P. 1152 L.D. 1807

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

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
CLUCHEY of Bowdoinham
DILL of Old Town
GOLEK of Harpswell
HEPLER of Woolwich
WOODSOME of Waterboro

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

Signed:

Representatives:

DRINKWATER of Milford
MASON of Lisbon
THORNE of Carmel
WOOD of Greene

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Enable Occupational License Portability and Prohibit Use of Good Character Qualifications in Occupational Licensing"

H.P. 1031 L.D. 1586

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

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
COLLAMORE of Pittsfield
CROCKETT of Portland
LaROCHELLE of Augusta
SAYRE of Kennebunk
WHITE of Waterville

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

NESS of Fryeburg
SMITH of Palermo
WALKER of Naples

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

Reports **READ**.

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

On motion by Senator **STEWART** of Aroostook, 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 (#209)

YEAS:

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

NAYS:

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **CURRY** of Waldo to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Ensure the Rights of Survivors of Sexual Assault"
H.P. 876 L.D. 1362

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-251)**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-252)**.

Signed:

Representative:

POIRIER of Skowhegan

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended by Committee Amendment "A" (H-251)** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-251)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-251)**.

Reports **READ**.

On motion by Senator **CARNEY** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-251)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-251) **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-251)**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Protect Maine Citizens from Discrimination by Including Vaccination Status as a Protected Class"
H.P. 956 L.D. 1501

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-250)**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

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

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

Reports **READ**.

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

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.

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

Senator **BRAKEY:** Thank you, Mr. President. This legislation would add vaccination status as a protected class under the Maine Human Rights Act. To be honest, Mr. President, I've seen legislation like this come forward in years past, and it always

seemed like a stretch to me that anything like this was truly necessary. That was before we lived through the events of the last several years, through the COVID era, in which policies were actively pursued across the country and even implemented in jurisdictions like New York City to require vaccine passports at every place of public accommodation. Suddenly, parts of America had become a papers, please, society, where the price of admission to public restaurants and places of business became the disclosure of your medical records. At the same time, here in Maine, between 5-10%, depending on the estimates that you believe, of healthcare workers were fired from their jobs, turning the nursing shortage that had been ongoing in our state from a problem into a crisis. Years later, even after the federal government has dropped its own mandate to this effect, Maine healthcare workers are still barred by the Mills administration from going to work, and this continues months after - after months of hospital lobbyists begging the second floor of this building to lift the mandate and alleviate the shortage. And on top of all of this, now that the science has settled, we know beyond a reasonable doubt that the shots were - these policies were put in place to force on people have no direct effect on infection or transmission rates, they don't contribute to herd immunity. Even with the scientific justifications collapsing, the Chief Executive has not rescinded her mandate and has not allowed our healthcare workers to go back to work. So, Mr. President, do we need to add vaccination status to the protected classes under the Maine Human Rights Act? While this arbitrary discrimination continues, I say yes.

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

Senator **CARNEY:** Thank you, Mr. President, and thank you, colleagues, for your attention. I rise to speak in support of the pending motion. The Maine Human Rights Act is a body of law that is intended to prevent and remedy discrimination that's based on innate characteristics, things that one doesn't choose about oneself, like race, age, and disability. This legislation, on the other hand, seeks to add whether a person elects to receive a particular medical treatment to those innate characteristics. It's simply inconsistent with the purpose of the Maine Human Rights Act. One can imagine how this step could launch a dramatic expansion of the jurisdiction of the Maine Human Rights Commission, its caseload, and the consequent increase in state funding. Just adding this one type of medical treatment, a vaccination, to the Act, incurs a fiscal note of over \$150,000 a year. You can imagine the additional requests we would see - we would receive for adding things to the Human Rights Act. Whether or not someone goes to a dental hygienist every six months, for example. There are legitimate public health considerations related to vaccines, and I don't think this is the place to argue them, but I will just note that, with respect to vaccines and the Maine Human Rights Act, whether a person can or cannot receive a vaccination might be relevant to something that's already covered under the Act - a disability discrimination claim. The Act should not be expanded to include vaccination status as an innate characteristic akin to disability, race, or age. It's simply a different type of thing and is not - not the type of protection that the Maine Human Rights Act was ever meant to cover. For those reasons, I urge you to support the pending Ought Not to Pass motion.

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

Senator **BRAKEY:** Thank you, Mr. President. I'll be very brief. Just to the point that the Maine Human Rights Act is only to innate characteristics, you know, one example that was brought up in committee of where that doesn't necessarily apply, I mean, these can be things that are very personally held beliefs but religion, for example, is protected under the Maine Human Rights Act. People can choose to change their - what religion they subscribe to over the course of their life. So, I just want to say I don't think that that is a hundred percent accurate that these are all innate - innate things that people are born with. Certainly, religious beliefs are sincere convictions and very personal in nature, but people - people can choose what religion they subscribe to, just like they can choose whether or not to take a vaccination that doesn't - that doesn't protect against infection or transmission.

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

Senator **CARNEY:** Thank you. And I want to thank my colleague on committee and my good friend from Androscoggin for bringing up the matter of religion, because I think that's a really interesting example. Many people who are religious would actually say that religion is an innate characteristic, something that people in their family going back centuries were born with and that they consider to be innate to who they are as a person. But I would also note that religion is a fundamental right that is recognized in the United States Constitution, in our Bill of Rights, and in fact was a principle and right that was fundamental to the forming of our country. And for that reason, I think it is appropriately included in the Maine Human Rights Act.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#210)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Amend the Definition of 'Educational Institution' Under the Maine Human Rights Act to Include Single-sex Educational Institutions" H.P. 1165 L.D. 1833

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought Not To Pass** Report.)

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

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

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.

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

Senator **BRAKEY:** Thank you, Mr. President. I stand opposed to the pending motion. First, I'll say the stated aim of this bill, I think, is an understandable one. The bill - the aim of the bill is to close a loophole that exempts single-sex schools from the Maine

Human Rights Act. When the statute was established, the only protected class, according to the bill's sponsor, was sex. So, same-sex schools were exempted for understandable reasons. Since the statute has been expanded over the decades, however, it has been pointed out that same-sex schools remain exempt to discriminate against any protected class, not just sex. That being the case, I could understand a proposal to maintain the narrow exemption at same-sex schools for discrimination on the basis of sex while subjecting these schools to all other requirements of the Maine Human Rights Act, but that is not what this bill does. In practical effect, this legislation would prohibit any same-sex schools in Maine closing the door forever to any such school because they would not be able to discriminate on the basis of sex. While there are none currently operating in Maine, I see no compelling reason to bar their existence for all time, especially if Maine ever goes the way of some other states like New Hampshire and Arizona, embracing school choice and empowering families to pick the schools that best fit the learning needs of their individual children, there could be a resurgence in many different models of -- in an open marketplace for schooling, which this could be one of them. So, why ban same-sex schools? In the presentation of the bill, no good reason was really put forward for an outright ban, and I don't see any good reason why we should adopt it. Thank you, Mr. President.

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

Senator **CARNEY:** Thank you, Mr. President. I rise just briefly to speak in support of the pending motion. So, as I said earlier, the Human Rights Act is a body of law that's intended to prevent and remedy discrimination based on innate characteristics, including sex discrimination and, as my colleague pointed out, there was a big loophole in the Maine Human Rights Act that allowed single-sex schools to be exempt from any type of discrimination - disability discrimination, race, religion - and at this point, we have no single-sex schools in Maine. We can - it's a logical time to remove this exemption and if we're going to remove the exemption, then we should remove the exemption with all types of discrimination that the Human Rights Act is intended to prevent and remedy. And so, I ask colleagues that you support the pending motion.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#211)

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

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

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

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Establish Parity in Tipping Laws for Restaurant Workers"

H.P. 559 L.D. 903

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-254)**.

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland
POULIOT of Kennebec

Representatives:

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

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

Signed:

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-254)**.

Reports **READ**.

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

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.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#212)

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

NAYS: Senators: BLACK, FARRIN, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, MOORE, STEWART, TIMBERLAKE

25 Senators having voted in the affirmative and 10 Senators having voted in the negative, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-254) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Require Disclosure of Pay Ranges and Record Keeping of Pay History"

H.P. 583 L.D. 936

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-255)**.

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland

Representatives:

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

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

Signed:

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)**.

Reports **READ**.

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

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.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#213)

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

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

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

Bill **READ ONCE**.

Committee Amendment "A" (H-255) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass

Senator INGWERSEN for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Allow Nonalcoholic Sparkling Cider to Be Sold in Maine"
S.P. 196 L.D. 415

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

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

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

Sent down for concurrence.

Senator LaFOUNTAIN for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Designate Deer Wintering Areas Under the Jurisdiction of the Bureau of Parks and Lands"
S.P. 742 L.D. 1826

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

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

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

Sent down for concurrence.

Ought to Pass As Amended

Senator INGWERSEN for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Require Major Substantive Rulemaking for the Companion Animal Sterilization Fund"
S.P. 263 L.D. 595

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-175)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-175) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator BEEBE-CENTER for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Invest in Maine's Fire Service Training Facilities"
S.P. 517 L.D. 1280

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-162)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-162) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Require Instruction in Schools on Substance Abuse Prevention and Administration of Naloxone Hydrochloride"

S.P. 533 L.D. 1315

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-174)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-174) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LAWRENCE for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Directing the Public Utilities Commission to Convene a Stakeholder Group Regarding Liquefied Propane Gas Systems and the So-called Dig Safe Law

S.P. 599 L.D. 1479

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-163)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-163) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LAWRENCE for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Enhanced 9-1-1 Public Safety Answering Points" (EMERGENCY)

S.P. 744 L.D. 1828

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-164)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-164) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator CURRY for the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Allow Incentive Continuity Following a Catastrophic Occurrence Under the Pine Tree Development Zone and Major Food Processing and Manufacturing Facility Expansion Tax Credit Programs"

S.P. 80 L.D. 150

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-156)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-156) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator RENY for the Committee on **MARINE RESOURCES** on Bill "An Act to Allow Holders of Elver Fishing Licenses to Fish on Behalf of Other Elver Fishing License Holders"

S.P. 391 L.D. 920

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-160)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-160) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator RENY for the Committee on **MARINE RESOURCES** on Bill "An Act to Create the Lobster Innovation Fund"
S.P. 615 L.D. 1552

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-161)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-161) **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 **EDUCATION AND CULTURAL AFFAIRS** on Resolve, to Direct the University of Maine System to Study the Feasibility of Establishing a Public Allopathic Medical School in Penobscot County

S.P. 68 L.D. 129

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-173)**.

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
SAMPSON of Alfred

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-173) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Support the Maine Multicultural Center"

S.P. 141 L.D. 320

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-168)**.

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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.

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

Senator **LIBBY:** Thank you, Mr. President. This act to support a multicultural center was a fine and interesting bill as it was presented to the Education and Cultural Affairs Committee. And, you know, currently, my understanding is that there is a group in the Bangor area that is a volunteer group that does support this concept, and they share space in the Eastern Maine Development Corporation building, I believe. And - but that is currently ongoing and in this particular case, the bill, what it does is it seeks to create yet another government funded position with a fiscal note of \$95,000, and we just think that - or, at least, I do - that we want to see support as great as we can achieve it, maybe from the private sector for something like this, but that there have been many job positions created through the Joint Standing Committee on Education if they were to pass into law, and this is yet another one of them. Thank you, Mr. President.

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

Senator **TIPPING:** Thank you, Mr. President, and thank you to my colleague from Cumberland County. This would create a one-time expenditure to support the Maine Multicultural Center, which is a group of more than 50 volunteers which have taken it upon themselves to help immigrant families integrate and become part of our community in the Bangor area. I think we all understand the need that our state is seeing and that that need is moving north and we're seeing more of that. They helped 50 families last year. They're expected to help a hundred in the next, and they've done that without state funding to this point. This would create this one-time position to help them basically professionalize, fundraise, continue to work with private sector, other nonprofits. It would save Maine a lot of money by helping these volunteers do the work that is needed right now. It would expand and support an existing working passionate group, and I hope the Body supports it.

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

Senator **BALDACCI:** Thank you, Mr. President. I also rise in support of this bill. The Maine Multicultural Center is an organization that I have worked with since I was mayor and city councilor in Bangor. We helped create the Maine Multicultural Center with city funds. It is a group of people with universities, the colleges, the hospitals, the educational associations, community organizations who really have come together since 2016/2017, to welcome immigrants to our area. They are in the process of working on housing and labor issues for refugees that are being sent to Bangor to be resettled. But I would also note that they have welcomed hundreds of immigrants to Northern Light Hospital as doctors, nurses, support professionals, and in many other professions around the area. So, it's not a question of just - of just welcoming some subset of people, these are people that are vital to our employment and are - need to be fully integrated in our community, and it's been a very big, important

plus for the Bangor area to have this service because it can help them with getting services but also getting a job, getting through education, and really being integrated fully in our community and in our nation, which is really what all of us want to see.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#214)

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

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

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

Bill **READ ONCE**.

Committee Amendment "A" (S-168) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Promote Student Enrollment and Degree Completion in the University of Maine System by Providing Tuition Waivers to Eligible Students"

S.P. 229 L.D. 512

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-167)**.

Signed:

Senators:
RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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.

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

Senator **LIBBY:** Thank you, Mr. President. Men and Women of the Senate, this Act to Promote Student Enrollment and Degree Completion in the University of Maine System by Providing Tuition Waivers gives tuition waivers. So, if you're a Pell eligible student and you're enrolled and you complete the FAFSA and you're a citizen or a noncitizen, you resided in Maine the last 12 months prior to acceptance - which is a little bit different than the community college, I think you know - maintains a 2.0 GPA - congratulations - and of course the University of Maine System can establish more requirements, but this is a last dollar program that provides tuition coverage. It's going to cost \$6.7 million a year if this actually comes to fruition. And it just doesn't seem to matter to this Body, at least in some cases, that the private sector exists out there. The private sector. I'm going to give you an example of the private sector. I went to Nasson College, and Nasson College closed because it had difficulty competing against the UMaine system. I was in the last graduating class. I remember leaving that college, out the door, after our commencement exercises, closed the door, that was it. You're asking that to happen to some of the other privates. It would've happened, too, to Saint Francis College if they hadn't taken on medicine, which a whole other story, bill that just went through here. But how do you compete against free? And I don't know, I mean, this is for any campus in the UMaine system. So, another issue that I've been raising, that I find extraordinary, as a former basketball coach, is that now you're going to get somebody at the University of Maine Farmington going there for no tuition, competing against schools that don't have that. It's not a level

playing field. I just don't understand it. I don't understand our - the culture here that it's free. Shouldn't we have some skin in the game? I mean, you know, I was raised by two great parents, but they were separated and divorced when I was 11. Somehow, I got through college. And people who go to college, by the way, earn twice as much as a high school graduate over the course of their careers, and that is - that's according to the Brookings Institution. They earn twice as much. So, skin in the game, went to college, hope to earn twice as much. Those are the people we're helping here. What about the people that can't or don't want to go to college? They're going to pay for the people who are going to college and earning twice as much. Now, don't get me wrong, I want to see as many of those people educated in Maine as possible, absolutely. Push the price down, sure, that's our prerogative. Free? You can't compete against free. About 40 - according to the Forbes Magazine, about 47% of people earn college degrees. That's who you're targeting, that 47%. What about all the people in my district that they don't even have a choice? It's not just about funding schools, in some cases you have to qualify to get into them. We're talking about the UMaine system here. This isn't the community college system, we've already got that. We're talking about the UMaine system. By its nature, it's not going to be fair. Some people are going to be accepted and some people are not going to be accepted.

Now, look, we learned in the Joint Standing Committee on Education and Cultural Affairs that okay, well, the same kind of a program for the community college system started last year, it's been ongoing. And what we learned was that applications in places like Central Maine Community College went up by a hundred and - I want to say it's 147%. Now, we've got to look for places for them to live because there isn't enough res hall space, and some of those students can't get accepted because there's a max in the specific program that they're applying to, yet others are getting in - oh, there's so many inequities when you start doing stuff like this. It's not that we don't - or I don't, at least, support lowering the price of education and trying to support these people as much as possible. I remember my father saying to me 'all right, I've got two thousand more dollars and I'm going to help you get through undergraduate school, but I know you want to go to grad school, and I can't help you. You can still go.' I have four college degrees - four. And those last three, obviously, I paid for. I hear so many complaints about people who take on college loans and then say 'I shouldn't have to pay for them.' No, because you're earning twice as much, of course you should, you're earning twice as much. We're asking the people in my district - have you been to my district? Come to my rural district. There's 13 towns, it's York County, parts of York County, part of Cumberland, and part of Oxford. And there's not a lot of money in those towns. And we want as many of those kids to go to college as possible, but it's not for everybody. And so, a lot of the people that live in my towns, they don't go to college. They start earning right out of high school, the majority of kids. We're asking them to become taxpayers and pay for these folks. I don't - I'm just not wired that way. I'm not making any apologies for it, either. It doesn't make sense to me, why we do this. We already subsidize their education of college students in Maine. I just talked about, you know, Pell grants, but there are many other grants out there, public and private, that you can access. If you want to go to college, you can go to college. You can. I've been in the job - I've been working in colleges since 1985, and I've seen nothing but success stories. This isn't an emergency; we're not solving a major issue here. That's not

what's happening. We happen to have the money this term, and we're putting it towards this, potentially. It just doesn't make sense to me. We need to have a little bit more respect and reverence for the privates.

I remember Governor Longley, in his veto speech, he vetoed a medical school, and he said, 'guess what, if this is worth doing, somebody in the private sector is going to come and they're going to fund it.' There's no reason to put the private sector at a disadvantage like this. This is just absolutely huge. And in fact, what's happening at the community college level, there's competition for those students, those students who go into the community college, because it's free. The tuition is free. So, enrollments down, admissions down at the private - in the private sector. I just don't understand it. We continue to pass this, these sorts of things, and there's nothing that's given me more pride than having earned my way through and then having paid for my college education, all the way up through to PhD. Nothing has given me more pride than that. This won't give that, this giveaway doesn't do that. It doesn't make sense.

And another thing that's just been extraordinary is that this is, you know, this opportunity is - it's unlimited. I don't know how anyone comes up with a fiscal note, we don't know how many students are going to be eligible for this and how many might take advantage of it. How does that work? I was here when we created the fiscal note, and the whole idea behind that was to get an accurate accounting of what was going to happen, what's this going to cost, and then also how about an impact analysis? There's no impact analysis here, it's just good because it's public. No. Some kids are going to choose the UMS system, they're going to choose to go there, because their parents are saying to them, you know, this is - this is free tuition. I just hate to see this, I'd hate to see the impact on the privates, I just, you know, I've spent my career working there, I just don't get it. So, I hope you'll support my position of Ought Not to Pass and vote red on this particular bill in front of us. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Rafferty. Excuse me, the Senator from York, Senator Rafferty.

Senator **RAFFERTY:** I move around a lot, sir. But thank you very much, and I appreciate those comments from the good Senator as we have many, many of these conversations in our committee, but, you know, as I read this, currently there's no guarantee in this bill, or any other bill that I'm aware of, that everyone gets into college. There is an application process, and that process kind of determines who it looks like has the potential for success moving forward.

What this bill simply does is, in my mind, is it fills in gaps that exist. You know, I look back at public and private. When my wife went to college, we both went to college, I went to a public, she went to a - I'm sorry, I went to a private, she went to a public. And she worked every summer, and at that time - you know, this is back in the early- to -mid-70s - at that time, she could make enough money during the summer as a waitress to fund her tuition for the upcoming year. There is no way in today's world that a student has that ability to do so. If they do, I'd like to find that work, because I'd take it myself. But in any case, so, again, this is a gap filler. I think long-term it's - there are about 7,000 students across our system that may benefit from this and, you know, not everyone is going to go to college, as the Senator pointed out, but I'm hoping that we prevent equal opportunity for

those students to be successful. Not every kid wants to go to college, I know that. I mean, I've been in education for many, many years, and you come to that time when a kid does make a decision, and we see it all the time. That's why we're reaching out and providing funds for different career and technical centers and so forth, because those students want to go to work right away. But the reality is this is going to meet a need for those 7,000 students, hopefully. They would have to be full-time students. It is, as I mentioned earlier, I think it's a gap filler, but most importantly, you know, Maine has a goal that we are targeting for 60% of Maine adults to have some level of degree or some type of, you know, credential that they can use to help them moving forward. I think and ask that you support L.D. 512 at this time. I think it's going to benefit us all in the long run. Thank you very much.

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

Senator **TIPPING:** Thank you, Mr. President. My colleagues from York and Cumberland County have described it well. This bill closes the last gap in tuition costs for Pell eligible, low-income Maine students. That's particularly important as tuition has risen dramatically over the last few decades. It went up again last week.

My mother comes from a large Irish family and none of her extended family had ever gone to college. None of her four siblings had gone to college. But the nuns at her catholic high school saw some potential in her and they helped her apply for a local school and they helped her get funding and scholarships and pay almost the entire way. And she was very excited, and this was a turning point in her life. And then she sat down with my grandfather, who was a mechanic and a World War II veteran, and he told her that her - that him and her mother, if she got into trouble, if she had to pay for books, if she had to pay for food or had to pay for rent, they couldn't send her even \$10. They couldn't bridge that last gap and so she didn't go to college. She became a legal secretary and a bartender in Chicago. She bought a house, she got married, she had two kids, and then in her 30s, she returned to school. And I got to see, growing up, her go to college and to grad school and to earn her PhD in Psychology. And I learned from her the value of education, as I learned from my father, who went to night school in his 40s and got his degree. And I learned from them that when you get an education, you give back. She moved to a small town in Maine, hung up a shingle on Main Street, and was a counselor for families and first responders.

So, that's what this is about. There are 7,000 Pell eligible kids in the university system. We don't know how many more would go if they could, if we could close that last gap. The bill would help these Maine students, people like my mom, who have potential, who have worked hard to get into college, who just need a little help with that last piece. They would still have to work. As we know, housing is not cheap, books, everything else, is expensive. They would still have to take on debt, and student debt is a huge problem that's weighing down on our entire society, on their futures, on their ability to be entrepreneurial, on their ability to stay in Maine. But they'll know they can go. We won't have to harm them, harm our state, by denying or deferring their dreams or their potential and I think that's worth it. I hope you will support the Ought to Pass as Amended motion. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I'll be very brief. I just have heard mention several times about rising tuition prices, and it certainly is true that tuition prices seem to go up year after year, faster than the rate of inflation, even. But what I don't hear is kind of a grappling with why tuition prices keep going up across the country. And all I can say is that it seems to me that the more taxpayer money we funnel into these - we funnel into these programs, the more tuition prices go up, the more, you know, no strings attached student loans, universities realize, boy, they can raise their tuition rates even higher because the students will be on the hook for it. I mean, when we're funneling so much taxpayer money in, what incentives do these institutions have to contain the price of tuition? They don't have an incentive, because they know that the taxpayers will always be on the hook, no matter how much the administrative bureaucracy in these institutions grows. I mean, look at the explosion of administrative bureaucracy in the higher education system and ask yourself why is tuition price rising year after year after year? And if we're not going to deal with that, then we're just - we're doing what we always do. We - with government policies, we create a system where we drive up the price of everything, we make it unaffordable for the average person, and then our solution is to come in with more taxpayer money to make the hardworking people of Maine who can't - who don't have the opportunity to go to college, not just because they can't afford the price of tuition but they can't afford the opportunity costs of foregoing four years of working and getting a paycheck in order to attend college. We're going to make them pay for those who are privileged enough to be able to attend a university. You know, I don't want to echo things that have been repeated already, but it's just - it's not right. Thank you, Mr. President.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in support of the pending motion. I just wanted to add a couple things that have been raised. First off, I want to speak as the former co-chair of one of the commissions here in the Maine Legislature to study the true cost of college and what the accessibility was for students. And we looked at it across the publics and privates. We looked at two years, we looked at four years, we looked at post credentialing. It didn't have to be an associates or a bachelors, it was the true cost of sort of getting that next step in your career. The biggest thing we found across publics and privates is that for Pell eligible students there was always an unmet need. Typically, it was under \$1,000. We also heard firsthand during a public hearing from students who said: I blew out my tire, it's why I dropped out of college. I couldn't get the nights off at the restaurant, that's why I dropped out of college. We even heard from someone who literally didn't have enough money for her books, and that's why she dropped out of school.

Tuition, on average, across publics and privates, nationwide has risen more than 143% from 1963 to 2020. One thing we've heard time and time again when it comes to, you know, postsecondary education and, you know, accessibility is people saying 'well, I was able to pay for it.' What I ask everyone who's

thinking about that is think about what your tuition cost when you graduated. Student debt has become an epidemic and, yes, we need to do something. We need to ask about why those tuition rates are rising. But I also stand here as a graduate from a private and a state Senator who represents a particularly amazing private institution as well as campuses of incredible public institutions, and I also stand here as the vice chair of the New England Board of Higher Education, who has worked on a regional approach of how do we make sure all of our school is sustainable. And I'll never forget the advice I got from actually a private - a person who works for a private institution, who said 'anything that helps any of us, whether it's a public or a private, will lift us all up and make sure that all students have access to education.'

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

Senator **LAWRENCE:** Thank you, Mr. President. Men and women of the Senate, this is an issue that's very close to my heart, it's one of the issues that drove me into politics. And while I agree with the good Senator from Androscoggin, Senator Brakey, that we need to figure out what is driving higher education costs higher. It is not the public schools that are doing this. It is not the public universities that are driving costs higher. I'll give you one simple example, and I give this many times. You know, I was a first-generation college student. I was raised in a family of four sons and my father started working at the shipyard at \$7 a day. That's what he made. And they made a promise that they were going to send their four kids to college, four boys. And for 12 years, they had us in college, at sometimes two colleges, and not one of us was nice enough to choose Maine's wonderful public university system and save them a lot of money. All of us chose expensive private schools. And I'll never forget the day I graduated from the college in the Senator from Cumberland, Senator Daughtry's, town. My father - I'm the youngest, my father drove up to graduation. He had just retired that year from the shipyard, and he had a 10-year-old Chevy Impala and had taken sheet metal and put it over the rust spots so he could get it through inspection. But I almost thought he wasn't going to sell that car because it had the names of the four schools that they had sent their kids to, to college, on the back of the car. When my father - when I graduated that day, my father was making \$28,000 a year on the shipyard. The college I went to cost \$7,000 a year, a quarter of his salary. Today, the person who holds my father's job on the shipyard earns about \$70,000 a year. I just completed my last payment for my daughter's private college, and it was \$73,000 a year. Nearly that entire shipyard worker's salary. If we are going to continue to promote education, especially for first generation kids going into college, we're going to have to find a way to solve this problem. This is a small step, but it's one we definitely have to take. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#215)

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

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

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

Bill **READ ONCE**.

Committee Amendment "A" (S-167) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Provide Traffic Safety Education in Schools"

S.P. 288 L.D. 730

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

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
BAGSHAW of Windham
DODGE of Belfast
LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SAMPSON of Alfred
SARGENT of York
WORTH of Ellsworth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-166)**.

Signed:

Senator:
LIBBY of Cumberland

Representative:
POLEWARCZYK of Wiscasset

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Provide Support for the Maine Discovery Museum's Informal Science, Technology, Engineering and Mathematics Education Programs Throughout the State"
S.P. 368 L.D. 871

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-172)**.

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

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

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

Signed:

Representatives:

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

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-172) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Improve School Safety and Preparedness Through Comprehensive Health and Safety and Emergency Management Planning"

S.P. 384 L.D. 892

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-165)**.

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

Reports **READ**.

Senator **RAFFERTY** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **STEWART** of Aroostook, **TABLED** until Later in Today's Session, pending the motion by Senator **RAFFERTY** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Improve Consideration of Electricity Rate Increases"

S.P. 146 L.D. 325

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-155)**.

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

ZEIGLER of Montville
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

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

Signed:

Senator:

HARRINGTON of York

Representatives:

BABIN of Fort Fairfield
DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** 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.

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

Senator **HARRINGTON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, L.D. 325 is a classic example of a solution in search of a problem. It requires the utility to submit annual written itemized description of their political, charitable, and educational expenses. To be clear, all of CMP and Versant's political and charitable contributions and non-educational advertising purchases are already made with shareholder not ratepayer money. And those expenditures are already reported to either the public utilities commission or the Maine Ethics Commission. The real problem with this bill is that it could have unintended consequences.

CMP and Versant are supposed to ask the organization they join, like local chambers of commerce and trade groups like the Maine Forest Products Council or Maine Better Transportation

Association, and the organizations that they make charitable contributions to like Make-a-Wish Foundation or Sportsmen's Alliance of Maine, to provide the utilities with their political, charitable, educational expenditures so the utility can make a report to the PUC. For example, CMP makes hundreds of contributions to groups that could be considered membership organizations. They belong to every local Chamber of Commerce in their service territory. They make contributions and sponsor events for veterans, fraternal organizations like American Legion, Masonic and Rotary Clubs, as well as environmental groups like ClimateWorks, Sportsmen's Alliance of Maine, local trails, habitat restoration, and watershed improvement groups. This bill would require utilities to have each of those organizations report to them their own political, charitable, and educational expenditures so that it can be reported to the Public Utilities Commission. The results of this onerous and impossible-to-comply-with reporting requirement could be that those political and charitable, as well as educational, contributions come to an end. Knowing that ratepayers aren't on the hook for those expenditures and that they are reported to the PUC and Maine Ethics Commission should be sufficient and I urge you to oppose the pending motion. Thank you.

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

Senator **TIPPING:** Thank you, Mr. President. This is a relatively straightforward bill, as much as anything dealing with the PUC is, as I've learned about energy policy here. It strengthens the prohibition on political contributions with ratepayer funds and it requires public reporting of all advertising by utilities and affiliated entities. And just one correction, groups - membership groups that they're part of would only have to report if the spending is directly related to the interests of the utility. So, we should do a lot more to prevent the spending of ratepayer money, and it's all ratepayer money in the end, that's going towards advertising, especially as we've seen millions spent over the last few years, we should be doing a lot more to contain the costs of these utilities and lower electricity rates. But this is not getting all the way there, but it's a start. It's increasing transparency, it's increasing those protections, and it's an important bill. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#216)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-155) **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 **JUDICIARY** on Bill "An Act to Add Political Affiliation as a Protected Class to the Maine Human Rights Act"

S.P. 668 L.D. 1663

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-159)**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Provide Uniform Protections from Retaliation for Maine Workers in Connection with the Exercise of Rights Protected Under the Laws Governing Employment Practices"
S.P. 326 L.D. 767

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-149)**.

Signed:

Senator:
TIPPING of Penobscot

Representatives:
ROEDER of Bangor
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

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

Signed:

Representatives:
BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

Reports **READ**.

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

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Expand and Strengthen the Competitive Skills Scholarship Program"
S.P. 561 L.D. 1394

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-169)**.

Signed:

Senators:
TIPPING of Penobscot
DAUGHTRY of Cumberland

Representatives:
ROEDER of Bangor
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

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

Signed:

Representatives:
DRINKWATER of Milford
GALLETTA of Durham
SOBOLESKI of Phillips

Reports **READ**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#217)

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

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

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

Bill **READ ONCE**.

Committee Amendment "A" (S-169) **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 Ensure the Right to Work Without Payment of Dues or Fees to a Labor Union"

S.P. 653 L.D. 1636

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

Signed:

Senators:

- TIPPING of Penobscot
- DAUGHTRY of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-171)**.

Signed:

Representatives:

- DRINKWATER of Milford
- GALLETTA of Durham
- SOBOLESKI of Phillips

Reports **READ**.

Senator **TIPPING** of Penobscot 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.

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

Senator **BRAKEY:** Thank you, Mr. President. I oppose the pending motion and support the underlying bill. I'll begin by saying that earlier this year, I presented another piece of legislation to this Body regarding the Right to Work. That one was for asylum seekers. And on that matter, I appreciated the Senate's unanimous endorsement of that bill, which has since been signed by the Governor, underlying the principle that the right to work is unalienable.

Today, I oppose the pending motion in favor of another bill

regarding the right to work. The focus of this legislation is the protection of this right for another group, those who are compelled to pay dues or fees to a labor union as a condition of employment even when they do not believe the decisions of union bosses reflect their own values or their own best interests. This legislation, popularly known as right to work, would make all union dues voluntary.

I'd like to begin with some wise words from a hero of the American Labor Movement, and the founder of the American Federation of Labor. His name was Samuel Gompers. Near the end of his life, advising the movement that he helped build, Gompers delivered some important remarks that I think are worth reflecting on on this occasion. He told them; '44 years ago, in the city of Pittsburgh, a group of labor men met to bring to fruition an effort extending over a period of years, to organize a national labor movement. The deliberations of that conference resulted in the formation of our present American Federation of Labor. It was an organization that had no power or authority except of a voluntary character. It was a voluntary coming together of unions with common needs and common aims. That feeling of mutuality has been a stronger bond of union than could be wielded by any autocratic authority. Guided by voluntary principles, our Federation has grown from a weakling into the strongest, best organized labor movement of all the world. But the very success of our organization has brought additional and serious dangers. Office in the labor movement now offers opportunity for something in addition to service, it offers opportunity for the self-seeker who sees an instrumentality for personal advancement both in the economic and in the political field. Men and women of our American Trade Union movement, I feel I have earned the right to talk plainly with you. I want to urge devotion to the fundamentals of human liberty, the principles of volunteerism, no lasting gain has ever come from compulsion, if we seek to force, we but tear apart that which united is invincible. I want to say to you, men and women of the American Labor Movement, do not reject the cornerstone upon which labor structure has been built, but base your all upon voluntary principles and illumine your every problem by consecrated devotion to that highest of all purposes, human wellbeing in the fullest, widest, deepest sense.' Samuel Gompers was very clear. At a time when a new generation sought to shift the basis of union membership from voluntary terms to compulsory ones, Gompers warned that a unity achieved through force is no unity at all. That's why this legislation, Right to Work, restores the voluntary nature of union membership.

Opponents may tell you that this bill is about union busting, but that is not the case. This legislation is about accountability. Under certain circumstances, it is true that the relationship between the employer and the employee can become exploitative. There are many ways to balance this power dynamic - collective bargaining through a labor union being one of them. And it is also true that under certain circumstances the relationship between the union boss and the dues-paying laborer can become exploitative. When compulsion and force enter the equation, it is hard for that relationship not to become exploitative. Under forced unionism, people may be able to vote for their union bosses, but so long as those bosses can maintain the support of a majority, why should they care about the objections of a disgruntled minority? Why should they not take their money and distribute it to the campaigns of politicians that those members object to? Why should they care about whatever other objections those members may have? But when money walks, money talks.

Allow workers to vote with their feet and take their money with them and now union bosses must care what every member and potential member thinks.

And across 27 right-to-work states, strong and voluntary unions represent over 4.4 million members. Gary Casteel, the southern regional director for the United Auto Workers, explains in his state, 'this is something I've never understood, that people think Right to Work hurts unions. To me, it helps them. You don't have to belong if you don't want to, so if I go to an organizing drive, I can tell these workers if you don't like this arrangement, you don't have to belong, versus if we get 50% of you, then all of you have to belong whether you like it or not. I don't even like the way that sounds, because it's a voluntary system and if you don't think the system is earning its keep, then you don't have to pay.' It sounds like Samuel Gompers and Gary Casteel have a lot in common. Without direct accountability imposed by volunteerism, compulsory dues foster not only the misuse of union treasury funds for political purposes, but also union embezzlement, extortion, bribery, and bid rigging. Since the late 1990s, eight international union presidents have been forced out of office after being implicated in felonies, and according to the U.S. Labor Department's Union Fraud Unit, in fiscal year 2008 alone its investigations resulted in more than 100 convictions of corrupt union officials and their cohorts, primarily on charges related to embezzlement of workers' forced union dues and fees. However, 'only a small percent of these crimes are detected,' according to the late LaVerne Duffy, who served as general counsel for the U.S. Senate Permanent Subcommittee on Investigations. When an employee's Right to Work isn't protected, refusal to join or financially support a union he or she believes or knows to be corrupt can be grounds for dismissal. It shouldn't be surprising, therefore, that two scholarly studies of union corruption by journalist and labor policy expert Carl Horowitz issued in 1999 and 2004 found that union corruption is pervasive in non-Right to Work states, but relatively rare in Right to Work states. Acting individually or in groups, employees should have the option of punishing union bosses as soon as they see wrongdoing by withholding their dues.

Mr. President, there's many more arguments I could make on this legislation, and I have made in this Body in the past, but for the sake of time, I know I've already gone on long enough, and I will end it there. Let's pass Right to Work today. Thank you for your time and consideration.

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

Senator **TIPPING:** Thank you, Mr. President. I recognize that I have a number of items from my committee and that I've sponsored on the calendar today. I'm still going to try to speak fewer times than my friend and colleague from Androscoggin County here. But I do appreciate that bit of labor history and would love to get into a broader exploration of that at some point, but for now, I'll just say that this is a Right to Work bill, it's come before this Body many times, it's been rejected many times, including when a different party held the majority. Right now, no one has to join a union, but unions are required to negotiate for wages, benefits, workplace protections on behalf of everyone and so sometimes they have a fair share provision in their contracts. This would undermine that provision, undermine those negotiations between employers and employees and outlaw that. It would undermine worker organizing and protections at a vital

time, and I hope that all will support the Ought Not to Pass motion. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#218)

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

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

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Protect Employee Freedom of Speech" S.P. 702 L.D. 1756

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

Signed:

Senator:
TIPPING of Penobscot

Representatives:
ROEDER of Bangor
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

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

Signed:

Senator:
POULIOT of Kennebec

Representatives:
BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

Reports **READ**.

Senator **TIPPING** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT 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.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#219)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS** Report **PREVAILED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Amend the Laws Regarding the Use of Engineers on Public Works Projects over \$100,000" S.P. 161 L.D. 354

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-150)**.

Signed:

Senators:
NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:
STOVER of Boothbay
ABDI of Lewiston
ADAMS of Lebanon
COPELAND of Saco
DHALAC of South Portland
GREENWOOD of Wales
PAULHUS of Bath
POMERLEAU of Standish
RISEMAN of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-151)**.

Signed:

Representative:
UNDERWOOD of Presque Isle

Reports **READ**.

On motion by Senator **NANGLE** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-150)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-150) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-150)**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Bath" (EMERGENCY)

S.P. 736 L.D. 1821

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-147)**.

Signed:

Senators:
NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
GREENWOOD of Wales
PAULHUS of Bath
POMERLEAU of Standish

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon
UNDERWOOD of Presque Isle

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-147) **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 **VETERANS AND LEGAL AFFAIRS** on Resolve, to Establish the Gagetown Harmful Chemical Study Commission

S.P. 628 L.D. 1597

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-170)**.

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

SUPICA of Bangor
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
RUDNICKI of Fairfield

Reports **READ**.

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#220)

YEAS:

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

NAYS:

Senators: None

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-170) **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

Six Members of the Committee on **TRANSPORTATION** on Bill "An Act Regarding Equines and the Raising and Keeping of Livestock in Certain Motor Vehicle and Tax Laws" S.P. 581 L.D. 1463

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-148)**

Signed:

Senator:
CHIPMAN of Cumberland

Representatives:
WILLIAMS of Bar Harbor
ANKELES of Brunswick
CRAFTS of Newcastle
O'CONNELL of Brewer
WHITE of Waterville

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

Signed:

Senator:
FARRIN of Somerset

Representatives:
ALBERT of Madawaska
MASON of Lisbon
PARRY of Arundel
THERIAULT of Fort Kent
WHITE of Guilford

Reports **READ.**

On motion by Senator **CHIPMAN** of Cumberland, Report "**A**", **OUGHT TO PASS AS AMENDED, ACCEPTED.**

Bill **READ ONCE.**

Committee Amendment "A" (S-148) **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

Nine members of the Committee on **JUDICIARY** on Bill "An Act to Ensure Equal Treatment by the Law Court by Requiring 7 Justices to Decide All Cases" S.P. 587 L.D. 1468

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

Signed:

Senators:
CARNEY of Cumberland
BAILEY of York

Representatives:
MOONEN of Portland
HAGGAN of Hampden
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Two members of the same Committee on the same subject reported in Report "**B**" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-157).**

Signed:

Senator:
BRAKEY of Androscoggin

Representative:
POIRIER of Skowhegan

Two members of the same Committee on the same subject reported in Report "**C**" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-158).**

Signed:

Representatives:
ANDREWS of Paris
HENDERSON of Rumford

(Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "**A**", **Ought Not To Pass.**)

Reports **READ.**

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

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.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, this is a bill I introduced to correct a practice at the Supreme Judicial Court that I think is increasingly troublesome. Without question, ensuring the integrity of Maine's highest court should be a top priority for all of us. The Law Court has the final word in Maine law for our citizens. Because of that reality, there ought to be consistency and transparency across all cases. This is why I submitted this bill for consideration. Now, the Ought Not to Pass Report speaks for itself. There are two, however, amended versions that we could consider if we reject the Ought

Not to Pass Report. Both of these amendments really get at the purpose of the bill, which would - which is really to provide a standard of communication and disclosure to all parties about the circumstances that may have yielded that a decision is decided by less than a full slate of the seven members of the Supreme Judicial Court. Often, the Supreme Court, because of vacancies and recusals, have cases before them that have less than the full complement of jurists considering the case, and there's no transparency, or very little transparency, and very little consistency regarding when that occurs and the circumstances and why in some cases there are replacements, in other cases there aren't, and sometimes there are tied votes and sometimes those are reargued and sometimes they are not. This is the Maine Supreme Judicial Court. The Maine people who bring cases to the Supreme Court, I believe, have the right to consistent understanding of the rules of the court, whether it relates to conditions when cases are decided without a full court present. And that's why I encourage you to vote against the Ought Not to Pass Report, so we could consider the other versions available. Thank you, Mr. President.

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

Senator **CARNEY:** Thank you, Mr. President. I just rise briefly in support of the pending motion. I think the concern - one of the many concerns, but the overriding one for me that I have with the alternative reports on this legislation, are that in each of those proposals, if fewer than seven - fewer, I think it's maybe if fewer than five justices are available to hear a decision, then each of those proposals would completely deprive the parties of their right to an appeal to the highest court in our state. I think that that's a very different result than a quest for consistency and understanding of why fewer than seven justices might be on a case.

I can tell you that in the testimony on the bill, we did hear a lot of reasons why there might be fewer than seven justices. Those included things like someone getting sick at the last minute or someone having a conflict of interest and having to recuse themselves. And although sometimes there are opportunities to have active retired justices step in, they're not always available. The bottom line is that the current system does allow parties to have a full and fair determination of their appeals before Maine's highest court, and supporting the pending Ought Not to Pass motion will ensure that that remains the case.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#221)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** Report "A", **OUGHT NOT TO PASS, PREVAILED.**

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act to Address Recovery Residence Participation in the Municipal General Assistance Program

H.P. 51 L.D. 81
(C "A" H-218)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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 Add Gray Squirrels and Red Squirrels to the Species List for the Open Training Season for Hunting Dogs

H.P. 336 L.D. 531
(C "A" H-146)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with 2 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.

Emergency Measure

An Act to Amend the Legislative Membership of the Hancock County Budget Advisory Committee
S.P. 385 L.D. 893

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Senate at Ease.

The Senate was called to order by the President.

Emergency Measure

An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists
H.P. 555 L.D. 899
(C "A" H-202)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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 Align Maine's Elevator Safety Laws with Maine Uniform Building and Energy Code Standards
H.P. 622 L.D. 975
(C "A" H-169)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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 Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2023-24
H.P. 833 L.D. 1308
(C "A" H-159)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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 Allow Certain Social Workers to Diagnose Organic Mental Illnesses
H.P. 895 L.D. 1400
(C "A" H-203)

Comes from the House, **FAILED ENACTMENT.**

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and signed by the President, in **NON-CONCURRENCE.**

Sent down for concurrence.

Emergency Resolve

Resolve, Directing the University of Maine System to Study the Barriers to Use of Cross-laminated Timber
H.P. 547 L.D. 881
(C "A" H-182)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Emergency Resolve

Resolve, to Establish the Task Force to Study Barriers to Achieving Behavioral Health Integration and Parity
H.P. 829 L.D. 1304
(C "A" H-220)

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

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

Emergency Resolve

Resolve, Directing the Department of Health and Human Services to Study the Scarcity of Licensed Clinical Behavioral Health Professionals Across the State

H.P. 961 L.D. 1506
(C "A" H-209)

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

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

Emergency Resolve

Resolve, to Further Study the Role of Water as a Resource

H.P. 1051 L.D. 1641
(C "A" H-197)

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

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

**Pursuant to Constitution
Public Land**

Resolve, to Authorize the Conveyance of Real Property to the Capitol Area Recreation Association

H.P. 486 L.D. 797
(C "A" H-144)

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

Acts

An Act to Update Provisions of the Department of Corrections Laws Regarding Operation and Administration of Jails, Women's Services and Juvenile Detention

H.P. 8 L.D. 4
(C "A" H-141)

An Act to Amend the Maine Juvenile Code

S.P. 31 L.D. 39
(C "A" S-112)

An Act to Amend the Laws Governing Water Supply Protection Funds

H.P. 132 L.D. 211
(C "A" H-191)

An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances

H.P. 138 L.D. 217
(C "A" H-200)

An Act Regarding Appeals of License or Permit Decisions of the Commissioner of Environmental Protection

H.P. 140 L.D. 219
(C "A" H-204)

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

S.P. 122 L.D. 256
(C "A" S-114)

An Act to Clarify the Process for Admission to the Bar on Motion

H.P. 169 L.D. 264
(C "A" H-160)

An Act to Authorize the Use of Tax Increment Financing Funds for Constructing or Renovating Local Central Administrative Offices

H.P. 184 L.D. 286
(C "A" H-180)

An Act to Expand Funding Sources Within the Public Utilities Commission for Intervenor and Participant Funding

H.P. 246 L.D. 395
(C "A" H-187)

An Act to Preserve the 207 Area Code and Impede So-called Robocalling

H.P. 247 L.D. 396
(C "A" H-188)

An Act to Clarify the Provision of Notice of Proposed Rate Increases to Public Utility Customers

S.P. 195 L.D. 414
(C "A" S-108)

An Act to Improve Collaboration Between Mandatory Reporters and Law Enforcement in the Investigation of Alleged Child Abuse and Neglect

H.P. 291 L.D. 474

An Act to Designate the Department of Health and Human Services as the Implementing Department of the Lead-safe Housing Registry

H.P. 307 L.D. 490

An Act to Increase the Number of Mature Plants Allowed for the Home Cultivation of Cannabis

H.P. 360 L.D. 555

An Act to Protect Birds in the Construction, Renovation and Maintenance of Public Buildings

H.P. 439 L.D. 670
(C "A" H-102)

An Act to Reduce the Cost of Energy in Maine and Reduce Greenhouse Gas Emissions Through the Effective Use of Renewably Sourced Gas

H.P. 467 L.D. 698
(C "A" H-185)

An Act to Amend the Laws Regarding Signature Requirements on Issuance of General Obligation Bonds

S.P. 318 L.D. 760
(C "A" S-110)

An Act to Ensure Access by Parties and Attorneys to Records in Child and Adult Protection Proceedings

S.P. 332 L.D. 773
(C "A" S-109)

An Act to Protect Workers from Employer Surveillance

H.P. 596 L.D. 949
(C "A" H-173)

An Act to Authorize Kickboxing and Muay Thai Competition Under the Combat Sports Authority of Maine

H.P. 597 L.D. 950
(C "A" H-170)

An Act to Require All Uniformed Patrol Officers to Carry Naloxone Hydrochloride When on Duty

H.P. 672 L.D. 1036
(C "A" H-176)

An Act to Expand Good Samaritan Protections for Naloxone Hydrochloride Administration

S.P. 421 L.D. 1052
(S "A" S-124 to C "A" S-103)

An Act to Extend the Comparable Health Care Service Incentive Program Beyond 2023

H.P. 680 L.D. 1085
(S "A" S-125)

An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Time Estimates for Responding to Public Records Requests

H.P. 768 L.D. 1208
(C "A" H-161)

An Act to Include Endangered and Threatened Species Habitat in the Definition of "Significant Wildlife Habitat" Under the Natural Resources Protection Act

H.P. 794 L.D. 1246
(C "A" H-205)

An Act to Clarify the Producer Licensure Required to Act as a Pet Insurance Producer

H.P. 814 L.D. 1266
(C "A" H-219)

An Act to Amend the Tax Credit for Major Business Headquarters Expansions Regarding Employees' Location and Time of Hire for Purposes of the Credit

S.P. 531 L.D. 1313

An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation

H.P. 837 L.D. 1322
(C "A" H-213)

An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Records of Disciplinary Actions Against Public Employees

H.P. 892 L.D. 1397
(C "A" H-162)

An Act Regarding Limits on Medication in Vending Machines

H.P. 1040 L.D. 1615

An Act to Ensure Access to Federally Approved Opioid Overdose-reversing Medication

S.P. 692 L.D. 1728

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

Senator **BENNETT:** Thank you, Mr. President. I had a difference on one of the items, and I think it was item 7-53. Did you list 7-53?

THE PRESIDENT: 7-53 has been set aside for coming up on the Appropriations Table. It has been set aside.

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

Senator **ROTUNDO:** Thank you, Mr. President. 7-53 had been set aside but I believe you included it with the other bills just now. So I just wanted to clarify that. Thank you.

THE PRESIDENT: Absolutely, 7-53 is being set aside. It is not getting passed right now.

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

An Act to Address Chronic Homelessness by Creating the Housing First Fund

H.P. 4 L.D. 2
(C "A" H-221)

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

An Act to Amend the Statutory Balance Limit on the Finance Authority of Maine's Loan Insurance Reserves

S.P. 38 L.D. 46
(C "A" S-106)

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

An Act to Require Antipinch Sensors on School Bus Doors
H.P. 37 L.D. 62
(C "A" H-190)

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

An Act to Permit Emergency Funding for Food Banks When a State of Emergency Is Declared
H.P. 55 L.D. 87
(C "A" H-212)

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

An Act Regarding Special Education Funding for So-called Minimum Receiver School Administration Units
H.P. 95 L.D. 154
(C "A" H-153)

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

An Act to Ensure Safe Access to Schools by Implementing Interlocking Door Controller Technology
S.P. 104 L.D. 204
(C "A" S-107)

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

An Act to Improve Educator Certification Response Times
S.P. 156 L.D. 335
(C "A" S-101)

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

An Act to Invest in an Educational Technician Training Program to Address Shortages in Public Schools
H.P. 217 L.D. 343
(C "A" H-214)

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

An Act to Improve Family Court Procedure
S.P. 248 L.D. 580
(C "A" S-84)

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

An Act to Create a Green Schools Coordinator in the Department of Education
H.P. 389 L.D. 612
(C "A" H-155)

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

An Act to Amend the Social Work Education Loan Repayment Program
H.P. 409 L.D. 632
(C "A" H-156)

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

An Act to Support Community-based Volunteer Organizations
H.P. 435 L.D. 666
(C "A" H-151)

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

An Act to Assist Nursing Homes in the Management of Facility Beds
H.P. 585 L.D. 938
(C "A" H-181)

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

An Act to Facilitate Stakeholder Input Regarding Forest Policy in Maine

H.P. 628 L.D. 993
(C "A" H-143)

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

An Act to Amend the Laws Governing the Foreign Credentialing and Skills Recognition Revolving Loan Program

H.P. 741 L.D. 1169
(C "A" H-157)

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

An Act to Increase the Personal Property Tax Exemption for Farm Machinery

H.P. 806 L.D. 1258
(C "A" H-215)

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

An Act to Enhance State Oversight of Water Use and Water Resources

H.P. 937 L.D. 1441
(C "A" H-175)

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

An Act to Strengthen Maine's Agriculture, Food and Forest Economy by Funding the Maine Agriculture, Food and Forest Products Investment Fund and Amending Related Provisions of Law

H.P. 1068 L.D. 1670
(C "A" H-145)

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

An Act to Invest in the Health and Wellness of Older Maine Residents by Expanding Coordinated Community Programming

H.P. 1083 L.D. 1684
(C "A" H-206)

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

An Act to Provide Self-service Motor Vehicle Services
S.P. 557 L.D. 1390
(C "A" S-113)

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

Resolves

Resolve, Directing the Maine Children's Cabinet Early Childhood Advisory Council to Study Incentives for the Provision of Child Care in Maine

H.P. 71 L.D. 103
(C "A" H-168)

Resolve, Directing the Commissioner of Public Safety to Establish a Stakeholder Group to Examine the Responsibilities, Fees and Duties of the Technical Building Codes and Standards Board

H.P. 128 L.D. 207
(C "A" H-150)

Resolve, to Require the Maine National Guard to Sell Certain Property in Hallowell

H.P. 151 L.D. 230
(C "A" H-183)

Resolve, Regarding Mortgage Assistance for Persons with Illnesses Related to COVID-19

H.P. 159 L.D. 238
(C "A" H-171)

Resolve, Naming Portions of a Highway in St. George
H.P. 233 L.D. 382
(C "A" H-189)

Resolve, Regarding Legislative Review of Chapter 117: Rule Regarding the Duties of School Counselors and School Social Workers, a Major Substantive Rule of the Department of Education

H.P. 245 L.D. 394
(S "A" S-102)

Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities

S.P. 225 L.D. 508
(C "A" S-118)

Resolve, to Evaluate a Vehicle-to-grid Pilot Project Using Electric School Buses

H.P. 324 L.D. 519
(C "A" H-186)

Resolve, Directing the Department of Inland Fisheries and Wildlife to Examine Issues Related to Moose Hunting Seasons
H.P. 520 L.D. 831
(C "A" H-148)

Resolve, Directing the Department of Labor to Amend Its Rules Regarding Adjunct Faculty at Public Colleges and Universities
H.P. 593 L.D. 946
(C "A" H-174)

Resolve, Directing the Department of Agriculture, Conservation and Forestry to Study and Report on Soil Carbon Sequestration Incentive Programs
H.P. 1077 L.D. 1678
(C "A" H-211)

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

Resolve, Directing the Department of Education to Study the Educare Model
H.P. 453 L.D. 684
(C "A" H-154)

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/1/23) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Establish Welfare Work Requirements for Able-bodied Adults Without Dependents"
S.P. 343 L.D. 784

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-143)** (5 members)

Tabled - June 1, 2023 by Senator **VITELLI** of Sagadahoc

Pending - **ACCEPTANCE OF EITHER REPORT**

(In Senate, June 1, 2023, Reports **READ**.)

Senator **BALDACCI** of Penobscot 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.

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

Senator **BRAKEY:** Thank you, Mr. President. Not to disappoint my colleague, Senator Tipping, who's already commented on how many times I've risen to speak today, I rise to speak one - probably for the last time today, to oppose the pending motion and support the underlying legislation.

For those who are able-bodied and capable of work, welfare should be a safety net - a robust safety net - but not a hammock. It is not good for society, nor is it good for the human spirit, when those with the capacity to contribute grow permanently dependent on taxpayer-funded handouts, with no expectation of taking steps to rejoin the workforce. That is why during the last administration, the State ceased requesting a waiver from federal work requirements in the SNAP program. As a result, those enrolled in the SNAP program who fall under the category of able-bodied adults without dependents were required to work or volunteer or do job training, do something, a minimum number of hours a week in order to remain qualified on the program beyond a three-month grace period. The results, I think, were pretty eye-opening. In fact, they were reported on at the time in Forbes Magazine, which I'm just going to quote briefly for you. 'Maine Governor Paul LePage's recent welfare reforms have led to more employment, higher wages, and less dependency, according to a preliminary report published by the Maine Department of Health and Human Services and the Maine Office of Policy and Management. In October 2014, Maine began requiring about 16,000 able-bodied, childless adults to work, train, or volunteer on at least a part-time basis in order to continue receiving food stamps. Adults who refuse to comply with the new requirements would cycle off after three months of benefits. After implementing these reforms, Maine quickly moved thousands of able-bodied adults out of dependency and into self-sufficiency. By January 2015, the number of able-bodied adults on food stamps had dropped to 4,500 and has continued to decline. By 2016, just 1,500 able-bodied, childless adults relied on Maine's food stamps program. Those still relying on the program also needed less assistance overall, as they are working more, with average benefits dropping 13% since the work requirements went into effect. As a result of these changes, taxpayers are now saving between 30 million and 40 million each year. More importantly, Maine's success story goes far beyond taxpayer savings. Maine's Department of Health and Human Services connected with the State's Department of Labor in order to evaluate the impact of the reforms. State officials then tracked employment and wage records for nearly 7,000 able-bodied adults as they cycled off food stamps when the work requirements were first implemented. The results were impressive. Within a year, these able-bodied adults saw their incomes rise by an average of 114%. That increase came as more able-bodied adults reentered the labor force, worked more hours, or found jobs with higher wages. Thanks to this higher income, poverty rates have declined and now working able-bodied adults are earning more than enough on average to bring them above the federal poverty line. Better still, the higher wages more than offset loss benefits, meaning those leaving welfare were better off than when they were trapped in

government dependency. After Maine implemented its reforms, these able-bodied adults saw their incomes go up by a combined \$18 million per year.'

To summarize the conclusions, work requirements work. When targeted properly, work requirements counter the disincentives that welfare programs create against entering the workforce and putting yourself on the road to independence and self-sufficiency. This legislation would establish in statute the exact same work requirements for able-bodied adults without dependents that proved effective during the LePage administration to the SNAP and Medicaid programs. Able-bodied adults without dependents between the ages of 18-55 would be able to enroll in these programs for three months before work requirements were enforced. Beyond that, to maintain eligibility, they would be required to work or to volunteer or to do job training. Plenty of options out there. Despite what critics may say, these reforms are in the best interests of those who would be affected by the policy change. As Ronald Reagan once said, the best social program is a job. Right now, there are plenty of jobs. We have a workforce shortage. Employment rates are below full employment and yet our workforce participation rates are among the lowest we've ever seen after an expansion of Medicaid that swept able-bodied, working age people into the program and then trapped them behind a welfare cliff that discourages work. All this proposal does is institute work requirement policies, which have already proven effective, at a time when we desperately need working-age people in the workforce. I hope you will follow my red light to adopt these commonsense measures and help get Maine people back to work. Thank you.

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

Senator **BALDACC:** Thank you, Mr. President. I rise in support of this motion to pass the Ought Not to Pass Report. I didn't come down here to the State Senate to demonize the poor or to penalize poor families. I came down here to help create jobs, create incomes...

THE PRESIDENT: The Chair - the Senator from Penobscot will defer. The Chair recognizes the Senator from Aroostook, Senator Stewart.

Senator **STEWART:** Thank you, Mr. President, I just would object to the Member's characterization of what the motives are here. Nobody is demonizing the poor, and I want to make sure that's abundantly clear. I think you just heard from my colleague from Androscoggin who made several very well-articulated arguments and none of which were around demonizing the poor. Thank you.

THE PRESIDENT: The Chair would advise Members to not impugn anyone's character.

Senator **BALDACC:** (INAUDIBLE) discuss anyone's - I said what I came down here for, and I will continue to speak about what I came down here for, because I was elected by the voters of District 9 that expect me to speak on their behalf.

First of all, with all due respect to Forbes Magazine and to the former Governor, when cuts were made and people were basically relegated to lower incomes and lower economic

situations, it was usually the municipalities that had to pick up the slack. When people were thrown off MaineCare or were thrown off SNAP, they had to resort to General Assistance. Bangor's General Assistance budget exploded under the last administration. Bangor's budget, in terms of property tax reimbursement from the State, was probably cut over \$10 million. So, these ideas that somehow these requirements reduced poverty or increased peoples' income - we are in a state where the lowest recorded unemployment rate probably in 50 years right now. In Bangor, the unemployment rate is 2.1%. The Bangor job market consists of 70,000 people. That is consistent with the levels that we had before the pandemic. 35,000 of those actually work within the city of Bangor, and not just the region. So, people are working, people have plenty of incentives to go to work. Because of democratic policies, incomes have gone up, the minimum wage has gone up, lower income jobs pay better, and there is a demand for labor. But penalizing people - because basically, if you read the bill, it cuts off benefits after 90 days, it imposes a mandate on local communities to administer these work programs, it conflicts with existing federal regulations, and during times of an economic emergency - because I would remind people that during prior times, we've had double-digit unemployment. We even had a time when places in Penobscot and Washington and Aroostook County had more than double-digit unemployment. The rules allow the State to ask for a waiver to provide continuing benefits to people who are living in those areas, all of which would go by the wayside if we pass this bill.

Now, I understand the arguments for this. I came from a family where we all worked at a very young age and have not stopped working since. But I also know that we also need to be a society that is willing to help others, to help others move forward in society, that this isn't just about looking out after ourselves. So, I think it's important that we vote this legislation down, that we continue the work of creating jobs, raising incomes, which is the best way, and it is the way that we have been - that I think that this administration and this Legislature has been acting in the last four years. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I'll be brief. I just want to state for the record that the only thing I am demonizing is failed programs that, despite perhaps good intentions, have paved a road to trap people into perpetual cycles of poverty. And how do we take these programs - which certainly we want to catch people when they fall, but we don't want them to get trapped there. We don't want them to get trapped behind welfare cliffs. We don't want them to get trapped by disincentives that stop people from taking opportunities that are in front of them and bettering themselves. It is from a place of compassion for people who are stuck in these programs that I brought this legislation forward. And, I mean, I will - I mean, I will tell you, I grew up on stories myself of my grandmother raising seven kids by herself in Poland, Maine, stuck on these programs and whenever she would try to go out and earn an honest buck, she would lose \$2 in welfare benefits and get stuck further behind. The incentives of these programs are very poorly designed. I choose to believe it's by accident.

I just want to reiterate two points, because the good Senator from Penobscot County seems to be operating with a separate set of facts than I am. I will say yes, unemployment is low, but

the unemployment rate masks the workforce participation rate. Unemployment only measures the - those who have not been able to find work who are actively seeking work and seeking to participate in the workforce. But our workforce participation rate is at an all-time low. We've dropped well below the national average - and certainly, there are a variety of factors involved in this, but the welfare programs and the way they have created incentives, particularly in a post-Medicaid expansion world, are a big part of that. And specifically, I know that the Senator from Penobscot County, I think he was addressing a lot of different welfare reforms that took place in the last administration when he talks about costs being shifted to municipalities. I'm not going to say that maybe for some welfare reforms, there may be some truth to that, but particularly when we're talking about work requirements, this was tracked. They went and they tracked, you know, people who either lost benefits or stayed on the program because they were complying with the requirements to work or volunteer or do job training, and the results were tracked. Within the course of a year, their incomes on average had increased by 114%. So, I'm not sure what facts the Senator is talking about, saying that people got poorer, because the facts that we have at the time show the exact opposite happened. When you give people who have capacity a little bit of a push, they can do more for themselves, if you aren't disincentivizing them from doing so. Thank you, Mr. President.

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

Senator **BALDACC**I: Thank you. I will also make it brief. The statement or any assertion that these programs have failed needs to be discussed. MaineCare is an enormous success. People on MaineCare do not feel that that program has failed. If we did not have MaineCare, hundreds of thousands of people would be in abject poverty or dead. From 2002 to 2010, this state expanded Medicaid, MaineCare, to an additional 70-100,000 people. I don't have the exact number, but the Journal - the Harvard Journal of Medicine did a study in the early 2010s. That expansion of MaineCare, they studied six states that expanded MaineCare during that time period. That expansion of MaineCare saved lives, probably 50-60 lives per year. Those are human lives, and I understand, you know, that's what I care about is helping actual people. So, I don't - I won't - I have to stand up and rebut when somebody says that these programs have failed, because they have been enormously successful, and we have been able to do them in a fiscally responsible manner. So, I think it's really important that all the facts be known. Thank you.

THE PRESIDENT: The Chair -- well, obviously has enjoyed the back and forth, but I would say for what purpose does the Senator from Androscoggin rise a third time?

Senator **BRAKEY:** This will be the last.

THE PRESIDENT: Seeing no objection.

Senator **BRAKEY:** I just want to state, responding to the good Senator from Penobscot County, I would never insinuate that anyone in this Body does not care about the people of Maine. I imagine - I take the good Senator at his word, that he absolutely does care. I would hope that he would not insinuate the opposite about other members of this Chamber. And when we talk about

Medicaid, I think we do have to grapple that with Medicaid expansion, Medicaid has become the biggest welfare cliff of all the welfare programs. You get enrolled in Medicaid, you earn one buck too much, and you have your Medicaid benefits taken away from you. And so, what does this create but an incentive to not - to not advance beyond a certain point, because if you take one step forward, you end up five steps backward. And that perhaps made sense to some degree when we were talking about a program that was initially designed to be targeted at those who are not capable - the impoverished elderly, those who are infirm and don't have the capacity - but as we've expanded it to working-age, able-bodied populations, we've created this cliff that people can't rise beyond because you take that raise at work, you take that higher-paying job, you lose more in benefits than you would gain from taking that opportunity. So, that is something that we absolutely have to grapple with, and that's something that work requirements seek to help counter. That was my third time, it will be the last - even if - even if the good Senator from Penobscot rises a third time, I promise to bite my tongue, Mr. President, and let the votes fall where they may.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#222)

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

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

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **BALDACC**I of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

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

Senator **STEWART:** I believe a member may have hit the wrong button on the previous vote. I'm wondering if it might be possible to reconsider. I know it's been a long day, but I know the member also feels very passionately about this particular issue. So, I am wondering if we could reconsider before sending it forthwith. Thank you.

On motion by Senator **TIMBERLAKE** of Androscoggin, the Senate **RECONSIDERED** whereby it **ACCEPTED** the Majority **OUGHT NOT TO PASS** Report.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#223)

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

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

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

Sent down for concurrence.

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

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

Senator **HICKMAN:** Thank you, Mr. President. I request unanimous consent to speak on the record.

THE PRESIDENT: So moved.

Senator **HICKMAN:** Thank you, Mr. President. Women and men of the Senate, today, June 6, 2023, marks the 79th anniversary of the Allied Forces of the United States, Canada, and Britain's 1944 land, air, and sea invasion of Nazi-held territory in Normandy, France. It commemorates the beginning of the end of the Second World War, the Nazi reign, and Adolf Hitler. D-Day marks one of the most significant days in world history for the fight against tyranny and autocracy and genocide and for the advancement of democracy and freedom and justice. So, let us stand united in remembering and honoring the heroism of the women and men who served or fought and died in World War II, who served and fought or died for a world where all people have a voice in society. A world where we continue to respect the dignity and worth of every human personality. Thank you, Mr. President.

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

Senator **FARRIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just to echo what my good colleague

just talked about, the 79th anniversary of D-Day. You know, D-Day was the start of a month-long campaign that the entire Battle of Normandy concluded at the end of August in 1944, and at the end of that battle, Paris was liberated. More than 9,000 Allied soldiers killed or wounded within the first 24 hours of that battle. Many of us have World War II veterans in our districts, and we honor them. We're losing more and more every day. I had the very special privilege to have a close friendship with my buddy, Nunzio Biondello, who was at Normandy on D-Day, and many of you had the opportunity to meet him when Nunz was down here and was still alive with us. And so, all these discussions that we have in losing that generation, and especially those World War II veterans, if you see them out and around, take that moment to say thank you, because we don't know how many days we have left with those folks. Because - because of that sacrifice 79 years ago today is why we can have these spirited debates and live the world that we do. So, thank you, Mr. President.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. After those two speakers, it's kind of hard to get up, but I just wanted to get up and have permission to speak on the record.

THE PRESIDENT: So moved.

Senator **TIMBERLAKE:** I would just like to announce that the Leavitt Area High School Class B is the - Class B boys is the state championship in Leavitt track, they just won this morning while I was sitting here watching it. So, I just wanted to congratulate them and the boys and girls, both teams won the Sportsmanship of the Year Award for the State Championship. So, thank you.

On motion by Senator **DAUGHTRY** of Cumberland, **ADJOURNED** until Wednesday, June 7, 2023 at 10:00 in the morning in memory of and lasting tribute to Richard Allen Morrell of Brunswick and Diane Lynn Black of Brunswick.