

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

In Senate Chamber
Wednesday
February 21, 2024

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

Prayer by Pastor Jim Kiker of United Baptist Church in Topsham.

PASTOR JIM KIKER: I would like to first thank you on behalf of your family at United Baptist in Topsham. Thank you for this opportunity. We get to pray for you always, but today, we get to pray with you. I would ask you to join me in prayer. Father, it is with great joy that we come into your presence this morning. Joy for the new day that you have for us, joy for the opportunities that we have ahead of us, and joy for the fact that you will be with us each and every moment of this day. Thank you, Father. Thank you, again, for allowing us to be in this great State of Maine, where we call home. Thank you for these dedicated men and women that serve the state, that serve the people of the state. Bless their efforts, Lord. Be with them. Thank you for this opportunity. Thank you for your presence here with us today. I pray in your name, amen.

Pledge of Allegiance led by Senator Nicole C. Grohoski of Hancock County.

Reading of the Journal of Tuesday, February 20, 2024.

Medical Provider of the Day, Susan Davis Doughty, MSN, AGNP, WHNP-BC, FAANP of Scarborough.

Off Record Remarks

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:
S.O. 26

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 10:45 this morning in the Hall of the House for the purpose of welcoming the Honorable Valerie Stanfill, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as she is pleased to make.

READ and PASSED.

The Chair appointed the Senator from Cumberland, Senator **DAUGHTRY** to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Cumberland, Senator **DAUGHTRY** reported that she had delivered the message with which she was charged.

COMMUNICATIONS

The Following Communication: S.C. 936

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

February 16, 2024

The Honorable Troy D. Jackson, President of the Senate
The Honorable Rachel Talbot Ross, Speaker of the House of Representatives
131st Legislature
State House
Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Energy, Utilities and Technology from its review and evaluation of the Maine Municipal and Rural Electrification Cooperative Agency (MMRECA) under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

The committee finds that MMRECA's operations are within its statutory authority. We note that MMRECA has not implemented any programs or projects; however, the committee does not recommend any changes to the agency's powers or duties at this time.

Sincerely,

S/Mark W. Lawrence
Senate Chair

S/Stanley Paige Zeigler, Jr.
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 937

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

February 15, 2024

The Honorable Troy Jackson
President of the Senate

The Honorable Rachel Talbot Ross
Speaker of the House of Representatives

131st Legislature
State House
Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Labor and Housing from its review and evaluation of the Department of Labor under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Department by letter dated April 20, 2023 of its intent to conduct a review. The Department submitted its program evaluation report on November 1, 2023.

The committee has reviewed the report and unanimously finds that the Department of Labor is operating within its statutory authority.

Sincerely,

S/Mike Tipping
Senate Chair

S/Amy Roeder
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 934

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

February 16, 2023

The Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Maine Maritime Academy Board of Trustees

Dear President Jackson:

I am pleased to nominate the following individuals for appointment to the Maine Maritime Academy Board of Trustees: Mark R. Gardener of Kittery, William B. Eisenhardt of Castine and Anthony Hall of Winterport.

Pursuant to Title 5 §12004-C and Public Law 1941, c. 37, §1, as amended by P&SL 1993, c 27, §1, these appointments are

contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 935

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

February 16, 2024

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Maine Community College System Board of Trustees

Dear President Jackson:

I am pleased to nominate the following individuals for reappointment to the Maine Community College System Board of Trustees: Kossi Gamedah of Falmouth, Anne Roosevelt of Embden and Peter DeIGreco of North Yarmouth.

Pursuant to Title 20-A, MRSA §12705, these reappointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Sincerely,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 800

**STATE OF MAINE
SUPREME JUDICIAL COURT**

January 12, 2024

Sen. Troy D. Jackson, President of the Senate
131st Maine Legislature
Senate President's Office
SHS #3, State House
Augusta, ME 04333

SENATE PAPERS

Rep. Rachel Talbot Ross, Speaker of the House
131st Maine Legislature
SHS #2, State House
Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross,

I am pleased to accept the invitation to address a Joint Session of the 131st Maine Legislature on Wednesday, February 21, 2024, at 10:45 a.m. I look forward to discussing the challenges faced and successes achieved by the Maine Judicial Branch over the last year, and an overview of the progress we hope to make in 2024 and beyond.

Sincerely,

S/Valerie Stanfill
Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 931

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

January 24, 2024

The Honorable Troy Jackson
President, State of Maine Senate
#3 State House Station
Augusta, ME 04333

The Honorable Rachel Talbot-Ross
Speaker, State of Maine House of Representatives
#2 State House Station
Augusta, ME 04333

Dear President Jackson and Speaker Talbot-Ross:

Thank you for your invitation to a Joint Session of the 131st Maine Legislature for the State of the Judiciary address to take place on February 21st at 10:45 am in the House Chamber.

I am pleased to accept your invitation.

Sincerely,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

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

Resolve, to Direct the Department of Health and Human Services to Amend Rules and Establish a Study Group Related to Funding and Reimbursement for Mental Health Crisis Resolution Services S.P. 951 L.D. 2223

Presented by Senator STEWART of Aroostook.
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.

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Resolve

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Amend the Start Date of the September Upland Game Season" H.P. 1422 L.D. 2216

Reported that the same **Ought to Pass**, pursuant to Resolve 2023, chapter 36, section 3.

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Exempt Buildings Used to Cultivate Crops from the Maine Uniform Building and Energy Code" H.P. 1315 L.D. 2053

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 1392 L.D. 2177

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**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act to Provide Additional Moose Hunting Opportunities for Maine Youth Experiencing Critical Illnesses"
H.P. 1314 L.D. 2052

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

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Establish Training and Certification Standards for Probation and Parole Officers"
H.P. 1307 L.D. 2045

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-754)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-754)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-754) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Provide for Consistent Billing Practices by Health Care Providers"
H.P. 988 L.D. 1533

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-752)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-752)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-752) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Update the Laws Governing the University of Maine System's Board of Agriculture and to Rename the Maine Agricultural Experiment Station"
H.P. 966 L.D. 1511

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

Signed:

Senators:

INGWERSEN of York
BLACK of Franklin
HICKMAN of Kennebec

Representatives:

COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou

HALL of Wilton
JACKSON of Oxford
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-749)**.

Signed:

Representatives:
PLUECKER of Warren
HEPLER of Woolwich

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Reduce Electricity Rates" H.P. 452 L.D. 683

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

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 To Pass as Amended by Committee Amendment "A" (H-750)**.

Signed:

Senator:
HARRINGTON of York

Representatives:
BABIN of Fort Fairfield
DUNPHY of Embden
FOSTER of Dexter

PAUL of Winterport

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

Reports **READ**.

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

Divided Report

The Majority of the Joint Select Committee on **HOUSING** on Bill "An Act to Establish the Community Housing and Rural Development Authority" H.P. 1197 L.D. 1867

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-751)**.

Signed:

Senators:
PIERCE of Cumberland
VITELLI of Sagadahoc

Representatives:
GERE of Kennebunkport
GATTINE of Westbrook
GOLEK of Harpswell
LOOKNER of Portland
RANA of Bangor
STOVER of Boothbay

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

Signed:

Representatives:
BLIER of Buxton
BRADSTREET of Vassalboro
CAMPBELL of Orrington

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-751)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-751)**.

Reports **READ**.

Senator **PIERCE** of Cumberland 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 Kennebec, Senator Pouliot.

Senator **POULIOT:** Thank you, Mr. President. In light of the State of the Judiciary today, I'll keep this brief. In sum, the reason that I'm not supporting this bill and the reason why I think that we should not support this bill at this time is that it is not open enough to creating more housing. Unfortunately, right now in this state, we all know we have a housing crisis, and lack of housing inventory is causing prices to drive through the roof. We need to add more inventory, yet this bill makes it so that only nonprofits, municipal organizations, and GOs can access these resources, when there's plenty of private sector developers, builders, that could utilize these resources to create more housing. So, hopefully, we could maybe see an amended version of this bill that would be more open, but it doesn't currently do that. The second piece is that this bill has a \$100 billion fiscal note. So, I think that it's a little bit disingenuous to vote in favor of this bill without knowing where the resources to pay for it are going to come from and, to the best of my knowledge, the Governor has not put this forward in her supplemental budget package. So, I do hope that we as a Legislature can get behind creating more resources to go to people for housing on all fronts, not just picking specific winners and losers in this fight against the housing crisis. Thank you, Mr. President.

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

Senator **PIERCE:** Thank you, Mr. President. I appreciate the words of my Good Colleague who sits on the Housing Committee, but I disagree with how he interprets this bill. This bill, of course, is trying to address the 84,000 dwellings, homes, units that we're going to need over the next five to seven years in order to maintain just what we have in our state for housing people but also look to the future with our economy. This bill creates another tool in the tool belt around how we might build that inventory. It is a large investment, but that's required at this time. We need to be bold in our actions around housing. It also incorporates a very successful and builds upon a very successful existing program which is the home ownership program which we all know is imperative to building wealth as you go through your life. So, I see this bill as just another opportunity for us to move forward with our housing crisis while creating another tool in the tool belt to build upon the other things that we're doing. I thank you for the time today and encourage people to follow my light.

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 Chair noted the absence of the Senator from Franklin, Senator **BLACK**, and the Senator from Waldo, Senator **CURRY**, and the Senator from Somerset, Senator **FARRIN**, and the Senator from York, Senator **INGWERSEN**, and the Senator from Oxford, Senator **KEIM**, and the Senator from Kennebec, Senator **LAFOUNTAIN**, and the Senator from York, Senator **LAWRENCE**, and the Senator from Lincoln, Senator **RENY**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#536)

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

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

EXCUSED: Senators: BLACK, CURRY, FARRIN, INGWERSEN, KEIM, LAFOUNTAIN, LAWRENCE, RENY

17 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 8 Senators being excused, the motion by Senator **PIERCE** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (H-751) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Allow Candidates for County Office to Participate in the Maine Clean Election Act" H.P. 1263 L.D. 1966

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-753).**

Signed:

Senators:
HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:
SUPICA of Bangor
BOYER of Poland
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
WILLIAMS of Bar Harbor

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
HYMES of Waldo
RUDNICKI of Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-753)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-753)**.

Reports **READ**.

Senator **HICKMAN** of Kennebec 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 (#537)

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

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

EXCUSED: Senators: BLACK, CURRY, FARRIN, INGWERSEN, KEIM, LAFOUNTAIN, LAWRENCE, RENY

18 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 8 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-753) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass As Amended

Senator RAFFERTY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Require Personal Finance to be Taught as a Separate Course to Obtain a High School Diploma" S.P. 521 L.D. 1284

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-536)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-536) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Prevent Abandonment of Children and Adults with Disabilities in Hospitals" S.P. 830 L.D. 2009

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-535)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-535) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Index Workers' Compensation Benefits to the Rate of Inflation" S.P. 767 L.D. 1896

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-534)**.

Signed:

Senator:
TIPPING of Penobscot

Representatives:
ROEDER of Bangor
GERE of Kennebunkport
MALON of Biddeford
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
RUSSELL of Verona Island

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#538)

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

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

EXCUSED: Senators: BLACK, CURRY, DAUGHTRY, FARRIN, INGWERSEN, KEIM, LAFOUNTAIN, LAWRENCE, RENY

17 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 9 Senators being excused, 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-534) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

SECOND READERS

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

House

Bill "An Act to Increase the Expenditure Limit for Informal Bidding Processes and Update References to the Office of Procurement Services"
H.P. 1309 L.D. 2047

Resolve, Regarding Legislative Review of Portions of Chapter 355: Coastal Sand Dune Rules, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)
H.P. 1389 L.D. 2168

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

House As Amended

Bill "An Act to Require the State Board of Examiners of Psychologists and the Board of Examiners in Physical Therapy to Obtain Fingerprint-based Federal Bureau of Investigation Criminal Background Checks for Applicants for Licensure"
H.P. 1319 L.D. 2057
(C "A" H-747)

Bill "An Act to Clarify Liability Under the Uncontrolled Hazardous Substance Site Law and to Waive a Fee Regarding Voluntary Response Action Plans"
H.P. 1328 L.D. 2066
(C "A" H-748)

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

Senate

Bill "An Act to Make Technical Changes to Maine's Tax Laws"
S.P. 851 L.D. 2023

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

Sent down for concurrence.

Senate As Amended

Bill "An Act to Facilitate the Creation of an Aroostook County Drug Treatment Court"
S.P. 627 L.D. 1596
(C "A" S-526)

Bill "An Act to Remove the Exemption for Certain Roadside Springs from Regulation as Public Water Systems in the Laws Regarding Water for Human Consumption"
S.P. 864 L.D. 2036
(C "A" S-524)

Bill "An Act to Update Maine's Domestic Violence and Stalking Laws" (EMERGENCY)
S.P. 878 L.D. 2085
(C "A" S-528)

Bill "An Act Regarding Businesses' and Consumers' Use of Returnable, Reusable and Refillable Containers for Food, Beverages and Nonfood Items"
S.P. 884 L.D. 2091
(C "A" S-529)

Bill "An Act to Require Reporting of Child Abuse and Neglect to Military Family Advocacy Programs"
S.P. 888 L.D. 2095
(C "A" S-523)

Bill "An Act to Protect Victims of Domestic Abuse and Violence by Amending the Law Regarding Proximity Restrictions in Final Protection from Abuse Orders"
S.P. 896 L.D. 2103
(C "A" S-527)

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

Sent down for concurrence.

ENACTORS

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

Emergency Measure

An Act to Restore the Board of Dental Practice's Authority to Issue Letters of Guidance
H.P. 1302 L.D. 2040
(C "A" H-741)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senators having voted in the negative, and 27 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.

At this point a message was received from the House of Representatives, borne by Representative TERRY of Gorham, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:45 this morning for the purpose of welcoming the Honorable Valerie Stanfill, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as she is pleased to make.

Acts

An Act to Ensure Proper Regulation of Chemical Plastic Processing
S.P. 665 L.D. 1660
(C "A" S-514)

An Act to Require Broadband Internet Access Service Providers to Prorate Customer Bills
H.P. 1240 L.D. 1932
(H "A" H-737 to C "A" H-734)

An Act Regarding the Duties of Bail Commissioners
H.P. 1313 L.D. 2051

An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose
H.P. 1316 L.D. 2054

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

An Act to Support Farmland Conservation
S.P. 247 L.D. 579
(C "A" S-519)

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

Off Record Remarks

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

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

Senator **DUSON:** Today, I offer a -- one of my favorite poems by Langston Hughes, and I've distributed it to your desk. Let America be America again. Let it be the dream it used to be. Let it be the pioneer on the plain, seeking a home where he himself is free. America was never America to me. Let America be the dream the dreamers dreamed. Let it be that great strong land of love where never kings connive or tyrants scheme that any man be crushed by one above. It never was America to me. O, let my land be a land where liberty is crowned with no false patriotic wreath, but America - excuse me - but opportunity is real, and life is free. Equality is in the air we breathe. There has never been equality for me, nor freedom in this homeland of the free. Say, who are you that mumbles in the dark and who are you that draws your veil across the stars? I am the poor white, fooled and pushed apart, I am the negro, bearing slavery's scars. I am the red man, driven from the land. I am the immigrant, clutching the hope I seek and finding only the same old stupid plan of dog eat dog, of mighty crush the weak. I am the young man, full of strength and hope, tangled in that ancient, endless chain of profit, power, gain, of grab the land, of grab the gold, of grab the ways of satisfying need, of work the men, of take the pay, of owning everything for one's own greed. I am the farmer, bondsman to the soil. I am the worker, sold to the machine. I am the negro, servant to you all. I am the people, humble, hungry, mean - hungry yet today despite the dream. Beaten yet today. O, pioneers, I am the man who never got ahead, the poorest worker bartered through the years. Yet I'm the one who dreamt our basic dream in the old world while still a serf of kings, who dreamt a dream so strong, so brave, so true, that even yet it's mighty daring sings. In every brick and stone, in every furrow turned that's made America the land it has become. O, I'm the man who sailed those early seas in search of what I meant to be my home, for I'm the one who left dark Ireland's shores and Poland's plain, and England's grassy lea, and torn from black Africa's strand I came to build a homeland of the free. The free? Who said the free? Not me? Surely not me? The millions on relief today? The millions shot down when we strike? The millions who have nothing for our pay? For all the dreams we've dreamed and all the songs we've sung, and all the hopes we've held, and all the flags we've hung, the millions who have nothing for our pay except a dream that's almost dead today. O, let America be America again. The land that never has been yet - and yet must be - the land where every man is free. The land that's mine - the poor man's, Indian's, negro's, me - who made America, whose sweat and blood, whose faith and pain, whose hand at the foundry, whose plow in the rain, must bring back our mighty dream again. Sure, call me any ugly name you choose. The steel of freedom does not stain. From those who live like leeches on the people's lives, we must take back our land again. America. O, yes, I say it plain, America never was America to me, and yet I swear this oath - America will be. Out of the rack and ruin of our gangster death, the rape and rot of graft, and stealth, and lies, we, the people, must redeem the land, the mines, the plants, the rivers. The mountains and the endless plain - all, all the stretch of these great, green states - and make America again. Thank you for listening.

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Tuesday, February 22, 2024 at 10:00 in the morning.