

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

In Senate Chamber  
Tuesday  
April 2, 2024

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

Prayer by Gary Crocker of West Gardiner.

**GARY CROCKER:** Good morning. It's an absolute honor to be here, and I see old friends, a lot of old friends -- young friends. And I want to begin this morning by just reminding us all what a wonderful state we live in. Not too long ago, there was a fella from away, a distant land - New Hampshire - and he drove up in a fancy car, a Mercedes, and he came to Boothbay Harbor, and he parked his car, and he was watching a lobsterman mending his traps down on the grass, thought it was quite entertaining. After a few minutes, he got up and walked down, took a few pictures, and started chatting with the lobsterman. It's easy to chat with lobstermen, they don't speak back. And he said you know, I'm pretty impressed with this place, it's a pretty sharp place, this harbor, you've got quite a nice little -- you're doing a good job there. The lobsterman, of course, just kept grunting, ayah, ayah. Anyway, after a few minutes, the fella said hey, I'm just curious, you know, I've traveled a lot, I've been to every continent on the planet. I've been in the White House, I've been in castles in Scotland, I've been everywhere, I've done everything, I've looked over every part of the world, the globe. I'm just curious, a man like you, you travel much? The lobsterman looked up and said I didn't have to, I was born here. That's how we feel about this great state. We were born here or we chose to come here because it's the best place on the planet. And what I'd like to share with you is George Washington's concluding prayer. George Washington, as part of his farewell address after two terms as president, he ended with an uncommonly explicit prayer for his countrymen, which has subsequently been called Washington's Prayer for the United States. And at least in this one case, hype matches history. Please join me in prayer. I now make it my earnest prayer that God would have you, the state over which you preside, in his holy protection. That he would incline the hearts of the citizens to cultivate the spirit of subordination and cooperation with government, to entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large. And particularly, for brethren who have served in the field. And finally, that he would most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with the charity, humility, and specific temper of mind which were the characteristics of the divine author of our blessed religion, and without an humble imitation of whose example in these things, we can never hope to be a happy nation. Amen

National Anthem Performed by Westbrook High School Chamber Singers.

Pledge of Allegiance led by Senator Eric L. Brakey of Androscoggin County.

Reading of the Journal of Monday, April 1, 2024.

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.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act to Require the State to Notify Indian Tribes and Indian Nations When New Laws Are Enacted That Need to Be Certified H.P. 1167 L.D. 1835

In Senate, March 28, 2024, on motion by Senator **BAILEY** of York, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-853)** in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-853) AS AMENDED BY HOUSE AMENDMENT "A" (H-899)** thereto in **NON-CONCURRENCE**.

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

Joint Resolution

Joint Resolution in Memoriam:

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

Lado Lodoka, of New Gloucester. Mr. Lodoka was a community advocate, political organizer, leader in the South Sudanese community and tireless voice in support of Maine's close-knit immigrant community. He was known for his civic engagement work, including his work with the League of Women Voters from 2018 to 2022, where he pioneered a new canvassing program, Neighbor to Neighbor, which was focused on residents of affordable housing developments. He worked for Portland's Refugee Services program and spent much of his last years advocating for housing for immigrants and all Mainers. He was the founder of the Maine Immigrant Housing Coalition, helping immigrants through the homebuying process, and was an active member of Housing Justice Maine, pushing for legislation to

protect and strengthen tenant's rights, increase affordable housing and promote housing as a human right. Mr. Lodoka will be long remembered and sadly missed by his family and friends and all those whose lives he touched;  
HLS 725

The Joint Resolution was **READ**.

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

Senator **HICKMAN:** Thank you, Mr. President. I did not want to let Lado Lodoka's memory in this Chamber go unremarked upon. In addition to everything that's written here, he also was a veteran of the United States Army, and he served on one of the study commissions on housing that I chaired last session and his advocacy for voting rights and for making sure that housing was always promoted as a human right was inspiring. He tragically passed away in an accident where a boiler blew up in his face, and his son rescued him, but he did not survive. And when I read about that in the newspaper, of course, it broke my heart for all sorts of reasons, because he was not lucky enough to get through that explosion and -- anyway, Mr. President, I wanted to share my thoughts about Lado Lodoka with the Senate today and hope that we can have a moment of silence in his memory. Thank you.

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The Senate observed a moment of silence, remembrance, and prayer for Lado Lodoka and his entire family.

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The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

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## ORDERS

### Joint Orders

Expressions of Legislative Sentiment recognizing:

Claire Filiatrault, of Westbrook, who has earned the distinction of being named Valedictorian of the 2024 graduating class of Westbrook High School. We extend our congratulations and best wishes;  
SLS 1741

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Hailey Rondeau, of Westbrook, who has earned the distinction of being named Salutatorian of the 2024 graduating class of Westbrook High School. We extend our congratulations and best wishes;  
SLS 1742

Sponsored by Senator NANGLE of Cumberland.  
Cosponsored by Senator: DUSON of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Ellyana Young, of Westbrook, who has earned the distinction of being named Honor Essayist of the 2024 graduating class of Westbrook Regional Vocational Center. We extend our congratulations and best wishes;  
SLS 1743

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Carissa Saindon, of Westbrook, who won the Silver Medal in the Early Childhood Occupations Competition at the 2024 Maine SkillsUSA Leadership and Skills Conference. We extend our congratulations and best wishes;  
SLS 1744

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

The Westbrook Middle School Jazz Ensemble, which earned a Gold Medal at the Maine Music Educators Association State Middle School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1745

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

The Westbrook High School Jazz Ensemble, which earned a Gold Medal at the Maine Music Educators Association State High School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1746

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

The Westbrook Middle School Jazz Lab Band, which earned a Silver Medal at the Maine Music Educators Association State Middle School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1747

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

The Westbrook High School Jazz Lab Band, which earned a Silver Medal at the Maine Music Educators Association State High School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1748

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Tailyn Lychalk-Chooying, of Westbrook, who won an Outstanding Musicianship Award at the Maine Music Educators Association State Middle School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1749

Sponsored by Senator NANGLE of Cumberland.  
Cosponsored by Senator: DUSON of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Hannah Christensen, of Westbrook, who won an Outstanding Musicianship Award at the Maine Music Educators Association State High School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1750

Sponsored by Senator NANGLE of Cumberland.  
Cosponsored by Senator: DUSON of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Isabella Desimio, of Westbrook, who won an Outstanding Musicianship Award at the Maine Music Educators Association State High School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1751

Sponsored by Senator NANGLE of Cumberland.  
Cosponsored by Senator: DUSON of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Ryan Howard, of Westbrook, who won an Outstanding Musicianship Award at the Maine Music Educators Association State High School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1752

Sponsored by Senator DUSON of Cumberland.

Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

Gracelyn Gauvin, of Westbrook, who won an Outstanding Musicianship Award at the Maine Music Educators Association State High School Instrumental Jazz Festival. We extend our congratulations and best wishes;  
SLS 1753

Sponsored by Senator DUSON of Cumberland.  
Cosponsored by Senator: NANGLE of Cumberland,  
Representatives: GATTINE of Westbrook, RIELLY of Westbrook,  
SALISBURY of Westbrook.

The Joint Orders were **READ**.

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

Senator **DUSON:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise today to recognize and honor the musical talents and academic achievements of some very special students out of the City of Westbrook. First, I want to thank the Westbrook High School Chamber Singers for their excellent rendition of the National Anthem. Their compassion and commitment is evident, and our communities are very proud of these young leaders. We also rise to congratulate the Westbrook High School Jazz Band -- Jazz Lab Band who received the silver medal at the high school jazz festival, and the Westbrook High School Jazz Ensemble which received the gold medal, and the Jazz Lab which was awarded a silver medal at the same event. Westbrook showed up and showed out with their musical excellence at the recent Maine state performances. Mr. President, I'm pleased to report that some of the choir members from earlier also competed in the jazz festival. Isabella plays alto sax, Gracelyn plays trumpet, and Ryan plays bass. They earned the distinction of winning the Outstanding Musicianship Award. The Westbrook Middle School Jazz Ensemble won the gold medal at the festival. The Westbrook Middle School -- I'm double checking here to make sure I didn't already say this -- Jazz Lab received a silver medal at the same event, and one of the students, Tailyn, an eighth grader of Westbrook Middle School, earned the Outstanding Musicianship Award as well. The success of the Westbrook High School and Middle School choir, jazz band, and jazz lab serves as a testament to the power of collaboration and artistic expression and the impact of community support for arts education. I'd like to also acknowledge the hard work and academic achievements of three students at Westbrook High, senior Claire Filiatrault, Hailey Rondeau, and Ellyana Young. Claire is the Class of 2024 valedictorian, Hailey is the Class of 2024 salutatorian, Ellyana is the Class of 2024 class essayist, given to the highest achieving student at Westbrook Regional Vocational Center. I also want to mention Carissa Saindon. She is the silver medalist in the Early Childhood Occupations competition in the 2024 Leadership and Skills Conference. We extend our heartfelt congratulations to all seniors here today and to the clubs represented here today. May your future achievements inspire future generations to always strive for excellence. Thank you for enriching our lives with your

extraordinary talents. And I also finally would like to be sure we thank the parents of these students for their incredible support and give a major shoutout to Westbrook schools music director, Suzanne Proulx, for her leadership and the work she's put into the arts program. Thank you very much.

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

Senator **NANGLE:** Thank you, Mr. President. I'd just like to echo my Colleague from Cumberland's comments. It is nice to see such commitment to educational and cultural pursuits in my district. The community support that the city provides these young adults does make their world a better place, and I think it's important that we recognize that. Especially to the parents, who probably -- I mean, they're not hockey players, but probably drive them to and from sites to perform and just the other responsibilities are important to recognize as well. Thank you.

The Joint Orders were **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize a number of people in the rear of the chamber: Hailey Rondeau, Salutatorian and her father Jim Rondeau of the Westbrook High of 2024, Isabella Desimio, Ryan Howard, Gracelyn Guerin and their parents Jen, Russell, Ray and Stephanie, they won outstanding musicianship award at the 2024 Highschool Instrumental Jazz Festival, Tailyn Lychalf-Chooying and her parents Jen and Christy who won the outstanding musicianship award at the 2024 Middle School Instrumental Jazz Festival, and Ellyana Young, Honor Essayist of the Westbook Class of 2024, with her mother Jennifer. They're all from Westbrook and they are the guests today of the Senators from Cumberland, Senator Duson and the entire Maine Senate. Would the guests please rise and accept the greetings and thanks of the Maine State Senate.

Brandt Abbott, of Limington, a student at Bonny Eagle High School, who is being recognized for his selection to the Maine McDonald's All-Academic team. We extend our congratulations and best wishes;  
SLS 1757

Sponsored by Senator LIBBY of Cumberland.  
Cosponsored by Representatives: BLIER of Buxton,  
POMERLEAU of Standish.

The Joint Order was **READ**.

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

Senator **LIBBY:** Thank you, Mr. President. Good morning, Ladies and Gentlemen of the Senate. Yes, Westbrook's pretty great, but let me tell you something about Bonny Eagle this morning. It's my pleasure to rise this morning and recognize the efforts of a very well-rounded young man with a promising future before him. Bonny Eagle's very own Brandt Abbott was recently recognized by the Maine McDonald's All-Star program as a member of the 2024 All-Academic basketball team. This is a

remarkable accomplishment that speaks to his overall abilities and fierce level of commitment in the different avenues of his life. And as a member of the class of 1979 at Bonny Eagle, I couldn't be prouder. As a basketball coach as well, I'm keenly aware of the challenges that are involved in both of these areas, and to see a young person like Brandt dedicate himself to both academic and athletic pursuits is nothing short of exceptional. Brandt, you should take immense pride in having put in the effort to perform so well in order to attain this great honor. There's also no question in my mind how much his strong foundation is due to his two wonderful parents, Cory and Anna Abbott, who are also here with us today. You two are, I'm sure, very proud of Brandt, but you should be proud of yourselves as well for everything you've been able to provide to your son and your whole family along the way. Congratulations to the Abbott family. I wish you nothing but the best, Brandt, in all of your future endeavors. 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 Brandt Abbott and his parents Ana and Cory Abbot of the town of Limington. They are the guests today of the Senator from York, Senator Libby. Would the guests please rise and accept the greetings of the Maine Senate.

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### Joint Resolution

Joint Resolution in Memoriam:

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

Linda L. Bean, of St. George, a businesswoman and philanthropist. Ms. Bean was known for her work ethic, entrepreneurial spirit and pride and dedication to Maine and L.L. Bean, the company her grandfather founded. She bought lobster dealerships and owned the Port Clyde General Store and Tenants Harbor General Store. She founded the Perfect Maine Lobster brand in 2007. Her philanthropy centered on Life Flight of Maine medical helicopters and emergency airlift medical teams and equipment, twin helicopter landing pads atop the Coulombe Family Tower of the Maine Medical Center in Portland, cafe enlargement for the Maine Botanical Gardens at Boothbay and an upcoming St. George School System building that will specialize in the trades. She initiated the N.C. Wyeth Research Foundation and Reading Libraries, a private nonprofit entity that is building or restoring Wyeth properties in Port Clyde, in Wilmington, Delaware and in Needham, Massachusetts. Her board and trustee positions included the Maine Chapter of the Nature Conservancy, the Brandywine Conservancy and Art Museum in Pennsylvania, the Portland Museum of Art, the Collections of the Maine Historical Society, the Eagle Forum Education and Legal Defense Fund in Missouri, the Intercollegiate Studies Institute in Delaware and L.L. Bean, Inc. She ran for political office, seeking the First District Congressional seat on multiple occasions but unsuccessfully, and was a strong supporter of conservative

causes. Ms. Bean will be long remembered and sadly missed by her family and friends and all those whose lives she touched;  
SLS 1756

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

Senator **BRAKEY:** Thank you, Mr. President. It does warm my heart very much to hear this read aloud for my good late friend Linda Bean. That said, I move this item be tabled until later in today's session.

On motion by Senator **BRAKEY** of Androscoggin, **TABLED** until Later in Today's Session, pending **ADOPTION**.

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

Senator **POULIOT:** Thank you, Mr. President, Men and Women of the Senate. I have great news to bring to you today. It is Realtor Rally Day. And as a realtor member myself, this is my favorite day of legislative session. Addressing the shortage of housing has been a primary endeavor of this Legislature, and we've invested over 285 million into housing creation in the last four years to help close the gap of the tens of thousands of new housing units that we need to add by 2030. The supplemental budget, too, calls for additional investments in housing creation. These realtor members here today are among the men and women on the frontlines every day, fighting the good fight to ensure all Maine people have a warm, safe place to call home. Real estate and rental leasing accounts for nearly 18,000 jobs in the state, and about 6,000 of those are real estate agents. But when you add jobs created by our industry around construction, banking, and other related professional services, the jobs are well over 100,000. I'm encouraged to see so many of my peers in the real estate industry here today, and I hope you'll seek out your local realtor and build a relationship with them to have a better understanding of what the challenges are for those trying to access quality housing here in Maine. Thank you, Mr. President.

**THE PRESIDENT:** The Chair is pleased to recognize in the gallery Members of the Maine Association of Realtors, here today for Realtor Rally Day. They're here from all corners of Maine. They are the guests today of the Senator from Kennebec, Senator Pouliot. Would the guests please rise and accept the greetings of the Maine Senate.

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## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Strengthen the Health, Well-being and Academic Success of Children and Their Families Through Increased Community Support of the Boys and Girls Clubs of Southern Maine"  
H.P. 1408 L.D. 2197

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-888)**.

Signed:

Senators:

BALDACCI of Penobscot  
INGWERSEN of York

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
GRAHAM of North Yarmouth  
MADIGAN of Waterville  
SHAGOURY of Hallowell  
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-888)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-888)**.

Reports **READ**.

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

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

Senator **BALDACCI:** I just want to let the Chamber know that the title of the bill has been changed and the substance of the bill has been changed, so that it is not applying to one group or one part of the state, it is -- was changed to a \$2 million grant program that will be to award grants on a competitive basis from community nonprofits anyplace in the State of Maine to promote both youth education -- it's for middle school and high school students to promote their career exploration and also their academics in terms of being prepared for jobs and for the economy of the future. So, it's really to help improve the skills and abilities of our kids and to give them not only more places to learn but more places to recreate as well. So, I would move passage of this item.

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

Senator **MOORE:** Thank you, Mr. President. I would just like to rise and speak briefly in opposition of the pending motion. As my colleague, Senator Baldacci, mentioned, the amended version does require the Department of Health and Human Services to develop a grant program for community-based organizations that provide career exploration opportunities for youth of middle school and high school age. Although this grant program will be open to all, I have significant worries that programs outside of the major municipalities will be significantly disadvantaged. The language is neutral, but when you look at the expertise needed when applying for grants, my part of the state simply does not have enough experts to compete with groups in more populous areas. People from my districts wear many hats and play many roles. It is unfair for them to compete with those who have made professional careers in this field. Two million dollars will be quickly used up by groups with more resources, particularly those in the cities. I worry that my constituents in Washington and Hancock Counties will not be able to benefit from this program at all. It is important to consider how all parts of our state will be able to benefit when establishing new grant programs. Thank you, Mr. President.

Bill **READ ONCE.**

Committee Amendment "A" (H-888) **READ** and **ADOPTED.**

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

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### Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Establish a Civil Rights Unit and a Civil Rights Review Panel Within the Office of the Attorney General and Require Ongoing Enhanced Civil Rights Training for Civil Rights Officers" H.P. 1417 L.D. 2210

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-877).**

Signed:

Senators:

CARNEY of Cumberland  
BAILEY of York

Representatives:

MOONEN of Portland  
KUHN of Falmouth  
LEE of Auburn  
MORIARTY of Cumberland  
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 Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-877).**

Reports **READ.**

Senator **CARNEY** of Cumberland 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.

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The Chair noted the absence of the Senator from Penobscot, Senator **GUERIN**, and the Senator from Kennebec, Senator **LAFOUNTAIN**, and the Senator from Cumberland, Senator **PIERCE**, and further excused the same Senators from today's Roll Call votes.

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The Doorkeepers secured the Chamber.

The Secretary opened the vote.

### ROLL CALL (#647)

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

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

EXCUSED: Senators: GUERIN, LAFOUNTAIN, PIERCE

20 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 3 Senators being excused, the

motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-877) **READ** and **ADOPTED**.

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

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### Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Allow a Local Option Sales Tax on Short-term Lodging to Fund Affordable Housing"  
H.P. 823 L.D. 1298

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-883)**.

Signed:

Senators:

GROHOSKI of Hancock  
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor  
CROCKETT of Portland  
HASENFUS of Readfield  
MATLACK of St. George  
RANA of Bangor

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush  
LAVIGNE of Berwick  
LIBBY of Auburn  
QUINT of Hodgdon  
RUDNICKI of Fairfield

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

Reports **READ**.

Senator **GROHOSKI** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-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. Mr. President, Men and Women of the Senate, I ask my colleagues to vote against the pending motion. Local options taxes are targeting owners based on their use of private property goes against the right of one's ability to acquire, occupy, and use and dispose of real property as they choose within the law. This bill would disproportionately increase the tax burden to Maine's property owners. Owners should not be financially penalized for renting their properties to be able to afford to keep them. Short-term rentals - STRs - operations allow for property owners the ability to generate income which can provide financial stability or pathway for retirement. Renting property as a business is a means for many property owners to be able to afford to keep their properties. Secondly, property owners operating STRs are contributing to the local municipal tax base through their property taxes but are not using those services, primarily public education. Increasing the expense and limiting operation of these would not only drive property owners out of their markets to other markets but also result in a loss of needed local tax revenue. And third, short-term rental properties provide housing. You know, individuals renting these properties are contributing to the local economy. They're not solely for tourists or local travel. STRs are a proven solution for short-term employment contracts, which we're going to need for all the nurses that are going to have to be hired now, or per diem work such as healthcare professionals and construction workers, or even some hoping to move to Maine. STRs provide a pathway to housing often for people transitioning during a move, a life change, or a work contract. Mr. President, there are many, many more reasons not to do this, but singling out one specific area for this tax does not seem like the right approach moving forward. If the Maine State Legislature wants to support a local option sales tax, they should look at doing that as a levy across all sectors, not just one - particularly one in which we are facing a crisis with lack of housing. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Grohoski.

Senator **GROHOSKI:** Thank you very much, Mr. President. Colleagues, I would like to explain what this bill actually does, and I'd like to start with the principles of what a local option lodging tax is. First, as the name says, it's a local option. This bill does not require any municipality to collect taxes on lodging. It is an option for a community to select by referendum whether or not they want a local option tax to apply to lodging in their community. So, first and foremost, this bill is about local control. Secondly, another principle of local option lodging taxes is that this gives a community the opportunity to broaden their tax base away from just property taxpayers. Our municipalities have almost no options for raising revenue. I can think of just a couple - excise taxes, which I don't love, and property taxes. A local option lodging tax will give a municipality another way to raise revenue. Thirdly, a lodging tax is designed to specifically require essentially tourists to support and contribute to the communities that they are

enjoying visiting. The reason this bill is limited to just lodging is that we recognize something like a local option tax on all sales would affect Maine people quite a bit. However, a lodging tax really is designed to have tourists contribute to the communities that they enjoy and to have those communities have the opportunity to continue to provide the services that tourists need. I would like to note that only three states don't allow or don't have local option lodging taxes. New Hampshire taxes at 9% statewide for all lodging. Maine, same, 9%, and the third state is Connecticut, which taxes at 15% statewide. Most other states -- all other states do allow their local communities to raise revenue in this way. In fact, if you were to travel around the country, the amount of money that you would see on your bill when you purchase lodging, nationally, that average would be 13.5%. So, if a community in Maine opted to add a 1% lodging tax for people visiting any kind of lodging in their community that's currently subject to the 9% tax, they would see a 10% tax, which is well below the national average. I would like to note that one of the common arguments against a proposal like this is that we will see less visitation in Maine because it's more expensive to travel here. Well, back in 2016, the State of Maine raised the lodging tax from 8% to 9% and in that - that was 2016 - in that year, the amount of lodging sales increased dramatically. I don't think that that's a causation, but I would say that there's absolutely no data that proves that this would affect visitation. Specifically, to this bill, I would like to point out, as I mentioned before, that the only way the lodging tax would become effective is if a municipality, by referendum, voted to have this lodging tax in their community. So, what I ask of you, colleagues, is to allow our communities to make this decision for themselves. If you don't support a lodging tax, have that conversation in your town, if your town decides to even try for this method. My ask here is that the State give the communities that we come from and that we represent more tools to solve the challenges that they face. Specifically, this bill would allow a community to use the 1% that it would gain if it opted into a tax on lodging to help fund affordable housing. I think that that is a really important opportunity at this time and given the fact that some of what we're seeing in trends for lodging are actually exacerbating home prices and rental prices for our constituents. Some of the things that I can think of that this funding could be used for, if a town is already providing programs to support housing, this could free up tax dollars that they're spending for something like that. The town could use this amount of money to support general assistance when it is for housing. A town could create their own version of the homestead exemption to say if you are a low- or middle-income person, we're going to reduce your property taxes a little bit to help you stay in your home. So, there's a lot of flexibility here, but the point is that lodging, especially due to the influx of short-term rentals which we're seeing in almost every community in this state, is increasing the cost of housing for people in our communities. So, I hope you will support this motion, and I'm happy to provide any answers to any questions folks may have.

**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 (#648)

**YEAS:** Senators: BAILEY, BEEBE-CENTER, BRENNER, CARNEY, CHIPMAN, DUSON, GROHOSKI, INGWERSEN, RAFFERTY, RENY, TIPPING

**NAYS:** Senators: BALDACCI, BENNETT, BLACK, BRAKEY, CURRY, DAUGHTRY, FARRIN, HARRINGTON, HICKMAN, KEIM, LAWRENCE, LIBBY, LYFORD, MOORE, NANGLE, POULIOT, ROTUNDO, STEWART, TIMBERLAKE, VITELLI, PRESIDENT JACKSON

**EXCUSED:** Senators: GUERIN, LAFOUNTAIN, PIERCE

11 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **GROHOSKI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE, FAILED**.

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

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## Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Remove the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol" (EMERGENCY)  
H.P. 1371 L.D. 2147

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-880)**.

Signed:

**Sensors:**  
HICKMAN of Kennebec  
TIMBERLAKE of Androscoggin

**Representatives:**  
SUPICA of Bangor  
ANDREWS of Paris  
BOYER of Poland  
COLLINGS of Portland  
HYMES of Waldo  
RIELLY of Westbrook  
RUDNICKI of Fairfield  
WILLIAMS of Bar Harbor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-881)**.

Signed:



Senator:

BRENNER of Cumberland

Representatives:

MALON of Biddeford  
MONTELL of Gardiner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)**.

Reports **READ**.

On motion by Senator **HICKMAN** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-880) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-880)** in concurrence.

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#### Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Quality of Care and the Board of Trustees at the Maine Veterans' Homes" H.P. 1418 L.D. 2211

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-882)**.

Signed:

Senators:

HICKMAN of Kennebec  
BRENNER of Cumberland  
TIMBERLAKE of Androscoggin

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:

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-882)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-882)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-882) **READ** and **ADOPTED**.

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

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#### Divided Report

Eight members of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Provide Funding to Rebuild Infrastructure Affected by Extreme Inland and Coastal Weather Events" (EMERGENCY) H.P. 1426 L.D. 2225

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-894)**.

Signed:

Senators:

ROTUNDO of Androscoggin  
DUSON of Cumberland

Representatives:

SACHS of Freeport  
ANKELES of Brunswick  
COLLINGS of Portland  
FAY of Raymond  
GATTINE of Westbrook  
MATLACK of St. George

Three members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-895)**.

Signed:

Senator:

BENNETT of Oxford

Representatives:

DUCHARME of Madison  
MILLETT of Waterford

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 "C" (H-896)**.

Signed:

Representatives:

BLIER of Buxton  
CARLOW of Buxton

Comes from the House with Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-894) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-894)**.

Reports **READ**.

Senator **ROTUNDO** of Androscoggin moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-894)**, in concurrence.

On motion by Senator **STEWART** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE** of Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-894)**, in concurrence

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#### ENACTORS

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

#### Emergency Resolve

Resolve, to Protect and Enhance Access to Behavioral Health Services in Androscoggin County and Surrounding Communities  
S.P. 898 L.D. 2105  
(C "A" S-614)

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

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#### Emergency Resolve

Resolve, to Add Members to the Maine Semiquincentennial Commission and Set the Compensation Rate for Commission Members  
H.P. 1369 L.D. 2145  
(C "A" H-864)

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**.

Sent down for concurrence.

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#### Acts

An Act Regarding Municipal Taxation of Certain Solar Energy Equipment  
H.P. 725 L.D. 1153  
(C "A" H-855)

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

An Act to Direct the Maine Prescription Drug Affordability Board to Assess Strategies to Reduce Prescription Drug Costs and to Take Steps to Implement Reference-based Pricing  
S.P. 745 L.D. 1829  
(C "A" S-613)

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

An Act to Provide Grants to Schools That Contract for Behavioral and Mental Health Services  
H.P. 1280 L.D. 2002  
(C "A" H-856)

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

An Act to Exempt from Sales Tax the Sale and Delivery of All Residential Electricity  
H.P. 1367 L.D. 2143  
(C "A" H-866)

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

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#### Resolve

Resolve, Directing the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council to Add a 3rd Option for Gender on State Forms  
H.P. 1434 L.D. 2235  
(C "A" H-854)

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

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

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Senate at Ease.

The Senate was called to order by the President.

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**RECESSED** until the sound of the bell.

After Recess the Senate was called to order by the President.

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

#### REPORTS OF COMMITTEES

##### Senate

###### Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Require Electricity Providers to Inform Customers of Alternative Electric Rates and Gather Consent Prior to Contract Renewal"  
S.P. 918 L.D. 2163

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-633)**.

Signed:

Senators:

LAWRENCE of York  
GROHOSKI of Hancock  
HARRINGTON of York

Representatives:

ZEIGLER of Montville  
DUNPHY of Embden  
FOSTER of Dexter  
KESSLER of South Portland  
PAUL of Winterport  
RUNTE of York

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-634)**.

Signed:

Representatives:

GEIGER of Rockland  
WARREN of Scarborough

Reports **READ**.

On motion by Senator **LAWRENCE** of York, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-633)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-633) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-633)**.

Sent down for concurrence.

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

#### REPORTS OF COMMITTEES

##### Senate

###### Divided Report

Six members of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Designate First Responders and Other Public Safety Professionals as a Special Risk Population for the Purposes of Improving Insurance Coverage for the Effects of Trauma"  
S.P. 199 L.D. 444

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-636)**.

Signed:

Senators:

BAILEY of York  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
MASTRACCIO of Sanford  
MATHIESON of Kittery

Four members of the same Committee on the same subject reported in Report "B" that the same be **REFERRED** to the Committee on **LABOR AND HOUSING**.

Signed:

Representatives:

CLUCHEY of Bowdoinham  
CYRWAY of Albion  
PRINGLE of Windham  
SWALLOW of Houlton

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

MORRIS of Turner  
NUTTING of Oakland

Reports **READ**.

Senator **BAILEY** of York moved the Senate **ACCEPT** Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-636)** Report.

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

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

Senator **BAILEY:** Thank you, Mr. President, Men and Women of the Senate. Today, I rise to speak in favor of the pending motion. This critical bill would ensure that our first responders, who work together day in and day out to address public safety emergencies while voluntarily exposing themselves to situations that most of us hope to never experience, have specialized health coverage for preventative screening. The repeated exposure to traumatic events is a known factor in shortening the life expectancy of our first responders. Some studies show that police officers have life expectancies in their 50s, while their civilian counterparts regularly live into their 70s and 80s. These brave individuals face not only physical challenges, but also significant mental and emotional burdens as they navigate the aftermath of emergencies. In fact, there are several presumptive injury categories for workers compensation benefits linking the role of firefighter, police officer, corrections officer, dispatcher, and EMS provider to cardiac arrest, cancer, and posttraumatic stress disorder. LD 444 would not only enhance access to preventative health screenings, but it would also address the broader issue of mitigating the health impacts of repeated exposure to traumatic events. Instead of providing benefits once a first responder is ill, this bill would go further to help keep them safe in the first place. We owe it to the brave men and women who put themselves in harm's way to pass this bill. This bill would make sure that all first responders are evaluated for their real health risk, regardless of the size or capacity of the agency they work for, their employment status, or the insurance carrier. It also uses the well-established special population model to trigger appropriate screenings. All across Maine, firefighters and police officers should be able to access this type of treatment before their symptoms become severe, impacting their personal lives and their professional duties. These men and women keep us safe, and it is time that we take care of them as well. This bill was prompted by a discussion with our Chief of Police in Saco, Chief Clements. He had gone for his routine physical with his PCP and having recently attended a seminar on preventative health screenings for first responders, asked about getting a specialized lipid test that can detect pre-health risk for a heart attack that are not detected by the standard cholesterol blood tests. Luckily for Chief Clements, his PCP was willing to order the test, which indicated that in fact Chief Clements was at high risk for a heart attack. The chief was able to adjust his diet and exercise routine and begin appropriate medications so that now he has lowered his numbers to a safe range. Chief Clements credits this early screening tool with preventing him from suffering a heart attack and potentially saving his life. Unfortunately, after numerous appeals, the chief's insurance company refused to pay for this lifesaving test, and he was forced to pay for his testing with his

own money. This bill would change that and require insurance companies to cover these potentially lifesaving preventative screenings for our first responders. I urge my colleagues to support the pending motion so that we can continue to support our first responders and give them the care that they deserve. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the pending motion for a few different reasons, three reasons in particular. First, this proposal is a mandate on private insurance companies which would typically be subject to a mandate review. That mandate review did not take place for this legislation, and I know that there are some hoping that perhaps we would reconsider moving forward on this and have a mandate review. Second, many members of the committee, including there's a bipartisan report from the committee felt that perhaps this was not in the right committee, that it is a labor issue and should've been before the Labor and Housing Committee, so there's that report. But ultimately, I think the biggest reason I can't support this, let me say up front that, you know, we all love our first responders, and we want them to have the absolute best insurance available, especially considering the high-risk situations they often find themselves in on our behalf. I think that we all share that belief. That said, they can have access to this, their employers can pay for that higher level of insurance rather than going this route with this legislation of mandating it and causing everyone's health insurance premiums to rise to pay for it. The proper place for this to be paid for is with the employers of our first responders. So, that's why I'm in opposition to this legislation today.

**THE PRESIDENT:** The pending question before the Senate is Acceptance of Report "A" Ought to Pass as Amended by Committee Amendment "A" (S-636). 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 (#649)**

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

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

**EXCUSED:** Senators: **GUERIN, LAFOUNTAIN, PIERCE**

21 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BAILEY** of York to **ACCEPT** Report "**A**"

**OUGHT TO PASS AS AMENDED BY COMMITTEE  
AMENDMENT "A" (S-636), PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (S-636) **READ** and **ADOPTED.**

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

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator LAWRENCE for the Committee on **ENERGY, UTILITIES  
AND TECHNOLOGY** on Bill "An Act to Protect Property Owners  
by Preventing the Use of Eminent Domain to Build Transmission  
Lines Under the Northern Maine Renewable Energy Development  
Program"  
S.P. 880 L.D. 2087

Reported that the same **Ought to Pass as Amended by  
Committee Amendment "A" (S-638).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-638) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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Senator CURRY for the Committee on **INNOVATION,  
DEVELOPMENT, ECONOMIC ADVANCEMENT AND  
BUSINESS** on Bill "An Act to Establish the Maine-Ireland Trade  
Commission and Improve Collaboration with Ireland"  
S.P. 919 L.D. 2164

Reported that the same **Ought to Pass as Amended by  
Committee Amendment "A" (S-637).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-637) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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Senator CARNEY for the Committee on **JUDICIARY** on Bill "An  
Act to Allow the Department of Corrections to Comply with the  
Federal Prison Rape Elimination Act of 2003" (EMERGENCY)  
S.P. 970 L.D. 2250

Reported that the same **Ought to Pass as Amended by  
Committee Amendment "A" (S-635).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-635) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator BRENNER for the Committee on **ENVIRONMENT AND  
NATURAL RESOURCES** on Bill "An Act to Authorize a Stop-  
work Order Regarding an Activity That Is Creating a Substantial  
Adverse Impact to a Protected Natural Resource"  
S.P. 971 L.D. 2253

Reported that the same **Ought to Pass as Amended by  
Committee Amendment "A" (S-640).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-640) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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Senator CHIPMAN for the Committee on **TRANSPORTATION** on  
Bill "An Act to Amend the Laws Governing Motor Vehicles"  
S.P. 873 L.D. 2072

Reported that the same **Ought to Pass as Amended by  
Committee Amendment "A" (S-642).**

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

Bill **READ ONCE**.

Committee Amendment "A" (S-642) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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## ORDERS OF THE DAY

### Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/20/24) matter:

HOUSE REPORT - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, to Investigate and Address Municipal Solid Waste Disposal Services Issues (EMERGENCY) H.P. 1359 L.D. 2135

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-828)**

Tabled - March 20, 2024 by Senator **BRENNER** of Cumberland

Pending - **ACCEPTANCE OF REPORT** in concurrence

(In House, Report **READ** and **ACCEPTED** and Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-828)**.)

(In Senate, March 20, 2024, Report **READ**.)

The **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-828) **READ**.

On motion by Senator **BRENNER** of Cumberland, Senate Amendment "A" (S-612) to Committee Amendment "A" (H-828) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

On motion by Senator **BENNETT** of Oxford, Senate Amendment "A" (S-639) to Committee Amendment "B" (H-828) **READ**.

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

Senator **BENNETT**: Thank you, Mr. President. Twenty years ago, Maine bought the Juniper Ridge landfill to be sure that with the closing of municipal landfills, our citizens in our towns have a place to dispose of waste generated in Maine. In 2004, Casella was awarded a 30-year contract to manage that state owned asset, Juniper Ridge. Now, despite the fact that this contract still has ten more years, the Department of Administrative and Financial Services would like to extend the contract by an additional six years, beyond 2034, without putting the proposal out to bid. The Department says that this is because improvements and extensions are required at Juniper Ridge and Casella is unwilling to expend the necessary funds without the guarantee of a longer contract. I asked the Department a few weeks ago why they would not put this contract out to competitive bid. Their answer? Because they just don't need to. Well, because the Department can extend a contract without putting it out to bid just because they can, doesn't mean that that is a good idea and that they should. When such a significant amount of taxpayer money and such an important asset is at stake here, I believe we must ensure that money is spent and that asset is used in the most efficient way possible to benefit the people of Maine. My question is why wouldn't we put this out to bid? How can we guarantee that the taxpayers are getting the best bang for their buck if we close the competition to only one bidder for 40 years? It makes no sense to me. We know that our municipalities have been hit with significant increases in handling fees by Casella, and there's nothing they can do about it because Casella is, effectively, a monopoly. Right now, communities are in a take it or leave it situation. Casella's business is essentially a public utility, but the Public Utilities Commission does not regulate them, and they have not volunteered to share financial information with the PUC that the PUC would routinely require from a utility. Are their expenses, their fee increases justified? We don't know because Casella refuses to share the critical information. Despite receiving an incredibly lucrative state contract, Casella is beyond opaque. Over the past two years, I've asked some open, direct questions about the management of our state-owned facility by Casella. In my search for answers and information, extremely little is forthcoming. Our right to know did not end with the signing of this contract in 2004. We as policymakers cannot make good decisions if relevant information is kept from us. It's clear that Casella, very understandably, has a very profitable relationship that they want to protect, and shame on us for not demanding in that 30-year contract better information so we can better serve the people of Maine. This amendment before you would ensure that the negotiation and extension of an agreement would be set to bid at the end of its current 30-year term, which I remind you again, is ten years from now. It also allows for the parties to terminate the agreement earlier if they find it's mutually beneficial. Now, you ask why might they find it mutually beneficial? I believe that the Juniper Ridge landfill is inadequate for our future. The Department has acknowledged that, the Department of Environmental Protection has acknowledged that, and hence, the request to expand the Juniper Ridge landfill. But this resolve before us also has the State look at the possibilities of another landfill in Jay, and I believe that that process should be allowed to play out before we just accept the notion that we have to give Casella a 40-year contract, extending the contract to an end date 16 years from now. Perhaps there's another landfill location that will serve the people of Maine better. We need to know, and I think Casella, like any bidder, should be allowed to consider all options with

respect to expanding landfill capacity in the State of Maine. As stewards of state government, I think we have to end this bad practice of extending this contract, and we can end it now. More transparency and accountability are needed today. Without competition or effective financial oversight, we all know the market doesn't function as intended. Mainers deserve better. We should support opening the bidding process, not closing it to allow one questionable actor to take advantage. I present this amendment in that spirit, and I encourage you to vote for the pending motion. Thank you, Mr. President.

On motion by Senator **VITELLI** of Sagadahoc, 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 Brenner.

Senator **BRENNER:** Thank you, Mr. President. I urge the Body to vote down the pending motion. With all due respect to the passion from my friend from Oxford, I just want to mention a few things about the committee process. This is a unanimous report out of committee, and the committee often deals with the issues of attempting to try to find ways to have the operator of the Juniper Ridge landfill be more transparent. In the amendment that you just all voted on unanimously, we require a public benefits determination to not only be initiated but also completed. This will give the Department of Environmental Protection more information about how the expansion could potentially benefit or not the surrounding communities as well as the state as a whole. In addition, we also require PFAS treatment be initiated for the leachate that's pouring into the Penobscot River. This amendment was not part of the committee's discussion and with regard to the monopoly that the operator has in the state, I will say that part of the committee's process was to discuss the ability for the state to take over the Jay papermill's landfill and explore whether or not that would be an alternate landfill site that the State could also use with potentially the same or a different operator. And then finally, the only thing I want to add is the one thing that comes up often when we talk about the operator is that they were one of the few that stepped forward to consider the original request for proposals when the bid went out and part of that is because the operator does assume full liability for the operation of the landfill, which is an enormous responsibility and it does mean that costs are on them for those liabilities and that responsibility is removed from the State. So, for things like PFAS treatment, that falls on the operator. So, that's all I have to say on this matter, and I encourage you to vote down the pending motion. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Adoption. 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 (#650)

**YEAS:** Senators: BENNETT, BLACK, BRAKEY, CHIPMAN, GROHOSKI, HICKMAN, KEIM, LIBBY, MOORE, NANGLE, POULIOT, RENY, STEWART, TIMBERLAKE, TIPPING, PRESIDENT JACKSON

**NAYS:** Senators: BAILEY, BALDACCI, BEEBE-CENTER, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, FARRIN, HARRINGTON, INGWERSEN, LAWRENCE, LYFORD, RAFFERTY, ROTUNDO, VITELLI

**EXCUSED:** Senators: GUERIN, LAFOUNTAIN, PIERCE

16 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **BENNETT** of Oxford to **ADOPT** Senate Amendment "B" (S-639) to Committee Amendment "A" (H-828), **FAILED**.

Committee Amendment "A" (H-828) as Amended by Senate Amendment "A" (S-612) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED COMMITTEE AMENDMENT "A" (H-828) AS AMENDED BY SENATE AMENDMENT "A" (S-612)** thereto, in **NON-CONCURRENCE**.

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

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

## REPORTS OF COMMITTEES

### Senate

#### Ought to Pass

Senator GROHOSKI for the Committee on **TAXATION** on Bill "An Act Updating References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY)  
S.P. 850 L.D. 2022

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.

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

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On motion by Senator **HICKMAN** of Kennebec, **ADJOURNED** until Wednesday, April 3, 2024 at 10:00 in the morning in memory of and lasting tribute to Lado Lodoka of New Gloucester.