

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

In Senate Chamber
Wednesday
April 10, 2024

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

Prayer by Pastor Douglas L. Watermolen of Royal Ridge Church of God in Scarborough.

PASTOR DOUGLAS WATERMOLEN: Good morning. Thank you, Senate President, Honorable Troy Jackson. Thank you to the Senate Majority Leader, Senator Vitelli, Senate Minority Leader, Senator Stewart III, and to the Honorable State Senator Stacy Brenner for the invitation this morning. As a fellow Scarborough resident, I'm very pleased to be here today, and to all the Members of the Maine State Chamber of the Senate, thank you for your hospitality. There's an academic, a college professor, a writer, a poet, a general, a Medal of Honor recipient, a governor of this state, who had this to say: Joshua Lawrence Chamberlain said there is a way of losing that is finding. When soul overmasters sense. When the noble and the divine self overcomes the lower self. When duty and honor and love immortal things bid the mortal perish. It is only when a man supremely gives that he supremely finds. Let us lift our hearts towards heaven. Heavenly Father, we come before you today in this Chamber, humble men and women who now seek your wisdom. Let wisdom be provided to each one here. Wisdom to learn, wisdom to walk in your ways, and wisdom to lead the people of the great state of Maine. Lead them, Holy Father, as they lead their communities, this great state and the people of this land. This land is yours, and all that is in it. Let us be mindful, let us be purposeful, and let us be respectful as good stewards of all that you've provided for us. Everlasting Father, you are a good, good father. A father to the widows and orphans, truly a father to the fatherless. You have promised to never leave us nor forsake us. We are in great need of you now here today. Come and pour out your mercy and your grace upon each and all of us this very hour. Creator of heaven and earth, come in your glory. Be it unto us today as we have asked in your righteous, holy, and everlasting name, the name above all names and which by we may be saved. Father, raise up a generation full of faith, full of promise, and full of your glory. Let your kingdom come as it is in heaven, let it be done here on earth. Amen, and amen.

National Anthem Performed by Devon Gillespie of Bingham.

Pledge of Allegiance led by Senator Donna Bailey of York County.

Reading of the Journal of Tuesday, April 9, 2024.

Medical Provider of the Day, Sarah Greven-Chaousis PA-C of Falmouth.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act to Prohibit Insurers from Using Credit Information as a Factor in Certain Insurance Practices
S.P. 950 L.D. 2220

In Senate, April 3, 2024, on motion by Senator **BAILEY** of York, Report "A", **OUGHT TO PASS AS AMENDED, READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-649)**.

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

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

Sent down for concurrence.

Non-Concurrent Matter

An Act to Implement the Recommendations of the Task Force to Evaluate the Impact of Facility Fees on Patients to Improve Facility Fee Transparency and Notification and to Prohibit Facility Fees for Certain Services
S.P. 987 L.D. 2271

In Senate, April 3, 2024, on motion by Senator **BAILEY** of York, the Minority **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-655)**.

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

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

Sent down for concurrence.

Joint Orders

The following Joint Order:
H.P. 1468

ORDERED, the Senate concurring, that "Resolve, to Require the Maine Board of Pharmacy to Review Work Practices and Treatment of Pharmacists," H.P. 173, L.D. 275, and all its accompanying papers, be recalled from the legislative files to the Special Study Table.

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

READ.

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 Kennebec, Senator **HICKMAN**, and the Senator from Penobscot, Senator **LYFORD**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#672)

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

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

EXCUSED: Senators: HICKMAN, LYFORD

21 Members having voted in the affirmative and 12 Members having votes in the negative, with 2 Senators being excused, with 21 not being more than two-thirds of the members present and voting, pursuant to Joint Rule 404, the Joint Order **FAILED**, in **NON-CONCURRENCE**.

Joint Resolutions

The following Joint Resolution:
H.P. 1475

JOINT RESOLUTION RECOGNIZING APRIL 2024 AS SEXUAL ASSAULT AWARENESS MONTH

WHEREAS, sexual assault affects all communities in Maine and people of all races, genders and economic backgrounds, and over 14,000 people in Maine are sexually assaulted each year and one in 5 Maine citizens will experience sexual violence in their lifetimes; and

WHEREAS, the effects of sexual violence have wide-ranging public health ramifications and societal costs, and survivors and their loved ones can experience consequences including mental health crises, substance use disorder, homelessness, lost wages and health care costs, among others; and

WHEREAS, sexual violence affects certain groups more often, and that disproportionate impact is related to historical experiences of marginalization and oppression, providing evidence that sexual assault is a tool of control and power; and

WHEREAS, systems of support for survivors of sexual assault often have inadequate resources, do not provide adequate options for justice and healing and retraumatize survivors; and

WHEREAS, widespread stigma and misconceptions around sexual violence result in low rates of reporting of crimes, increased isolation and shame for victims and the continuation of cultures of violence; and

WHEREAS, raising awareness in our communities about the causes of and solutions to sexual violence can lead to long-term positive cultural and systemic changes, and building a future free from sexual violence requires us to commit to making those changes; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize April 2024 as Sexual Assault Awareness Month and to express our support for and encouragement of all those affected by sexual violence; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Coalition Against Sexual Assault as a token of our respect and support.

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

The Joint Resolution was **READ**.

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

Senator **DUSON**: Thank you, Mr. President. I would like to just offer a few comments on this Resolve. April is National Sexual Assault Awareness and Prevention Month, a time to reflect on the huge impact that sexual violence continues to have, and to commit to making the cultural and political changes necessary to end sexual violence forever. We know that in Maine, one in five of us will experience sexual assault at some point in our lives. Each year, 19,000 Mainers will experience sexual violence. These numbers are staggering and represent real people, our friends, family members, and neighbors who will live with the consequences of that violence for the rest of their lives. We also know that these impacts are experienced most often by our most vulnerable community members - children, elders, people with disabilities, transgender people, and black and indigenous women are all at much higher risk of experiencing sexual violence and sex trafficking. Sexual violence is at its heart a crime of power and control, and the work of ending this violence begins with leveling playing fields for every Mainer and providing better choices and opportunities to the most marginalized in our state. Sexual assault response and prevention begins with us but also must be reflected in each of the communities we represent. Thus, we call on every Mainer to educate themselves about the impacts of this violence, teach our children to respect themselves and others, and practice asking for and receiving enthusiastic consent in everything they do.

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

Senator **CARNEY**: Thank you, President Jackson, Colleagues of the Senate. I rise to speak briefly with regard to this Resolution and the importance of recognizing Sexual Assault Awareness Month. Following up on the comments by the Good Senator from Cumberland, Senator Duson, I just wanted to point out the work that this Body and this Legislature has done to support victims of sexual assault. We've updated many of Maine's laws to be more protective of people experiencing sexual violence. We've also shown strong support for providing funding to replace federal Victims of Crime Act funds that have decreased so that Maine can continue to support our strong and effective network of services for those who have experienced sexual assault and other crime victims. And so, I would just say, on this very important month as we recognize sexual assault and elevate the awareness of it, that we should continue to maintain that awareness among those in this Chamber because we have done good work in a bipartisan way, and I encourage us to continue that. Thank you.

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

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.

COMMUNICATIONS

The Following Communication: S.C. 1077

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

March 29, 2024

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Gordon Kramer of Enfield, for appointment to the Maine Indian Tribal-State Commission.

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

YEAS	Senators	1	Carney, A. of Cumberland
	Representatives	7	Moonen, M. of Portland, Beck, M. of South Portland, Kuhn, A. of Falmouth, Lee, A. of Auburn, Moriarty, S. of Cumberland, Poirier, J. of Skowhegan, Sheehan, E. of Biddeford
NAYS		0	
ABSENT		5	Sen. Bailey, D. of York, Sen. Brakey, E. of Androscoggin, Rep. Andrews, J. of Paris, Rep. Haggan, D. of Hampden, Rep. Henderson, R. of Rumford

Rep. Dana of Passamaquoddy Tribe supports the Committee's recommendation.

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Gordon Kramer of Enfield, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Ane Carney
Senate Chair

S/Matt Moonen
House Chair

READ and ORDERED PLACED ON FILE.

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

Senator **CARNEY:** Thank you, Senate President, Colleagues of the Senate. I just rise briefly to let you know what an excellent candidate we have in Mr. Gordon Nells Kramer of Enfield. He has significant fisheries expertise and experience working with members of the Penobscot Nation and Passamaquoddy Tribes and with their fishery's biologists on issues including winter creel surveys, habitat surveys, water quality surveys, and summer and fall gill and trap netting monitoring. And I would just say that he impressed the committee with his qualifications and his interest in serving on the Maine Indian Tribal-State Commission and I urge you to vote no in order to support his confirmation.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#673)

YEAS: Senators: None

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

EXCUSED: Senators: LYFORD

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Gordon Kramer** of Enfield, for appointment to the Maine Indian Tribal-State Commission was **CONFIRMED**.

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

The Following Communication: S.C. 1078

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

April 9, 2024

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Labor and Housing has had under consideration the nomination of Ryan J. Bushey of Houlton, for appointment to the State Workforce Board.

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

YEAS	Senators	2	Tipping, M. of Penobscot, Pouliot, M. of Kennebec
	Representatives	5	Roeder, A. of Bangor, Bradstreet, D. of Vassalboro, Drinkwater, G. of Milford, Gere, T. of Kennebunkport, Skold, C. of Portland
NAYS		0	
ABSENT		6	Sen. Daughtry, M. of Cumberland, Rep. Galletta, J. of Durham, Rep. Geiger, V. of Rockland, Rep. Malon, M. of Biddeford, Rep. Russell, R. of Verona Island, Rep. Soboleski, M. of Phillips

Seven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Ryan J. Bushey of Houlton, for appointment to the State Workforce Board be confirmed.

Signed,

S/Michael Tipping
Senate Chair

S/Amy Jean Roeder
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR AND HOUSING** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#674)

YEAS: Senators: None

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

EXCUSED: Senators: LYFORD

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ryan J. Bushey** of Houlton, for appointment to the State Workforce Board was **CONFIRMED**.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Beth Ahearn, of Freeport, on her retirement. Ms. Ahearn has been a staple at the State House for almost 20 years. Most legislators know her as the Director of Government Affairs for Maine Conservation Alliance, Maine Conservation Voters. She has been a force for the protection of our environment, climate and democracy. She oversaw many successful environmental protection efforts, including restoring alewives on the St. Croix River, passing the innovative extended producer responsibility for packaging law, funding the Land for Maine's Future program and advancing a suite of climate change policies that will protect Maine's environment for years to come. Ms. Ahearn started as a contract lobbyist with Maine Conservation Alliance, Maine Conservation Voters in 2010 and became a full-time member of the staff in 2012. Prior to her work there, she worked as a lobbyist with Moose Ridge Associates from 2007 to 2011, was a guardian ad litem representing the best interests of children in

child protective and divorce proceedings in District Court from 2000 to 2006, was a staff attorney for Maine Audubon from 1991 to 1996 and served as an Assistant District Attorney in both Cumberland and Androscoggin counties from 1988 to 1993. We extend our congratulations and best wishes; SLS 1801

Sponsored by Senator DAUGHTRY of Cumberland. Cosponsored by Senators: BENNETT of Oxford, BLACK of Franklin, BRENNER of Cumberland, CARNEY of Cumberland, Representatives: ANKELES of Brunswick, ARFORD of Brunswick, CAMPBELL of Orrington, CARLOW of Buxton, DOUDERA of Camden, GOLEK of Harpswell, GRAMLICH of Old Orchard Beach.

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

Senator **DAUGHTRY:** Thank you, Mr. President, Men and Women of the Senate. I rise to speak to this Joint Order. Beth Ahearn has been a staple of the State House for almost 20 years, and most legislators now know Beth as the Director of Government Affairs for Maine Conservation Alliance and Maine Conservation Voters. In her role at MCV, Beth has been a force for the protection of our environment, climate, and democracy. She oversaw many of the EPC's biggest victories like restoring alewives on the St. Croix River, passing the innovative extended producer responsibility for packaging law, funding the Land for Maine's Future Program, and advancing a suite of climate change policies that will protect Maine's environment for years and generations to come. She started, as we heard, as a contracted lobbyist in 2010 for MCV, and came on full-time in 2012, which incidentally is the same year that I entered this building. Prior to her work at MCAV, Beth worked as a lobbyist with Moose Ridge Association. She's also served as a guardian ad litem, looking out for the best interests of children and child protective and divorce proceedings as well as serving as both an attorney for Maine Audubon and Assistant DA. Her achievements are varied and impressive, but the most impressive thing about Beth is her combination of passion, humor, conviction, hard work, integrity, loyalty, and generous nature that has endeared her to so many with whom she has worked with. Beth has always been able to work with colleagues on both sides of the aisle, as we know well, and she's ready to do the hard work with a smile on her face, which is amazing sometimes in this building, let me say. You always know where to find her, because you can hear her laugh from two floors away, and with someone with a fellow laugh that can break glasses, I sometimes notice I can hear both of us on different floors. She is beloved by both legislators and advocates alike, and you'd be hard pressed to find anyone in this building whom she hasn't had a positive impact on. I have loved getting to work with Beth on a plethora of different issues, especially since I entered as a wee newbie at the same time in 2012 when she came on. I also enjoyed getting to work with her on a bill that took eight years to pass, a bill phasing out coal tar in our state, which was a strange little bill that just a small tag team of people cared about, but Beth was there to help advise me and walk me through it. She's been a mentor, a colleague, a co-conspirator, and I am going to miss her presence and smile in the halls and building. The State House will be a lot more quiet and a little less joyful without her presence. We wish her the best in her retirement, and we hope that we can twist her arm that she'll

swing by and say hi every once in a while.

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

Senator **BENNETT:** Thank you, Mr. President, Fellow Members of the Senate. I regret that this -- as a co-sponsor of this sentiment that there's one position that is failed to be listed and that it was honorary page for the President Pro Tem, which she performed admirably and as she does all of her duties. I first got to know Beth when I actually served on the Board of Maine Conservation Voters after my previous service, and she came to work with that organization about the time that I was completing my service. And so, I've had the opportunity to know Beth for quite a while, and I just have to say that, along with the Senator from Cumberland, Senator Daughtry, as we know, she's just a positive, constructive presence always. She's always been an honest broker, a great contributor to policymaking, passionate, joyful, and as mentioned, her distinctive laugh has brought joy to me when I find myself in the dark recesses of this -- that this building sometimes produces. Beth has lifted us all up, she's lifted me up, she's made hard days a heck of a lot more fun and a heck of a lot more enjoyable, and she's really made an incredible constructive contribution to the policy making that we do. Because she has always brought people together, she's always dealt with people with integrity, she's always dealt with people with respect, and I just have to say, Beth, Godspeed to you. I'm going to miss your presence, as I think we all will, and I just wish you happy paths ahead. Thank you.

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

Senator **CHIPMAN:** Thank you, Mr. President, Men and Women of the Senate. I'm not going to repeat what some of my colleagues have said, but I just want to say it's been a real honor and privilege to work with Beth over the years, not only during the four years I served on the Environment and Natural Resources Committee, but during my entire 14 years of service here, she's been a source of really valuable, honest information that's helped inform us and make better decisions than we would've made otherwise. It's going to be a huge loss not to have Beth here, but again, just want to thank her for all the amazing work she's done with us over the last 20 years and wish her well in her retirement. Thank you.

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

Senator **BRENNER:** Thank you, Mr. President, and Colleagues of the Senate. My friends here in the Chamber speak my mind about Beth Ahearn, but I just want to say one -- a couple more things that -- well, one really important thing which I think you guys all share with me, which is that I have a huge girl crush on Beth Ahearn, and it all started with the way that she -- and I know she's done this to all of you, she sort of sidles up and she kinds of grabs your hand and your elbow and holds on really tight while she talks to you, and leans in, and it's a pretty powerful effort to make sure she can get her words in. And then, my crush really grew with the capacity, like others have mentioned, that you can hear her laugh just resonate through the entire State House. And her smile, her kindness, and her unwavering capacity to find a

way forward for all of us. I'll miss her, her shoes will be hard to fill, and her laugh will be irreplaceable. And one thing I do want to mention is that Ahearn rhymes with adjourn, so in the spirit of Beth's retirement, I look forward to adjournment on time. Thank you.

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

Senator **ROTUNDO:** Thank you, Mr. President. I just have to say that Beth is one of the most effective advocates that I've worked with in this building over the years. She's so richly deserving of all the praise that has been shared this morning. I just want to add my thanks for all that she has done for the people of Maine and for our environment, and just to let her know how very, very much we're going to miss her. Thank you.

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

Senator **LAWRENCE:** Thank you, Mr. President, and I can't tell you what a happy day this is for Beth to be retiring; but oh, my God, my life is going to become so much simpler now that she's not here. I've had to set up a special ringtone on my phone for Beth. Over the last six years, we've been doing a lot of things on climate change and Beth has become my new best friend. But I go back to 1991, knowing her back in 1991, when she worked for I think Maine Audubon. I've known her ever since then, and one of my favorite conversations, she called me Moses, she wanted me to split the water and get something done, and I was working tirelessly on it and I called her back late at night one time to tell her what was going on, and she said -- I said where are you, and I said -- and she said oh, I'm out playing tennis now. So, she gets me to work very hard, and then she goes off and plays tennis and expects me to report the results to her at her leisure. So, that is Beth Ahearn, and I will miss her greatly. I'm sure it's not going to be the last time we see her, not going to be the last time she's around here working on issues, but her impact on the environment, on climate change, cannot be overstated. She has had a tremendous impact in the State of Maine, and she will be sorely missed. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Black.

Senator **BLACK:** Thank you, Mr. President, Men and Women of the House. Beth, wow, last -- I can't imagine the halls -- I've been here 14 years, and I can't imagine the halls without Beth being in them, and her talks and lobbying of me, but what a journey you have had. I have many memories of working with you, and most of them were really great. But I can remember about 12 years ago -- I can remember about 12 years ago, I was in the House, and we had a solar bill, and I think you thought I was going to vote one way and when I came out of the Chamber, I had voted the other way, and you were coming down the stairs from the balcony. And I can still see that look on her face when she looked at me, and I will never forget that vote or that look. I consider you -- having said that, I consider you a great friend and thank you for all the help you've given me over the years. I have enjoyed your visits to the farm, and I hope they continue. I can only wish you the best in the future and thank you for all the hard work that you've done for the State of Maine. Thank you, Beth.

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

Senator **DUSON:** Thank you, Mr. President. I just want to add my voice to this choir of praise for Beth Ahearn. I'm in my first term in the Senate, but I've been involved in issues over the years and had many opportunities to work with Beth on conservation issues and other issues as an elected official in Portland. In my first term, I've been the grateful recipient of something that all of you get all the time, that would be hugs from Ahearn. And I also want to just bring up one other example of how Beth really tailors her lobbying/advocacy to the member who she's speaking with. You know we have many opportunities to have issue briefings, lunch briefings. Well, there was just one more briefing she wanted me to go to over breakfast, and I sent her a note saying I'll come if it involves bacon. And when I showed up, indeed, she passed me a private plate of bacon. So, thank you very much.

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

Senator **PIERCE:** Thank you, Mr. President, and Ladies and Gentlemen of the Senate. I, too, rise to echo everything that I've heard and also to share that the work that I've done with Beth over the years with Land for Maine Futures and election integrity has been some of the greatest pleasure to get that across the finish line and find a way to move these things forward. She does it with professionalism and humor, and it will be sorely missed in the hallways come next term. I also want to share that my young daughter was graduating from college and wondering where to go with her life and what to do, and conservation and advocacy is something that she's always been interested in, and I asked Beth if she'd spend some time having coffee. She readily said yes, and it was one of the most important conversations I think my daughter had, and I will eternally grateful because she's headed in a good direction, and I appreciate her taking that on as well. So, congratulations, we'll miss you, the laughter, the hugs. I don't have -- well, I could have a girl crush, I didn't think about that, that might fun. And I don't think I ever got the evil eye like Senator Black, but maybe, you never know, so, anyway, congratulations.

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

Senator **FARRIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I just want to rise to continue with the accolades but tell one story. My first term in the House -- sometimes, you'd be surprised that sometimes Beth and I didn't see eye to eye on some of the advocacy that she was doing at the time, and if you know those scorecards that come out at the end of the session, I think I got a zero the first time around. And I think it was the second session of the 127th or 128th, I voted for one of the bills that Beth was advocating for, and she came up to me and said Representative, I've got great news, you're going to be our most improved legislator. And I looked at Beth and said, you don't understand, Beth, that's not a good thing, they'll primary me in Somerset County if you do that. And -- but since then, smiles in the halls, conversations, and even though we might not see eye to eye on things, I consider Beth a friend, and I wish her nothing but the best in her retirement, and she will be missed in these halls. Thank you, Mr. President.

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

Senator **INGWERSEN:** Thank you, Mr. President. I would just like to rise and echo what everybody else has been saying about Beth. I haven't been here a long time, but right from the get-go, Beth has been there. We have talked, we've shared a lot of the same issues, and I've learned a lot from her. I especially appreciate her laughter, her humor in the midst of really tough, tough issues, as we've gone through the years, and I only wish that I'd been here longer and gotten to know her earlier. So, Beth, I just want to say congratulations, and I wish you all the best.

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

Senator **GUERIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think Beth and her cheerful countenance has been such an addition to my career in the House and the Senate, and I think it kind of exemplifies what it should be like here. Beth probably goes out and campaigns against me, but we're still good friends. And we have our hall joke that we have both enjoyed on hard days, so I will say, salutations to you, my friend.

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

Senator **TIMBERLAKE:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I personally don't know why you guys are all praising Beth. Every time I walk by her, she punches me, and she's been doing that for years. I'm really baffled by this whole mystical situation we're under right now. It's been a number of years and Beth and I -- and all seriously, Beth, I wish you nothing but the very best. It's been a great pleasure. A lot like Senator Farrin, about my fourth year in the House, I ended up with like a 20 rating, and the report -- and I said Beth, what are you doing to me? You're killing me. But no, your laugh, your fun, your punches, I love every bit of them. And again, I know my farm's better than Senator Black's when you come to visit because your mother will vouch for that. So, I look forward to seeing you back at the farm and having a good time. Have great success in your retirement.

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

Senator **POULIOT:** Thank you, Mr. President. As many in this Chamber know, this is my last term in office, having served six years in the House and six years in the Senate, and last fall, I was contemplating, you know, what I should do with my life, and then someone mentioned that Beth Ahearn was retiring. So, I figured now might be a good time to retire since I wouldn't be able to work with her anymore. But in all seriousness, Mr. President, you know, one of the things that I've enjoyed most during my legislative service was actually working with a group called the National Institute for Civil Discourse, traveling around the country, training other legislators in this training called Building Trust Through Civil Discourse. And one of the things that has always struck me about Beth is her ability to be able to disagree with

people without being disagreeable. And that's a trait that I think is slowly fading away, sadly, in this country, but Beth does it with grace. And a quick story, I'll never forget, I used to be in the good graces of Maine Conservation Voters back in the day, and I was on an airplane, Mr. President, just about ready to take off, and I got one of those phone calls from Beth Ahearn, and I'm like I've got to take this. So, I grabbed the phone and I'm like what's up, Beth, she's like it's not looking good, Matt. I'm like what's not looking good? She's like we're having the board meeting, and they don't want to endorse you. I'm like Beth, I've gone above and beyond this session to support the issues, you've got to get me their support. And wouldn't you know it, I got the endorsement of them that time around running for reelection, Mr. President. She's a pretty convincing person. So, Beth, I'm going to miss you, we'll both be gone, but I'm enheartened to know that you're a fellow Sugarloafer. I was going down the trail this weekend, Mr. President, and I look over, and there's Beth Ahearn trying to get up the trail with her phone stuck under her helmet, looking all exasperated. I'm like she's probably lobbying Senator Black right now, I'm going to leave her alone. So, I look forward to seeing you on the slopes, Beth, and congratulations on your retirement.

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

Senator **HICKMAN:** Punching people, hugging people, squeezing peoples' arms; Beth, did you miss a couple mandatory trainings? Just wondering. I guess you always had some kind of implicit consent, right? Okay, good. So, when I first got elected 12 years ago, one of my constituents said to me the only person you need to know when you get to Augusta is Beth Ahearn. He was right. As it turns out, Maine Conservation Voters and I kind of go together like hand and glove. I'm on the first and last committee on the list - Agriculture, Conservation and Forestry, Veterans and Legal Affairs - and so with Beth Ahearn, it's not the hallway where she gets me, it's in my committee rooms all the time. She knows just about everything one needs to know on these issues, and we agree 99.9% of the time, and so that actually makes her work with me very easy. We've had some great conversations, she's been to the farm, I love her smile, but it's that laugh. Because I cackle, and she just howls. And so, if you ever make the two of us laugh in the same room, cover your ears because it's going to be deep. We'll have to make sure that happens outside of here, because you're going to be gone, who knows, I may not be here, either, but I'm sure you're going to be in these hallways because you can't leave this place. And I don't know what retirement is going to bring you, but I have a feeling I'll see a bit more of you out there than in here. So, thank you for serving the people of the State of Maine. Thank you for always standing up for the right to vote, and thank you for making sure that our natural resources are protected and protected for future generations to come. And my constituent was right, you're about the only person that I really needed to know when I got here, and so I'm going to miss you terribly. Have a great rest of it, the next chapter will be full of it, I am sure.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the chamber Beth Ahearn, who is retiring after many, many years of service to the State of Maine and the people in it. Would she please rise and accept the congratulations and thanks of the Maine Senate.

The Cony High School Girls Swim Team, of Augusta, which won the Kennebec Valley Athletic Conference Class A Championship. We extend our congratulations and best wishes;
SLS 1804

Sponsored by Senator POULIOT of Kennebec.
Cosponsored by Representatives: BRIDGEO of Augusta,
LaROCHELLE of Augusta.

The Joint Order was **READ**.

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

Senator **POULIOT:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. It is my pleasure to have the opportunity this morning to recognize an excellent group of young women who have worked very hard to add to the recent winning tradition that's been established by the Cony girls swimming program. At this year's KVAC conference, the team secured a narrow championship victory over Brunswick - Senator Daughtry - and Messalonskee, accruing 247 points to their 233 and 227, respectively. They were sent over the top with their clean sweep of the relay events, made possible by their uniquely deep and well-rounded roster, Mr. President. Head Coach Bob Johnston, who's here with us today, hailed the team as a real energetic group and decided it was only fitting to match that energy by taking his own leap into the pool - shirt, shoes, and all, Mr. President - after being named the KVAC Girls Coach of the Year. But Coach Johnston was also quick to lend plenty of credit to his new pair of assistant coaches, Nathan Berry and Gabby Low, both Cony alumni themselves. He described them as being vital to absorbing the many challenges associated with welcoming ten brand-new swimmers all at once, many of whom were novices to the sport entering the season. Kudos to this staff for helping to inspire confidence in these girls and elevate so many in such order. That is no small feat. Thank you all for being here today, and congratulations once more on banding together, persevering, and even thriving through all the challenges presented to you at the season's beginning to bring home the KVAC title. Congratulations, ladies, on a job well done.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the chamber the Cony Girls Swim Team. They're joined by their coach Bob Johnston and possibly some other assistant coaches. They're from the city of Augusta and are the guests today of the Senator from Kennebec, Senator Pouliot and the entire of the Maine Senate. Would the guests please rise and accept the congratulations of the Maine State Senate.

Off Record Remarks

Aurora Milton, of Cape Elizabeth, who was named one of three Grand Award winners at the 2024 Maine State Science Fair and will represent Maine at the 2024 International Science and Engineering Fair to be held in Los Angeles, California. We extend our congratulations and best wishes;
SLS 1805

Sponsored by Senator CARNEY of Cumberland.
Cosponsored by Representatives: KESSLER of South Portland, MILLETT of Cape Elizabeth.

The Joint Order was **READ**.

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

Senator **CARNEY:** Thank you, President Jackson, Colleagues in the Senate. I'm pleased today to honor and acknowledge the achievement of Aurora Milton of Cape Elizabeth, winner of one of the three Grand Awards at the 2024 Maine State Science Fair. Grand Awards are given to the top three projects at the fair. As a Grand Award winner, Aurora will also represent Maine at the 2024 International Science and Engineering Fair to be held in Los Angeles, California. She was also named first place winner in the Chemistry and Materials award category at this year's science fair. Aurora won this year with her bio-textile fabrication project. She made textiles with a mycelium base and experimented with different substrates. She plans to try other bases like alginate - I'm not sure I'm pronouncing that properly - and kombucha, and may adapt her mango product, which earned her accolades in the 2023 Maine State Science Fair when she took second place in the Chemistry and Materials category. Aurora is doing amazing work in textiles. She's also won Eco Maine's Upcycle Challenge by using post-consumer items to create a new item. She won in 2023 based on her creation of a jumper from old fabric and discarded clothing and also won in 2022 by creating a pair of pants out of old curtains and discarded fabrics. Congratulations to you, Aurora, and best wishes for fun and success when you represent Maine at the 2024 International Science and Engineering Fair.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber Aurora Milton of Cape Elizabeth. Would she please rise and accept the greetings and congratulations of the Maine Senate.

Off Record Remarks

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Review State Lands and Waterways That Have Sacred, Traditional or Other Significance to the Wabanaki People"
H.P. 863 L.D. 1349

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-928)**.

Signed:

Senators:

INGWERSEN of York
HICKMAN of Kennebec

Representatives:

PLUECKER of Warren
HEPLER of Woolwich
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

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

Signed:

Senator:

BLACK of Franklin

Representatives:

COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-928)**.

Reports **READ**.

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

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

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Black.

Senator **BLACK**: Thank you, Mr. President, Men and Women of the Senate. We had this in our committee in ACF, and during the testimony, we heard from the Department and other people that this piece of legislation was unnecessary. The Department is already working with the Tribes to look at state land that we have in our possession and those that are adequate to move to the Tribes, they're already working on it with the administration. And the other part of it is a fiscal note over three years and the work is already being done at this point in time and there has been a summit every year, meeting with the Tribes to work out these differences. So, we passed a bill in 2021, and the second floor signed it into law, 1560, which is transferring a lot of those pieces of property. So, we feel that this piece of legislation is unnecessary at this time. Thank you.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#675)

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

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

EXCUSED: Senators: BRENNER, LYFORD

23 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **INGWERSEN** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-928) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act Regarding Offshore Wind Terminals Located in Coastal Sand Dune Systems" H.P. 1456 L.D. 2266

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-887)**.

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland
LYFORD of Penobscot

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
CAMPBELL of Orrington
DOUDERA of Camden
HOBBS of Wells
O'NEIL of Saco
WOODSOME of Waterboro

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

Signed:

Representatives:

SCHMERSAL-BURGESS of Mexico
SOBOLESKI of Phillips

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Establish a State Minimum Hourly Wage for Agricultural Workers" H.P. 1462 L.D. 2273

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-922)**.

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-923).**

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-922)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-922).**

Reports **READ.**

Senator **TIPPING** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-922)** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#676)

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

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

EXCUSED: Senators: LYFORD

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **TIPPING** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-922)** Report, in concurrence, **PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (H-922) **READ** and **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-922)** in concurrence.

Senate

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Protect Consumers from Predatory Medical Credit Card Providers"
S.P. 925 L.D. 2174

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

PERRY of Calais
CYRWAY of Albion
MASTRACCIO of Sanford
MORRIS of Turner
NUTTING of Oakland
SWALLOW of Houlton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-678).**

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

ARFORD of Brunswick
CLUCHEY of Bowdoinham
MATHIESON of Kittery
PRINGLE of Windham

Reports **READ.**

Senator **BAILEY** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the Minority Report in front of us and in favor of the bipartisan Majority Report that is the alternate report out of the committee. So, this legislation would place restrictions on healthcare providers when offering deferred interest financing products to their patients. It would make it more difficult for Mainers to pay for health, medical, and dental care. The plain fact is that insurance does not cover all healthcare costs, and many patients do not have the immediate funds available to pay their out-of-pocket healthcare costs all at once. Deferred interest financing products give people the ability to pay their healthcare expenses over time and avoid paying interest. In committee, we received testimony from many Mainers who have personally benefitted from having this type of financing. We heard from Mainers who used deferred interest financing to fix dental problems, to get Lasik vision surgery, and to address other health conditions for themselves and their family members. Had this legislation been in effect, many of them would not have even known that these payment options were available to them, let alone been able to access them. We have also heard from several individuals that used deferred interest financing to pay for their pet's veterinary care. Interestingly, the bill now includes an exemption for veterinarians. So, in essence, if this legislation becomes law, there are no restrictions if I use one of these cards to pay for my dog's dental care, but there would be restrictions if I wanted to use the card to pay for my kids' dental care. This legislation would limit the payment options offered by healthcare providers, which could lead to many Mainers losing the ability to afford care. If this became law, consumers would have fewer options to pay for care. This would lead to them choosing less favorable payment options or potentially choosing to forego care recommended by their provider, which could significantly impact health outcomes. This legislation would limit how providers can be paid, which would increase their costs and reduce access to care. The bill would not allow patients to pay for any estimated out-of-pocket cost prior to completing a scheduled procedure or treatment using any form of financing unless the provider offers a discount. Patients often prefer to spread payments for health services over time, such as for orthodontics which often takes two years to complete a treatment plan. Under this legislation, providers could only charge for orthodontics appointments after completion. This makes it difficult for families to budget for their child's orthodontic care. Not allowing providers to charge for their services until the procedure or treatment is complete will increase the risk that they will not be paid for their services. This will lead to higher healthcare costs for consumers, particularly when insurance does not cover the costs. And putting my written remarks aside, I do just want to note myself personally, while I've never had the occasion to use these deferred interest financing products for healthcare, there certainly are many healthcare expenses that have come up in the life of myself and my spouse that if I'd known and had access to these, I certainly would have. But, you know, I have used -- I was interested to find out that I have used the same company that offers deferred interest financing products for healthcare, they also offer it for other services. I remember my

wife and I, we were going out to purchase a sofa - it was a \$1,000 sofa - and I said well, I could've paid for it up front, but, you know, they were offering through the same company deferred interest financing product where I could get a \$1,000 loan and pay it off over four years with no interest whatsoever, so long as I made the payments and followed through on my obligations. And I said wow, especially with inflation being what it is, that seemed like free money to me, I was glad to take it, and it's worked out very well. I know a sofa is not as important as your kids' orthodontics, but the same principle applies, and if this helps people -- I mean, with -- at no interest, so long as they make their payments, have access to healthcare, I don't know why we would take this option away from people. So, for those reasons, Mr. President, with respect, I oppose the motion in front of us and hope that the Body will agree. Thank you.

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

Senator **BAILEY:** Thank you, Mr. President. I just wanted to rise and address some of the points raised by the Good Senator from Androscoggin. Let's be clear, this legislation does not prohibit the use of deferred interest credit cards for medical debt, it puts no restrictions on those credit cards, it doesn't in any way limit options. It does, however, protect consumers from being coerced, if you will, in the treatment room to use these products. It also protects consumers by ensuring that healthcare providers that do offer these deferred interest credit cards are clear that they are deferred interest, they are not no interest, and we received in the committee reports and screenshots of healthcare providers who on their websites were advertising these products as being no interest credit cards, and they are not no interest, they are deferred interest. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority 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 (#677)

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

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

EXCUSED: Senators: LYFORD

24 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BAILEY** of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-678) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Off Record Remarks

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Amend the Law Governing the Disposition of Forfeited Firearms" S.P. 879 L.D. 2086

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-679)**.

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
BECK of South 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 Minority **Ought Not To Pass** Report.)

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Establish the Maine Buy American and Build Maine Act" S.P. 812 L.D. 1983

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-677)**.

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
SINCLAIR of Bath

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

Signed:

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

Reports **READ**.

Senator **NANGLE** 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.

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

Senator **NANGLE:** Thank you, Mr. President. The Buy American, Build Maine Act basically mimics the Buy American, Build America Act that -- the Executive Order that President Biden signed. What does it do? It favors Maine workers, and it favors products made in the United States. Any project that's going to receive state funding over \$100,000 would be required to hire Maine workers and use products that are built or constructed, made, whatever you want to call it, manufactured in the United States. We support that, right? We support Maine workers, we support products made in the USA, don't we? There are waivers

available if something is not made in the USA or the contract is substantially higher because of the products are not made in the USA, then there are very simple waivers. Any project that goes on in the state right now that uses federal dollars, such as a lot of transportation projects, have to comply with this. That's all this does is encourages the State and their contractors to use Maine workers. Good paying jobs, good jobs, and the more Maine workers we use, the less unemployment we have, they pay income tax, and it's a win all the way around. I know that there's quite a bit of opposition to this, but again, I'm going to say it again, we support Maine workers, right? We support products in the United States, right? Thank you.

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

Senator **FARRIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to the pending motion. While the intention of this bill is admirable, the ability to comply with the requirements of both Buy American and Build Maine are complicated and unclear. That is why Maine DOT, the Bureau of General Services, and the Maine Turnpike Authority oppose this legislation and have consistently done so every session it's been submitted. In fact, the Chief Executive opposed this proposal last legislative session when she vetoed LD 1411. The Buy American provision of this bill would require that any manufactured good valued over \$5,000, purchased by a public agency, must be American made. This provision applies to DAFS, Maine DOT, MTA, municipalities, and county governments, and would apply to almost any purchase they make. It is also believed that this bill as drafted could be interpreted to encompass all goods bought by a contractor working for these agencies. Establishing a requirement that the contractors working for these entities ensure that all the materials that they and their subcontractors use are made in America will significantly add to contractors' costs. These costs would be projected back on the taxpayers, ultimately rising the overall price of products. Increases will stem not only from the administrative burden imposed on the contractors by this requirement, but also from the anticipated rise in material costs. Let's consider an agency buying in bulk to save money discovers the supplies are not manufactured here in our country, but our neighbors in Canada. They would have to submit a waiver request, which I would suggest anytime that the government is involved is not a simple process, endure a public comment period, and repeat that process the next time that same product is purchased, over and over again. The same standard is applied to a state contractor. We know lead times are common and getting worse. Each invoice will need to be vetted for material content and origination. The policy is best served by national trade policy, not the end user who will simply be forced to fill out more paperwork, increased waiting times in an already short construction season, and cost Maine taxpayers more money. The Build Maine component of LD 1983 is equally problematic. The highway -- Federal Highway Administration strictly prohibits the use of in-state preferences in awarding contracts. This guidance can be found within FHWA's contract administration core curriculum manual and states the State transportation agencies shall not impose any requirement or enforce any procedure which requires the use of or provides a price differential in favor of contractors, laborers, articles, or materials produced within the state. Maine contractors are equipped to compete in Maine and outside our

state borders. Of the Maine Turnpike Authority, 45 projects between 2020 and present day, they received 132 bids. Maine firms were awarded the project 96% of the time. During the 2021 hearing on the same bill with slightly different language, it was determined that 93 of Maine -- 93% of Maine DOT bids were won by Maine firms. Ladies and Gentlemen, with these numbers, I am unsure of what problem this legislation is seeking to fix. The bill not only complicates and slows the bidding process, but it also places Maine contractors at risk when they compete for bids in states that have -- I knew I was going to mess up on that word -- you know what I mean, when it applies both ways. This bill provides little to no clarity for bidders who have similar bids. Instead, it shifts and burdens to rulemaking and exposes the current seamless process to litigation. I, like all of you, want to see our Maine businesses and workers succeed. This bill has a terrific title, but the context will create confusion in the bid process and will have serious financial consequences, consequences that cannot be entertained at this stage of the game. I urge you to follow my light and vote against LD 1983 because, honestly, Ladies and Gentlemen of the Senate, we simply cannot afford it. Thank you, Mr. President.

The President requested the Sergeant-At-Arms escort the Senator from Sagadahoc, Senator **VITELLI**, to the rostrum where she assumed the duties as President Pro Tempore.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tempore **ELOISE A. VITELLI** of Sagadahoc County.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Madam President, and Ladies and Gentlemen of the Senate. I just wanted to rise and respond to some of the comments made. It once again feels like it's déjà vu all over again. I've heard about how the title's catchy; well, again, the Revisor's Office does the titles, but if the State of Maine having the -- or the United States having products made in the United States and workers hired from the United States and the State of Maine is a catchy title, then all right, let's have catchy titles. This bill once again has been brought forward to make sure that Maine contractors, Maine workers get the opportunity. Now, if it's 96%, I would flip the script around and say well, then, what is the problem? If it is 96%, it seems like the DOT and other organizations aren't going to have a lot of extra work to do. But what I see is all kinds of people that have come forward asking the State of Maine for these contracts and we consistently give them to out-of-state people. Things like inspection stickers and all these other things that I'm sure there's someone in the State of Maine that would love to have that contract, but we have outsourced them to other states, possibly for cost, I don't know, but in the end, I think we should at least take the opportunity to make sure that those companies in Maine that can do that at least have the opportunity to bid on that. And the other thing that I'm going to say is that if this has been consistently struck down by

this administration and past administrations on the belief that states can't do this, it's unconstitutional; that's not at all true. The language that we have here is the exact copy of the federal Buy American legislation that just passed in New Hampshire, right alongside of us, Live Free and Die just passed this. So, it's not something that a state can't do, it's something that maybe a state doesn't want to do, but I think in this case it's something that maybe we ought to take a little bit more time if we have to and make sure that Mainers get those opportunities. Now, if that's not what we want in this Body, if we want to make it so that agencies in the state can just give it out to anyone, regardless if they're paying taxes in Maine or not, then fine, that's okay, but let's not say that we can't do it because clearly, our neighbors in New Hampshire, Connecticut, Massachusetts, New York have all done something similar, the federal government has just enacted the provisions in here. The idea that we can't, I mean, there's so many provisions in the new federal Buy American Act that talks about having local workers, being able to make sure that wages are a certain amount, I mean, they give us all kinds of opportunity to make sure that in-state workers get these opportunities, and I think that's who elects us is in-state people. So, if people want to go on the other side of this, then fine, but I wanted to come down and correct some of those inequities in the debate, make sure that people are clear about what we can and can't do and what, at least in my mind, we should be doing.

THE PRESIDENT PRO TEM: 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 (#678)

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

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

EXCUSED: Senators: LYFORD

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **NANGLE** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-677) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Off Record Remarks

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

REPORTS OF COMMITTEES

House

Pursuant to Statute

The Committee on **JUDICIARY** on Bill "An Act to Correct Inconsistencies, Conflicts and Errors in the Laws of Maine" (EMERGENCY)
H.P. 1478 L.D. 2290

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 94.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

Bill and accompanying papers **REFERRED** to the Committee on **JUDICIARY**, in concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

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 (4/9/24) matter:

SENATE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Respect and Protect the Right to Food"

S.P. 739 L.D. 1823

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-673) (7 members)

Minority - Ought Not to Pass (6 members)

Tabled - April 9, 2024 by Senator **STEWART** of Aroostook

Pending - motion by Senator **INGWERSEN** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-673) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Establish Minimum Pay for Educational Technicians and Other School Support Staff"

H.P. 621 L.D. 974

Reported that the same **Ought to Pass as Amended by Committee Amendment "C" (H-927)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "C" (H-927)**.

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

Bill **READ ONCE**.

Committee Amendment "C" (H-927) **READ** and **ADOPTED**.

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

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Implement a Statewide Public Health Response to Substance Use and Amend the Laws Governing Scheduled Drugs"

H.P. 1266 L.D. 1975

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-931)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-931)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-931) **READ** and **ADOPTED**.

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

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Establish a Sponsorship Program for International Medical Graduates"

H.P. 1458 L.D. 2268

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-926)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-926)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-926) **READ** and **ADOPTED**.

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

The Committee on **TAXATION** on Bill "An Act to Amend the Process for the Sale of Foreclosed Properties Due to Nonpayment of Taxes"
H.P. 1452 L.D. 2262

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-939)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-939)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-939) **READ** and **ADOPTED**.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Regarding Legislative Review of Chapter 20: Rules for the Licensure of Adult Use Cannabis Establishments, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy (EMERGENCY)
H.P. 1393 L.D. 2178

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-918)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-918)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-918) **READ** and **ADOPTED**.

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

The Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Regarding Legislative Review of Chapter 30: Compliance Rules for Adult Use Cannabis Establishments, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy (EMERGENCY)
H.P. 1400 L.D. 2186

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-919)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-919)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-919) **READ** and **ADOPTED**.

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

Senate

Ought to Pass As Amended

Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Ensure the Financial Stability of Behavioral Health Services Providers and Housing Assistance Providers" (EMERGENCY)
S.P. 875 L.D. 2082

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-680)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-680) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolve, Regarding the Operation and Future Capacity of State-owned Landfills (EMERGENCY)
H.P. 1359 L.D. 2135

In Senate, April 2, 2024, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-828) AS AMENDED BY SENATE AMENDMENT "A" (S-612)** thereto.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-828) AS AMENDED BY HOUSE AMENDMENT "A" (H-940) AND SENATE AMENDMENT "A" (S-612)** thereto in **NON-CONCURRENCE**.

On motion by Senator **DAUGHTRY** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations"
H.P. 1412 L.D. 2204

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-921)**.

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello
LAJOIE of Lewiston
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

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

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

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

Reports **READ**.

On motion by Senator **BEEBE-CENTER** of Knox, Minority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Require Health Insurance Coverage for Pediatric Autoimmune

Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome"
H.P. 432 L.D. 663

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

Signed:

Senators:

BRAKEY of Androscoggin
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MORRIS of Turner
NUTTING of Oakland
PRINGLE of Windham
SWALLOW of Houlton

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-916)**.

Signed:

Senator:

BAILEY of York

Representative:

MATHIESON of Kittery

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

Reports **READ**.

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

Senator **STEWART:** Thank you, Madam President. I'm sorry, what number are we on? Could you please read the bill title for me?

THE PRESIDENT PRO TEM: Could the Senator please tell me why he rises?

Senator **BENNETT:** Point of order. Everybody get that? I believe that it is the Secretary's role to read the bill title.

On motion by Senator **BAILEY** of York, Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Require Health Insurance Coverage for Biomarker Testing" H.P. 1022 L.D. 1577

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-915)**.

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MATHIESON of Kittery
NUTTING of Oakland
PRINGLE of Windham
SWALLOW of Houlton

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

Signed:

Senator:

BRAKEY of Androscoggin

Representative:

MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-915)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-915)**.

Reports **READ**.

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

Senator **BRAKEY:** Thank you, Madam President. It is a very lopsided report in front of us, so I will not be asking for a Roll Call vote, I'm happy to just let this go. That said, I did want to state for the record why in the committee process I was opposed to this bill, which as far as mandates on private insurance companies go, it's not the worst of them. I do have a philosophical objection to putting mandates on private insurance companies. But one thing I did want to highlight in particular that just kind of stuck in my mind from the hearings on this on mandating health insurance coverage for biomarker testing, which is a very innovative technology and I think there's a great, great future in medicine for biomarker testing, but it just always -- it was said at the hearing that biomarker testing will actually save money for the health

insurance companies so that by mandating it, we're actually doing a service for the health insurance companies, we're helping them save money. But that just always struck me as so odd because if it saves money, why do we need to mandate it? I would think they would do it on their own because that's how market forces work, and I'm sure the insurance companies are very interested in saving money. So, again, I'm not requesting a Roll Call vote, I'm happy to let it go, but I just wanted to state that for the record.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-915) **READ** and **ADOPTED**.

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

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

ENACTORS

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

Acts

An Act to Reduce the Number of Children Living in Deep Poverty by Adjusting Assistance for Low-income Families
H.P. 1202 L.D. 1877
(C "A" H-891)

An Act Regarding the Criminal Jurisdiction of Tribal Courts and to Extend the Time for the Penobscot Nation to Certify Its Agreement to Public Law 2023, Chapter 369
H.P. 1287 L.D. 2007
(C "A" H-910)

An Act to Add the State of Maine to the Compact for Licensing Physician Assistants
H.P. 1305 L.D. 2043
(C "A" H-908)

An Act to Amend the Laws Governing Motor Vehicles
S.P. 873 L.D. 2072
(C "A" S-642)

An Act Regarding the Current Use Valuation of Working Waterfront Property
H.P. 1384 L.D. 2162
(C "A" H-892)

An Act to Require Consumer Consent for Certain Generation Service Contract Renewals
S.P. 918 L.D. 2163
(C "A" S-633)

An Act to Establish the Maine-Island of Ireland Trade Commission and Improve Collaboration with the Island of Ireland
S.P. 919 L.D. 2164
(C "A" S-637)

An Act to Authorize a Stop-work Order Regarding an Activity That Is Creating an Immediate and Substantial Adverse Impact to a Protected Natural Resource
S.P. 971 L.D. 2253
(C "A" S-640)

An Act Regarding New Motor Vehicle Emissions Rules
H.P. 1451 L.D. 2261
(C "A" H-902)

An Act to Implement Recommendations Resulting from the State Government Evaluation Act Review of the Department of Professional and Financial Regulation
H.P. 1454 L.D. 2265
(C "A" H-906)

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

An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances
S.P. 71 L.D. 132
(C "A" S-654)

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

An Act to Increase the Inclusion of Demographic Data from State Agencies in the Legislative Process
H.P. 928 L.D. 1432
(C "A" H-889)

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

An Act to Expand Property Tax Relief for Veterans and Their Survivors
H.P. 1116 L.D. 1737
(C "A" H-897)

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

An Act to Enhance the Use of Critical Incident Stress Management Teams and to Require Peer Team Support
H.P. 1121 L.D. 1742
(C "A" H-898)

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

Resolves

Resolve, Authorizing the Commissioner of Administrative and Financial Services to Convey by Sale the Interests of the State in 3 Properties Located in Biddeford, Sanford and York
H.P. 1464 L.D. 2277
(C "A" H-900)

Resolve, Directing the Maine Education Policy Research Institute to Review Certain Components of General Purpose Aid for Local Schools and the Essential Programs and Services Funding Formula
H.P. 1477 L.D. 2286

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

Resolve, to Establish the Commission to Study Pathways for Creating a Psilocybin Services Program in Maine
S.P. 774 L.D. 1914
(C "A" S-658)

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

Resolve, to Study the Role of Natural Gas in an Equitable Clean Energy Transition for Maine
H.P. 1336 L.D. 2077
(C "A" H-890)

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator GROHOSKI for the Committee on **TAXATION** on Bill "An Act to Provide Transparency and Accountability for Corporate Tax Expenditures"
S.P. 729 L.D. 1804

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-681)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-681) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Off Record Remarks

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

Senate at Ease.

The Senate was called to order by the President.

RECESSED until 1:15 in the afternoon.

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

The President Pro Tem requested the Sergeant-At-Arms escort the Senator from Aroostook, Senator **JACKSON**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Sagadahoc, Senator **VITELLI**, to her seat on the Floor.

The Senate was called to order by the President.

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

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act Concerning Automotive Right to Repair"
H.P. 1227 L.D. 1911

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-935)**.

Signed:

Senators:

CURRY of Waldo
GUERIN of Penobscot
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
COLLAMORE of Pittsfield
CROCKETT of Portland
LANIGAN of Sanford
LaROCHELLE of Augusta
NESS of Fryeburg
SMITH of Palermo
WALKER of Naples
WHITE of Waterville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-936)**.

Signed:

Representative:

SAYRE of Kennebunk

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935)**.

Reports **READ**.

Senator **CURRY** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935)** Report, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-935)** Report, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Implement the Recommendations of the Right to Know Advisory Committee Regarding Public Records Exceptions"
H.P. 1421 L.D. 2215

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
BECK of South 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 To Pass as Amended by Committee Amendment "A" (H-920)**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

HENDERSON of Rumford

POIRIER of Skowhegan

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

Reports **READ**.

Senator **VITELLI** of Sagadahoc moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report.

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

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

Senator **BRAKEY**: Thank you, Mr. President. I stand opposed to the Majority Ought to Pass Report. It is not a good bill. I won't look at the bingo card. In all seriousness, I do find the proposal in front of us to be somewhat problematic. The bill overall has many components that there was no objections to from anyone in committee, so for the sake of time, I don't see any need to reference the parts we all agree on. But a significant component of this legislation seeks to strip away privacy protections for individuals within the medical cannabis industry that have been in place for a very long time and for very good reason. The simple fact is that despite the efforts of Maine leading the way in the nullification of federal cannabis prohibition, federal cannabis prohibition does remain in place and the more that we make publicly known lists of information of people who are participating with that program, the more we open people up to being targeted by the federal government. I think that is a very serious concern that I have. But in particular, you know, this is about recommendations from the Right to Know advisory committee and I am a little confused why stripping away these privacy protections for folks in the medical cannabis industry is such a priority, because when I think of the purpose of our Right to Know laws, it tends to be about our right to know what the government is doing, not our right to know what private citizens are doing. The Majority Report would strip away those privacy protections. The alternate report does everything else the bill -- that was proposed by the Right to Know advisory committee but leaves our privacy protections for the medical cannabis industry in place. So, please follow my light.

On motion by Senator **HICKMAN** of Kennebec, **TABLED** until Later in Today's Session, pending motion by Senator **VITELLI** of

Sagadahoc to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence. (Roll Call Ordered)

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act to Protect Farm Workers by Allowing Them to Organize for the Purposes of Collective Bargaining" H.P. 330 L.D. 525

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-934)**.

Signed:

Senators:

TIPPING of Penobscot

DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor

GALLETTA of Durham

GEIGER of Rockland

GERE of Kennebunkport

MALON of Biddeford

RUSSELL of Verona Island

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

SOBOLESKI of Phillips

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-934)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-934)**.

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 **CARNEY**, and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#679)

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

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

EXCUSED: Senators: CARNEY, LYFORD

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

Bill **READ ONCE**.

Committee Amendment "A" (H-934) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Bring Fairness in Income Taxes to Maine Families by Adjusting the Tax Brackets"
H.P. 779 L.D. 1231

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-924)**.

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 To Pass as Amended by Committee Amendment "B" (H-925)**.

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 Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-924)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-924)**.

Reports **READ**.

Senator **GROHOSKI** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-924)** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#680)

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

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

EXCUSED: Senators: LYFORD

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **GROHOSKI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-924)** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-924) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act to Support Maine Businesses Through a Child Care Tax Credit and a Pass-through Entity Tax"
H.P. 1212 L.D. 1891

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-917)**.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
QUINT of Hodgdon
RANA of Bangor
RUDNICKI of Fairfield

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

Signed:

Representative:

LIBBY of Auburn

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-917)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-917)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-917) **READ** and **ADOPTED**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Create Economic Opportunity for Wabanaki Nations Through Internet Gaming"
H.P. 1140 L.D. 1777

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-932)**.

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

SUPICA of Bangor
COLLINGS of Portland
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
BOYER of Poland
HYMES of Waldo
MALON of Biddeford
RUDNICKI of Fairfield

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

Reports **READ**.

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

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

Senator **BALDACCI:** Thank you, Mr. President. I just -- I rise in opposition to the pending motion. The bill does a number of things that I think we need to pause about, but in terms of the enormous expansion of gambling in general, but also, the City of Bangor had a referendum 20 years where we were allowed by the rest of the state to build a facility. That facility generates millions of dollars to the State of Maine coffers. It helps fund the prescription for the elderly, the drugs for the elderly, and many other programs, pays the City of Bangor 2.2 million to fund the Cross Insurance Center, where many of you may be coming up in May of this year. But it attracts hundreds of thousands of people. So, this is a long story, I don't want to bore you, but Bangor went

through a long redevelopment. We had a downtown that was dead, we had a waterfront that was polluted and had to be cleaned up. We had pretty much a dying economic base. But what has helped is over the years, we've cleaned up the waterfront significantly, we have redeveloped the downtown, we have built the Cross Insurance Center and replaced a facility that was 60 years old, and which the waterfront concerts and the Cross Insurance Center bring hundreds of thousands of people to the City of Bangor every year in terms of economic activity and business. So, the City Manager and the City Council have sent me a letter just highlighting these facts and their concern about how this bill will undermine that relationship and the enormous expansion of gambling. So, I'd ask you to consider those as I've considered every -- everyone here represents a local constituency, and I think many of us have spent time being very empathetic with various local constituencies, and I think it's important that we recognize that Bangor, which is the second largest metropolitan area, with 150,000 people, is a significant generator. The City of Bangor, not even the metropolitan area, generate close to \$1.5 billion a year in retail sales, of which this state captures 5.5%. We are second only to Portland. So, I would ask you to consider those arguments, I'd ask us to really pause on this and I oppose this motion. Thank you.

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

Senator **HICKMAN:** Thank you, Mr. President, Women and Men of the Senate. The title of the bill is An Act to Create Economic Opportunity for Wabanaki Nations Through Internet Gaming. I've never really been a fan of gaming, but I've always been a fan of making sure that the first people of the State of Maine, the first people, treated like wards of the state for far too long, have an opportunity to thrive economically. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill, one of the reasons that I was opposed to it was because this is a real big expansion of gaming. We gave the, you know, the Indian Nation, the Tribes, within the last year, you know, the off-track betting, the sports betting, you know, they have that, but this is basically saying people can sit at home and play slot machines on their computer all day long, and I just don't think it's the right thing to do. It's a real expansion of gambling in the State of Maine and I don't think that's where Maine should go, I don't think it's good. So, that's why I'll be opposing this, because it's just way too big an expansion with no control.

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

Senator **BRAKEY:** Thank you, Mr. President. Today is the first day that I'm learning about this bill, and I don't claim to be an expert on it, but I -- you know, my decade of being both in and around public service here in the State of Maine, I've grown increasingly less sympathetic, I think, to the pleading of the existing casinos, who whenever there's a proposal for an expansion of gaming, the biggest funders of opposition campaigns to gaming are the ones who already managed to get

their foot in the door on gaming and try to block anyone else from being able to get in on that. It seems to me that, you know, I've always thought it should be a binary question, whether we have gaming in Maine or we don't have gaming in Maine. But this system where some people get to operate casinos, other people don't get to be involved, it seems a very monopolistic, a very cronyistic system, and I think -- I think I'm going to support the motion in front of us. Thank you.

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

Senator **BENNETT:** Thank you, Mr. President. I'm going to utter the words that I've said on the floor of the Legislature, in this Body or the other, which is I didn't intend to speak. You might make a note. I rise because I have a lot of respect for the needs of the Wabanaki Nations, the people of the Wabanaki in this state, and I do think the title of this bill is a bit of a misnomer. Because I don't believe that economic opportunity is actually created through gaming. I can say I've opposed every single expansion of gaming ever that I've had to vote on in this state, including the building of the Oxford Casino, which is about a half a mile from my home, is where they've decided to site it. Before I knew where they were going to site it, I put up a big 4 x 8 sign out on our property on Route 26, asking people not to approve of it. It was very popular in my town at the time because we just suffered the horrible losses of the manufactured housing community which used to employ a thousand people in Oxford between manufacturing plants, setup crews, retailers, and it was right on the heels of that devastation, after the financial crisis, that this one -- first casino in Maine was approved by the voters by 5,000 votes. And they put it next to my home. And my daughter and I, she was about 10 at the time, maybe a little older, we did radio ads against it, trying to convince our neighbors that this was not economic opportunity. In fact, all the promises were that it was going to be like a Fox Ridge and it was going to bring in people from all over the northeast to Oxford, Maine, to this facility. Somebody I heard describe it as a slot machine barn in a cornfield. And it's brought some prosperity to -- certainly, it's been employing lots of people, there's 450 people there that work, it's helped our town with our budget, but it's also brought a lot of difficulty and trouble, and I think gaming does that. I do not want to see us continue to expand gaming. At the Oxford Casino, there are 1500 licensed slot machines. Do you know how many are actually used and operated? Eight hundred and fifty. So, we have capacity in the state already for casino gambling -- for gambling and gaming that is not -- there is no demand for it. And these facilities, they look like they're raising lots of money and they're very profitable and they're throwing off various benefits to the people of Maine through the state budget, but I would rather have successful -- frankly, I'd rather have successful casinos than unsuccessful casinos. That's what it's come down to for me. And measures like this, I believe, are going to harm those facilities that, although I oppose them, they exist, and it's -- I think it is further going down a road that is not great for not only the people of Maine, I don't think it's great for the Wabanaki. So, I'll be voting against this, and I encourage you to vote against the pending motion, Mr. President. Thank you.

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

Senator **BRENNER**: Thank you, Mr. President, and Colleagues of the Senate. Despite the bingo card that I handed out, I actually didn't know a lot about gambling until joining the VLA committee, but one of the things that came out in the conversation around this bill that was convincing for me is that if you change your VPN on your phone or your computer, which is your -- I think it's virtual private network, which everyone has the access to do, you just change it to another state that has internet gaming as legal and available, and then everybody has access to internet gaming except that Maine doesn't have the ability to regulate it, and we also don't have the ability to collect any revenue from that activity. So, despite our frustrations or our feelings, our personal inclinations towards gambling and the activities around it, it's already happening in this state. And so, if we want to bring that activity into the light and allow our Tribes to have an economic opportunity to benefit from it, which they were not able to realize in the story around bricks and mortar gambling in our state for a variety of reasons, I believe that it's important for us to support the measure in front of us. Thank you.

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

Senator **RAFFERTY**: Thank you, Mr. President. And on your bingo sheet you might be able to add I was not intending to speak today. And this is a struggle for me. I lost my best friend years ago that I know part of his issues he suffered were directly related to gambling addiction and the loss of his home, and when those things took place, his health just deteriorated. I'm concerned for a lot of the kids I've taught and coached over the years, and they won't -- you know, if this passes, they won't have to go anywhere, they could just gamble at home. And I'm hearing stories from parents, and I ask about all my kids regularly and there's just a few I can picture that are still struggling. They've been out of high school six, seven, eight years, and they haven't found themselves yet. But part of it is they're always on their computer, always on their phone. And I see it all the time, you know, we -- it's -- we are addicted to our phones. Look around this Legislature, while we're in session, and that -- look at the number of people addicted to their phone. So, these things bother me, and the gambling piece is a potential addiction and there's another way to become addicted to your phone, and I just -- I can't support it myself and, you know, that's the way I'll vote. Thank you.

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 (#681)

YEAS: Senators: BAILEY, BEEBE-CENTER, BRAKEY, BRENNER, DUSON, GROHOSKI, HICKMAN, INGWERSEN, LAFOUNTAIN, MOORE, RENY, ROTUNDO, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BALDACCI, BENNETT, BLACK, CARNEY, CHIPMAN, CURRY, DAUGHTRY, FARRIN, GUERIN, HARRINGTON, KEIM, LAWRENCE, LIBBY, NANGLE, PIERCE, POULIOT, RAFFERTY, STEWART, TIMBERLAKE, TIPPING

EXCUSED: Senators: LYFORD

14 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **FAILED**.

Senator **BENNETT** of Oxford moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in concurrence.

Senator **DAUGHTRY** of Cumberland moved the Bill be **TABLED** until Later in Today's Session, pending motion by Senator **BENNETT** of Oxford to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#682)

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

NAYS: Senators: BALDACCI, BLACK, FARRIN, GUERIN, HARRINGTON, POULIOT, TIMBERLAKE

EXCUSED: Senators: LYFORD

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **DAUGHTRY** of Cumberland that the Bill be **TABLED** until Later in Today's Session, pending motion by Senator **BENNETT** of Oxford to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Create a Universal Exclusion List for All Forms of Gambling in the State"
H.P. 1339 L.D. 2080

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-933).**

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-933)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-933).**

Reports **READ.**

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

Bill **READ ONCE.**

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

Senator **HICKMAN:** Thank you, Mr. President. I just wanted to say that this bill allows people to put themselves on a universal list to restrict themselves from gambling in case they have recognized that they have a gambling addiction. And so, I just wanted to put that into the record given the debate we just had on the previous bill. Thank you, Mr. President.

Committee Amendment "A" (H-933) **READ** and **ADOPTED.**

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

Divided Report

Seven members of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act to Protect Consumers by Licensing Home Building Contractors"
H.P. 1237 L.D. 1929

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-929).**

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

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

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-930).**

Signed:

Representatives:

COLLAMORE of Pittsfield
LANIGAN of Sanford
NESS of Fryeburg
WALKER of Naples

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

Signed:

Senator:

GUERIN of Penobscot

Representative:

SMITH of Palermo

Comes from the House with Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)** **AS AMENDED BY HOUSE AMENDMENT "A" (H-941)** thereto.

Reports **READ.**

Senator **CURRY** of Waldo moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)**.

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 Penobscot, Senator Guerin.

Senator **GUERIN:** Thank you, Mr. President. Mr. President, Ladies and Gentlemen of the Senate, every bit of bureaucracy and red tape we add to building construction results in more expensive housing and home maintenance. The classroom time and test taking mandated in this bill will be a barrier to building construction and maintenance work for many contractors. Some part-time contractors will no longer be available for home repairs. Many contractors purposefully chose a field that did not require classroom training or test taking, but they are still excellent craftsmen. This bill will force some of these people out of our workforce for lack of classroom time and test requirements. The Chief Executive's housing commission has outlined a significant housing crisis in Maine. We know from experience in our districts that the housing crisis is real. This bill will only exacerbate our housing shortage. Please vote no on the pending motion.

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

Senator **CURRY:** Thank you, Mr. President, Fellow Members of the Senate. I'm very happy to introduce LD 1929, An Act to Protect Consumers by Licensing Home Building Contractors. Some of the most tragic calls I receive are from constituents seeking assistance when they've been ripped off by contractors in lots of different ways. And I suspect that you've gotten those calls as well. It's very hard because they're thinking that they're going to -- they complain to the AG's office, and I've got to explain to them that they now have to spend a whole lot of money in lawsuits in order to try to get their money back. Money that they don't have any longer. While on the campaign trail when I first ran, I stopped at a house and I saw a big house, partially -- partially finished, no roof, kitchen cabinetry out in the rain. And then saw out by the road, a little, tiny shack. And I'm like hey, what's going on here? And they shared the story of their construction failure, being ripped off of tens and tens of thousands of dollars. And ultimately, having just to have shelter, building a shack up front because they couldn't get the whole thing fixed. We had stories in our committee where people came forward, we had a minister and -- a young minister and his wife and their infant child living in a summer camp through winter because they had been taken, lost \$40,000 in the startup of their home. These are really tragic conversations, and it -- I will tell you, it feels incredibly disempowering to say yeah, maybe you can sue them, or you can complain to the AG's office, but by the way, the AG's office isn't going to be able to get you your money back. We've all -- we already license plumbers, electricians, architects, and virtually every other profession involved in the construction industry. In committee, we heard broad support for this bill from homeowners, those representing the architectural associations, realtor associations, the real estate developers associations, as well as numerous contractors. Numerous

contractors who often are the ones to undo and redo the work of shoddy contractors or those who are -- those who are ripping others off. What we heard from some of the best contractors out there, some of the leaders in the field is that people don't typically start off trying to be bad actors, they're not starting trying to rip off people. But maybe they bid too low in an effort to get it and it's not enough money to cover the actual cost and so they take on another project, and another project, and another project, and suddenly, they're a Ponzi scheme and everyone gets ripped off. And we've seen that tragically across the State of Maine. A licensing structure is designed specifically for public safety. It's why we do licensing. We license for public safety; it's why we license all sorts of sectors. What it does is two very strong prongs that will help us address this problem. The first is the initial license, which allows -- which requires that licensees have to show their competence. They've got to prove that their understanding of, in our case, MUBEC. And if you're -- the Maine Unified Building Code -- and if you've been part of this Chamber in the past or part of the Other Chamber in the past, you might know that this bill has previously failed because we didn't have standard building codes across the state. We now do have standard building codes. So, we make sure they understand the building codes. They have to document that. It's -- I will be honest, it's a fairly low bar, and it's a low bar on purpose, because we're not trying -- we're trying to make sure they have the minimum qualifications, they also have insurance. But we know a lot of people have been doing this work for a long time and we want them to be able to quickly show that with very little burden. The second part of the licensing structure is where I have the most excitement and most confidence that we will be addressing this problem to the level that we need to here in the State of Maine. The second part is that you have a licensing board, and you have the ability to address the bad actors across the state. You have the ability to do disciplinary actions, you have the ability to do investigation, and you have the ability to suspend licenses and drive out bad actors rather than them continue to find victims year after year. It creates this mechanism to address substantial fraud -- sorry, I lost my train, I'll come back to it now. Lastly, opponents have claimed that this will add cost. In fact, Maine residents are paying now for our failure to license contractors. In the past five years, the Attorney General's Office has received over 600 complaints. Complaints that originate from every one of our districts. Over 600 complaints, totaling over \$12 million. That's just the last five years. We've been talking about this for over 20 years. So, how much of the state -- how much have our constituents lost, how much added has been -- how much has been added to the cost? This is just the people that complained. What about those that were embarrassed? What about those who felt shame in being taken? They didn't complain. And so, we're not even recognizing that cost. Maine residents deserve better. Members of the Senate, I ask for your support and vote for the pending motion.

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

Senator **BRAKEY:** Thank you, Mr. President. With much respect to the Good Senator from Waldo County, who I think is addressing very real problems and I think is -- and I have no doubt, as I hear him describe the picture of that he's come across in his district of constituents who have been swindled by bad actors, that's terrible, and I think we all -- no one likes to see that.

But I do have to say that occupational licensing in general, I guess, has been a real pet peeve of mine because of what I've seen over the years. When you get an occupational licensing regime in place, what it does is it makes -- it raises barriers to entry for the least well off to get into a good paying profession. And then you create a vested interest group of those who've managed to get licenses, who then lobby to maintain the system and to tighten the system and to make it more and more difficult for more people to enter the system as an artificial means of restricting competition. I've seen this again and again in profession after profession. I remember even when putting forward years ago just to even look at -- just to look at the professions, to have a sunset review of professions where there's occupational licensing in place that -- that is not in place in most states, and boy, from the taxidermist to every single thing under the sun, you would imagine the world was ending. But this is -- I worry that we put this in place now, we're going to be snatching opportunities away from the least well off, we're going to be creating artificial barriers to entry, and we're going to be creating a vested special interest group that's going to lobby for these restrictions to become tighter and tighter over time to create artificial restrictions on competition. So, I think this bill at this point in time is a bridge too far and I will be voting in opposition.

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

Senator **KEIM:** Thank you, Mr. President. I pulled up -- I'm opposed to this motion, and agree with the Senator from Androscoggin, Senator Brakey, and recognizing how difficult occupational licensing becomes for those who are poor and struggling for upward mobility. It is just so much more difficult for those who want to change their lives and to move on to a different path when we put this type of licensing in. And just want to share with you a research project from Utah State University. And I'm going to read you just a little bit of their executive summary. Occupational licensing laws are generally justified as necessary consumer protections. In theory, requiring workers in certain fields to possess licenses stops incompetent service providers from deceiving uninformed customers and gives customers reason to expect a fair quality of service. While licensing may provide consumers with a signal of worker quality, it can also bring negative effects by raising prices and slowing job growth in licensed fields. This paper examines the existing research on the effects of occupational licensing and concludes with a discussion of possible reforms. Overall, existing studies have yet to find a definitive link between licensing restrictions and their stated purpose of improving service quality. Several studies do find, however, that licensing requirements raise pay for licensed workers, but with a cost, reduced employment and higher consumer prices. Overall, the evidence suggests that there may be gains from policy reforms that allow for less restrictive alternatives such as voluntary certification. Again, what this type of bill does is it hurts the people that are most vulnerable. There is lots of avenues for the consumer to check and make sure that the person, the contractor they want to work with has good recommendations, has insurance, we can also look at voluntary certification, but putting these barriers up hurts the people that we need to help, the people that want upward mobility, that want to change the lives that they currently lead, and we should not be putting road blocks up for those people. And consumers, I've had, you know, my constituents as well, come to me with stories

where contractors have done -- you know, have raked them over the coals or have stolen from them, but that doesn't change the fact that licensing happens as -- people that are in licensed occupations also do that, right? We've had any number of stories of even doctors who have done terrible things to their patients, and they're licensed and they're, you know, very regulated. So, this is not an automatic stipulation that the person now that they're licensed is going to be honest. Honest is something that people decide for themselves. But this is an absolute barrier. So, I would ask you to vote against the pending motion.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. As I stand before you, noticing that you're trying to get another bite at the apple, so I got that one off the list now. No, ladies and gentlemen, this really concerns me. I think of over the years of all the people that I've hired that have come to my house and who were starting out, wanting to get a start in maybe doing some repair, repairing your porch, repairing a shed, helping you build something or fix something. And we're going to make this way more difficult for them. I think people have the ability on their own to determine whether they want to hire someone or not. They can do their research, their due diligence in what they do. If it's a bad person and they're going to scam you, they're going to scam you whether they're licensed or whether they're not licensed. That's not going to stop them. I just -- I'm thinking today of a young man that came in and was looking for some work and said, you know, I can do flooring, and I recommended him to a friend, and he did a great job for him. And, you know, he got his start and now he's got a wicked good business going now, just going around putting in laminate flooring that people buy from Marden's or Home Depot or Lowe's or wherever they buy it, and he goes around and just installs it for them. And we're going to put a stop to that and that young man's going to have to try to go out and find insurance and go get licensed and do different things. Because \$10,000 may sound like a lot, but in today's world, you know, it really ain't much. It don't take long to spend \$10,000 when somebody's doing some construction work in your house. So, I think this is -- I'll just say it, this bill's a really, really bad idea. It's putting restriction on people. I think we let people make up their own mind, this is America, we should grant them that. We don't need to regulate everything and whether somebody's going to fix your porch or do your screen, you know, your door in your house or your -- level your floor, it's not -- it's none of our business, we need to stay out of it.

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

Senator **DAUGHTRY:** Thank you, Mr. President, Men and Women of the Senate. I rise in full support of the pending motion before the Body. I rise as someone who was a former member and chair of the IDEA committee and heard this bill as well, but I also rise as the daughter of someone who has done contracting. And I grew up with a dad who told me that, you know, you have to not only be proud of your work, but you also have to make sure you're doing things like following codes, and that you make sure that you have a good structure, and you're abiding by good business practices. So, I have been in favor of this bill for a long time, and one thing I want to share is what the different aspects of

licensure would bring not only to contractors but to consumers. So, if you're a contractor and you have licensing, there are benefits. It really helps if you're holding liability insurance to be in a state that has a licensure requirement. It helps protect you and it also protects your customers. Additionally, as a consumer, we've already heard some of the reasons. It has a professional licensure body that as a consumer, if you're in one of those situations where you're swindled or you have a bad incident with a contractor, there is a way to have a formal process to go after that contractor. And just like any other licensure, that professional board will be able to show as a matter of public record what those complaints are. And I want to be clear as far as barriers to enter licensure, I agree with those concerns. There are some states where they can be quite expensive. But this bill sets a limit of \$250 for that license. That is a very reasonable cap, especially when you look at the other licenses that we have in the state, whether it's doing tattoos or cutting your hair. And I think one other important part of the licensure requires contractors to take a test on MUBEC to make sure when you're building a structure, you know what you're doing. We're talking about people who are building the literal roofs over our head, and I think we can all agree, we don't want those to fall down. And I'm just going to end with reading the states that require licensure - and you'll notice, they are pretty diverse politically - Alabama, Alaska, Arizona, Arkansas, California, Florida, Georgia, Hawaii, Louisiana, Massachusetts, Michigan, Mississippi, Nevada, New Mexico, North Carolina, North Dakota, Oregon, South Carolina, Tennessee, Utah, Virginia, West Virginia, and Wisconsin. And I can say on good authority, I don't think there's many things that this list of states actually agree on, but they do agree on licensure. Let's join them.

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

Senator **POULIOT:** Thank you, Mr. President. I rise today because I am concerned that this bill is not ready for primetime. The reality, though, is that the bill speaks a lot about residential construction, and I'm not an attorney, but if you look at Part S of the Committee Amendment "A" under Section 2, Exemptions, it says a person performing residential construction services on a single-family residence occupied or to be occupied by that person. Again, I'm not an attorney, but I would think that there would be a case to be made for saying that these -- any service related to the construction industry would be construction services on a residential home. So, perhaps the committee could enlighten us to that, but the situation that was explained earlier by the Good Senator from Waldo, it seems like that wouldn't be covered. The other thing is that I, outside of this building, do a lot of development work and a lot of projects, and I've been ripped off a time or two. And, you know, the reality is that there really is no good way to get, you know, blood out of a turnip. I mean, a lot of times these guys are robbing Peter to pay Paul, and it's just a never-ending cycle. And so, the idea that putting in a license somehow is going to change that, I really don't think it's the case. The other thing has to do with the composition of the actual board. I think it's just really off base for us to put a member of the University of Maine System with a focus on career in technical education, which isn't really under their auspice, onto this board. I think you should have a director of a construction program for the community college system, somebody that's closer to the people getting trained to do this work. So, again, I hope that

you'll follow my light and vote down the pending motion. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I apologize for rising a second time for what is actually another bite of the apple. But there's a point I wanted to make that I neglected to during my initial remarks, so I apologize. But, you know, if what we're looking for in the marketplace is a signal of quality assurance, which I think that some folks who are putting licensing forward as a way to achieve that, I would say that's not the only way to achieve this. The choice is not between either a government license system where if you don't do things -- if you don't operate within the parameter of the license or get the piece of paper, get the permission slip from the State to do your profession, or a completely wild west situation where there's no standards whatsoever. In the marketplace, you can have private certification organizations. People have to go through standards to get these private certifications and that's a signal to consumers of who's someone who has met some benchmarks and there's some quality assurance there, and there's an organization that vouches for them, says they've met certain standards, and if they aren't meeting that standard, then that damages the reputation of the private certification organization. There are ways in the marketplace without the heavy hand of government to achieve some of these quality signals. And I would say this, too, I think the prospect of Ponzi schemes was raised, and if licensing prevented Ponzi schemes, you know, Mr. President, I wonder how many licenses Bernie Madoff had. I bet you he had a few. So, I'll just -- in closing, I would just say, you know, we are in the midst of housing shortages, I believe we all recognize that, and we've been grappling with that in this Legislature for the last several years. I think the last thing we need in a time of housing shortage is to create artificial barriers to entry for people to enter the trade to build more housing for folks. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Report "A" Ought to Pass as Amended. 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 (#683)

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

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

EXCUSED: Senators: LYFORD

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CURRY** of Waldo to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-929)**, in concurrence, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (H-929) **READ**.

House Amendment "A" (H-941) to Committee Amendment "A" (H-929) **READ**.

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

Senator **STEWART:** Thank you, Mr. President. Just to -- so, as folks are listening to that, what we are doing with this bill is two things now, based on what the Other Body did, which was to increase the monetary amount whereby you're exempt - fine - but the problem being here that you're also now saying that if you're doing work on behalf of Efficiency Maine Trust or the Maine State Housing Authority, aka Maine State Government, suddenly none of this applies to you. And so, I just have a real problem here with the fact that we're creating, you know, this new system for folks in the private sector, but we're purposefully carving out - and I'm sure that probably there was some debate in committee around what they've got to do already, if they're doing work for the government - but inherently, this is principally wrong to be imposing these new burdens on contractors in Maine but then saying on the other hand well, if you work for the government, you're all good, don't worry about it. I mean, maybe that's a fundamental difference between, you know, limited viewpoints of government and what works well and I -- I just -- I really can't, you know, let this one go by without voicing opposition to it and again would request that Roll Call. Thank you, Mr. President.

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 Waldo, Senator Curry.

Senator **CURRY:** Thank you, Mr. President. I'd like to address

the concerns from the Good Senator from Aroostook. The total amount that -- in which a licensure would be required increases up to \$15,000, and the exemption for working for Efficiency Maine is entirely because the goal here is to protect residential owners and builders and, in this case, the State, through Efficiency Maine, is the customer, and we believe that the State will be in a good place to assess their contractors. Thank you.

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

Senator **POULIOT:** Thank you, Mr. President. I just think it's important for the record, this amendment also has a person performing residential construction services on a single-family residence occupied or to be occupied by that person. So, can somebody explain the definition of construction services? Because, to me, building someone's home is construction services. Maybe I'm wrong, perhaps this will be used by an attorney someday to defend someone in a case, you know, about this, because it's like literally saying in here people doing construction services are exempt. Also, I just placed an order for two heat pump installations. I'm the customer, not the State of Maine. I have a choice of different contractors that can do this. Some people are approved to install heat pumps with Efficiency Maine and some people are not, but I'm still the customer, not the State of Maine. Thank you, Mr. President.

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

Senator **CURRY:** Thank you, Mr. President. I believe the answer to the question that the Good Senator has posed is persons doing construction services for residents that they will then -- they will then live in, and that's the -- in the exemption. I might -- if I'm missing -- there is an exemption so that we're not trying to get -- if you're building your own house, you don't have to be licensed, you know, so, that's -- that's the purpose of the exemption is if you're doing construction on your own house. Now, I may have misunderstood that, but that's what I think I heard.

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

Senator **GUERIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think one thing that has been neglected to be talked about today is the effect this will have on our senior citizens and people who are retired. And it affects them in two ways. One is the price will go up for repairs if you're trying to stay in your home and pay your taxes and age in place because definitely there will be less contractors available and that obviously forces up prices. And the second part that affects our seniors is there are many people who do this as a part-time job to supplement their Social Security, to supplement their firefighter pension. They need the money, they are willing to work for it, and they're not licensed. So, do they want to go back to school, take the class, have to pay the fee, have to take the test? I think we're opening up a lot of negatives for our senior members of our society and I hope you will take that into consideration in your next vote. Thank you.

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

Senator **BRAKEY**: Thank you, Mr. President. I just want to respond to a point that was made by the Good Senator from Waldo in regards to the exemptions that are proposed in this amendment for Efficiency Maine Trust and the Maine State Housing Authority. And I think the point that was argued is that government is in a better position to ensure the hiring of quality contractors than the average Maine person is when they're hiring someone for their own personal projects. But as I hear that, I can't help but think about a principle that the great Chicago School economist Milton Friedman has pounded into so many peoples' minds over the duration of his career, which is that nobody spends someone else's money more efficiently and better than they spend their own money. So, I find the exact opposite to be true. Maybe the licensing requirement should be put upon contractors hired by the government, while the rest of us get to make our own choices in our lives with our own money and our own homes. Thank you.

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

Senator **RAFFERTY**: Thank you, Mr. President. I'm one of those senior retirees, and recently this summer, I've had lots of construction done at my home and had some -- now, I think I was assured based on history of this contractor of his abilities. But what I was also assured of is that every contractor that came to that home, they pulled up in a pickup truck that said licensed and insured. Plumber had to be licensed and insured, electrician had to be licensed and insured, and everyone that did any and everything in that home. My only mistake at one point was I had a person put a heat pump in that was from out of state - we're not far from the state line, but came out of state - and they were licensed to install, but they weren't at the time licensed in Maine, so the thing that I forfeited was my rebate from Efficiency Maine. But outside of that, I am happy with the work that's been done, and that license meant a lot to me. That gave me assurance and as well as my wife that the work was being done by somebody qualified to do so. The license isn't going to be so expensive for that contractor that they got to make it up on every house down the road that they do. Thank you very much.

THE PRESIDENT: The pending question before the Senate is Adoption of House Amendment "A" (H-941). A roll call has been ordered. Is the Senate ready for the question?

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#684)

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

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

EXCUSED: Senators: CHIPMAN, LYFORD

20 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 2 Senators being excused, the motion to **ADOPT** House Amendment "A" (H-941) to Committee Amendment "A" (H-929), in concurrence, **PREVAILED**.

Committee Amendment "A" (H-929) As Amended by House Amendment "A" (H-941) thereto **ADOPTED**, in concurrence.

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

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

ENACTORS

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

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect Reproductive Autonomy
S.P. 339 L.D. 780
(C "A" S-617)

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

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

Emergency Measure

An Act to Implement the Recommendations of the Blue Ribbon Commission to Study Emergency Medical Services in the State
H.P. 970 L.D. 1515
(C "A" H-903)

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

Senators having voted in the negative, and ____ 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.

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

Emergency Measure

An Act Regarding the Transportation of Hazardous Materials by Railroad Companies
H.P. 1245 L.D. 1937
(C "A" H-912)

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

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

Emergency Measure

An Act Updating References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes
S.P. 850 L.D. 2022

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with 1 Senator having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for approval.

Emergency Measure

An Act to Increase Participation by the Department of Health and Human Services Regarding Federal Benefits for Which Children in the Custody of the Department May Be Eligible
H.P. 1337 L.D. 2078
(C "A" H-893)

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

Emergency Measure

An Act to Protect Property Owners by Making Certain Changes to the Laws Governing the Use of Eminent Domain by Transmission and Distribution Utilities
S.P. 880 L.D. 2087
(C "A" S-638)

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

Senator **CURRY:** Thank you. I apologize for speaking on what should just be a vote we typically do, but I just want to compliment and thank -- this -- this bill is the Legislature working really well and bipartisan and listening very closely to constituents, and I want to compliment, and we notice when it doesn't always work so well, and I want to note when it works particularly well. Thank you.

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

Emergency Measure

An Act to Establish a Statewide Sexual Assault Forensic Examination Kit Tracking System and Conduct an Inventory of Existing Forensic Examination Kits in the Possession of Law Enforcement
H.P. 1353 L.D. 2129
(C "A" H-904)

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

Emergency Measure

An Act to Allow the Department of Corrections and County Jails to Comply with the Federal Prison Rape Elimination Act of 2003
S.P. 970 L.D. 2250
(C "A" S-635)

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

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

Emergency Resolve

Resolve, to Direct the Governor's Energy Office to Conduct a Study Regarding the Future of Electric Transmission Infrastructure in the State
H.P. 1413 L.D. 2205
(C "A" H-909)

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

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance
H.P. 1432 L.D. 2233
(C "A" H-907)

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

Emergency Resolve

Resolve, Directing the Department of Education to Establish the Commission to Study School Construction Policy and Funding
H.P. 1476 L.D. 2285

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

On motion by Senator **DAUGHTRY** of Cumberland, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in **NON-CONCURRENCE**.

Off Record Remarks

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 Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding"
S.P. 610 L.D. 1537

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-683)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-683) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**, until Thursday, April 11, 2024 at 10:00 in the morning.