

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

In Senate Chamber
Tuesday
April 16, 2024

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

Prayer by Reverend Ted Hunter of Brunswick.

REVEREND TED HUNTER: Please bow your heads if you're comfortable. Dear God, we ask your help in providing us wisdom, strength, humility, and kindness as we toil with our task today. We ask you to remind us of our mission to guide and assist us with whatever difficulties we may encounter along our paths. We ask that our hearts remain opened and our minds as well and we treat all others with respect. With your help, we may find the words and wisdom to perform our obligations to the best of our ability. By reaching out to those around us, we may find humanity, forgiveness, appreciation of ideas and concepts to help us achieve our goals. The world is larger than us. Navigating our work, families, friends, neighbors, and those we serve is of utmost importance. We ask your help in providing us the peaceful dialogue, the ability to listen and understand before we speak. Our role is as your servant, and may we respect and honor your guidance and understanding as we navigate our difficult choices. Under God, we are all the same. This morning, something called me from my sleep. Love and blessings, simple kindness, ours to hold but not to keep without your help. We pray for these things today and always, to guide us on life's path, at home, in public, in our ethical and moral obligations and duties. In God's Name, Amen.

Pledge of Allegiance led by Senator Joseph M. Baldacci of Penobscot County.

Reading of the Journal of Monday, April 15, 2024.

COMMUNICATIONS

The Following Communication: H.C. 478

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

April 15, 2024

Honorable Darek M. Grant
Secretary of the Senate
131st Maine Legislature
Augusta, Maine 04333

Dear Secretary Grant:

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Veterans and Legal Affairs on Bill "An Act to Provide for the Direct Shipment of Spirits to Consumers" (S.P. 682) (L.D. 1695)

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Dorrie White, of Phillips, recipient of a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We extend our congratulations and best wishes; SLS 1886

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: SOBOLESKI of Phillips.

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

Senator **KEIM:** Thank you, Mr. President. I rise today to recognize a fantastic woman from Phillips, Dorrie White. Ms. White has dedicated herself to serving the people of her community. In 2023, she received the Spirit of America Award for her many years dedicated to the Phillips Area Food Pantry and her selfless contribution to those in need around her. In Maine, one in ten people is facing hunger. That comes to a total of 144,290 people, including 36,490 children. Ms. White is doing her part to end hunger in our state. After beginning as a volunteer at the Phillips Area Food Pantry in 2016, Ms. White took over as manager -- president in 2017. She stepped up when the former pantry supervisor, Evelyn Wilbur, had to step down, accepting that she would need to increase the amount of time she was volunteering. In this role, she has made available more hours for clients to come to the pantry and even made personal deliveries for clients. Her personality and organizational skills transformed and improved the pantry, leading it through trying times. I'm sure you all remember during the COVID pandemic, people were out of work and desperate. The need for food and other household items skyrocketed. In Phillips and the

surrounding area, the need increased with roughly 30% more people needing assistance. Ms. White was able to recruit volunteers to deal with the increased demand. She even arranged for some to make deliveries to the Shadagee Apartments and to those who were shut in to keep them safe from the virus. While some may be hesitant to seek assistance when they need it, Ms. White offers a welcoming and safe place for people. She is always happy to help with events that benefit the community. She is always the one to call when someone in Phillips needs help. Ms. White quietly participates in bettering the lives of many by her caring personality. She is truly an asset to our community and the state. I thank her for her dedicated service. I know that she doesn't like to be the center of attention, but she deserves it today, and I thank you all for joining me in recognizing her.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the chamber Dorrie White and Lisa Haynes of the town of Phillips. They are the guests today of the Senator from Oxford, Senator Keim. Would they please rise and accept the greetings of the Maine Senate.

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

ORDERS

Joint Order

An Expression of Legislative Sentiment recognizing:

Molly Hay, of Athens, a student at Carrabec High School and a member of the girls basketball team, who recently scored her 1,000th career point. We extend our congratulations and best wishes;
SLS 1901

Sponsored by Senator FARRIN of Somerset.
Cosponsored by Senator: BLACK of Franklin, Representative: DUNPHY of Embden.

The Joint Order was **READ**.

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

Senator **FARRIN:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm very pleased to have the opportunity to be standing before you today to commemorate the accomplishments of one highly determined young woman's tremendous high school basketball career from Carrabec High School. On Monday, February 5th, in the last game of the regular season, senior Molly Hay put up a shot against the undefeated Valley girls' basketball team that would forever seal her position in the renowned 1,000-point club for Maine high school basketball. She ended up with 1,032 points for her career. This was an

accomplishment that was a long time in the making, as Molly has been a steady scorer throughout her entire career. Molly went to lead the Carrabec girls' team to the playoffs and a first-round playoff victory before eventually falling to the number one seed North Yarmouth Academy. Molly was named to the McDonalds All-Star Team and was a two-time All-Conference player, achieving first team All-Star for the South this past season. In the fall, she will be attending the University of Maine of Augusta, where she will continue her fantastic basketball career at the college level. As a side note, Molly will be wearing number 32 in honor of her Aunt Audra, who left our family too soon. Molly is joined today by her parents, April and Gene Hay, along with her sister, Lauren Peters. And if my comments, Mr. President, seem a little overenthusiastic, it may be because Molly's mom is my cousin. Our entire family is proud of Molly's accomplishments, and I have no doubt that the support and foundation provided by her family helped propel Molly to where she is today, and knowing Molly, who hung around these Chambers a few times when I was in the House and so she's not a stranger to the Chambers here, she appreciates it. So, I would just say thank you all for being here today and congratulations to Molly one more time.

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

Senator **BLACK:** Thank you, Mr. Speaker, thank you, Ladies and Gentlemen of the House. Senator Farrin got this sentiment before I could get it in, so he had a little advantage over me, but I just wanted to stand and recognize Molly and her accomplishments and just say that I was talking with the family and Molly before session, and they were finally glad to have a Senator with a hardworking, honest person.

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

Senator **FARRIN:** Mr. President, I was just hoping somebody would come to my defense about impugning the character of a fellow member.

THE PRESIDENT: The Chair is very pleased to recognize Molly Hay and her parents Jeana and April Hay, and her sister Lauren Peters, all from the town of Athens. They are the guest today of the Senator from Somerset, Senator Farrin, the Senator from Franklin, Senator Black and the entire Maine State Senate. Would they please rise and accept the greetings and congratulations of the Maine Senate.

Sent down for 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.

Joint Resolutions

Joint Resolutions in Memoriam:

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

Joan Woodcock Nestler, of Bangor. Having a passion for public service, Mrs. Nestler served on the board of the Good Samaritan Agency, with Maine Citizens for Historic Preservation, including as Vice President, with the City of Bangor Historic Preservation Commission and with the Blaine House Commission. In addition, she was active with the Bangor Symphony, Symphony Women and Opera New England. In 1981, in recognition of her extensive volunteerism, she was presented with the Jefferson Award for Public Service. She also was a member of the Shakespeare Club and PEO Sisterhood Chapter B of Bangor. Mrs. Nestler will be long remembered and sadly missed by her family and friends and all those whose lives she touched;
SLS 1887

Sponsored by Senator BALDACCI of Penobscot.
Cosponsored by Senators: BENNETT of Oxford, BLACK of Franklin, BRAKEY of Androscoggin, FARRIN of Somerset, GUERIN of Penobscot, HARRINGTON of York, KEIM of Oxford, LIBBY of Cumberland, LYFORD of Penobscot, MOORE of Washington, POULIOT of Kennebec, STEWART of Aroostook, TIMBERLAKE of Androscoggin, Representatives: PERRY of Bangor, RANA of Bangor, ROEDER of Bangor, SUPICA of Bangor.

The Joint Resolution was **READ**.

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

Senator **BALDACCI:** Thank you, Mr. President. It is really my honor to rise today to speak about this matriarch of an amazing American family. And it's with deep affection and appreciation and respect that our families have had for each other that is part of what makes Bangor and other places a special community. Joan Nestler -- it's hard to describe Joan because she meant so many things to so many people. She was generous, witty, intelligent, curious, wise, and a fantastic storyteller. Through her incredible life, she had gathered some fantastic stories. From her childhood trips to the Roosevelt White House and socializing with the Princess of Norway to trips to Ireland and the adventures of raising seven children. Even at the age of 100, Joan's memory was as sharp as a tack. She could still recall people and events from eight decades before. She could've been an official Bangor historian. If you were in her social circle, she remembered where you lived, who your kids were, what your kids are doing, whom they married, how many kids they had, and how many stories about you and your family throughout the years. The Woodcock family is a big name in Bangor and in all of the State of Maine, and she was the matriarch. She was the foundation on which the family rested. To her grandchildren, she was sort of a larger-than-life figure. She had an encyclopedic knowledge on history, politics, literature, poetry, and more, and she used this knowledge in wide-ranging discussions. Her friends and family cherished these talks, and everyone benefited from her observations. Joan was devoted to her family, her friends, and her faith. I would just

say that in the later years, I remember seeing -- Joan lived at the Boyd Place for a period of time and whenever I would go there when they had candidates night, she would come up to me and say I want you to know that I'm a Democrat even though others in my family may not be, okay? She wanted it known, and I'm here to let -- to share that with you, but she was a great supporter, a great woman. She embraced everyone on both sides of her very large extended family. All the children, grandchildren, great-grandchildren, and all their spouses. The time she spent with her relatives was precious to her and them. She was also dedicated to her marriages. She met her first husband when she was working at a hospital in New York in her early 20s. She thought that the new young doctor was incredibly attractive, but he didn't seem to notice her. So, she took matters into her own hands and tripped him as he was walking past her. That certainly got his attention. Amazing to think of the legacy responsible for that gutsy move. Joan supported her first husband in his very busy and demanding orthopedic practice, holding down the home front, overseeing guiding seven children, arranging social and philanthropic events. But just at the point the two could have begun to savor life at a slower pace, at the age of 55, he was taken from her. In 1992, she married again. Her new husband had a mind as inquisitive as hers, so they were a great fit. But five years into their marriage, he suffered a stroke that left him unable to articulate, in a wheelchair, and rendered useless his one good arm, the other having been incapacitated by polio. But Joan knew that even though JP had been deprived of the ability to speak, his formidable, inquisitive intellect was fully intact. She made every effort to engage him with readings from literature, history, current events, and of course their shared love of music. After his death in 2004, she was alone, although never really alone. Her own inquiring mind and wide-ranging interests drew many people to her and kept her occupied. As her contemporaries passed from the scene, she developed a whole circle of like-minded, youthful friends in their 60s and 70s. Joan was also deeply devoted to her faith. She believed that her life was never hers alone, but was a gift from God, and that one day, she'd be held to account for what she had made. This conviction spurred her to serve others. She volunteered on countless boards and committees and dedicated many hours and years, really, to historic preservation. And now, after serving -- excuse me, and now, after 100 years of serving God, her family, her community, her country, her work is done. She lived a selfless life, true to her faith, true to herself, her seven children, 18 grandchildren, 19 great-grandchildren will work to keep her memory alive for years to come. They are better off having had her in their lives for so long, and so are we all. I do want to, Mr. President, there are members of her family here. One of her sons, Tim Woodcock, her grandson, Patrick Woodcock, and obviously her granddaughter, Eliza Woodcock. I just had a little bit of a funny story. I served with Tim for two years on the City Council. He and I worked together on many important issues. After I got done on the council, I served as mayor, and my mother was having an issue with a next-door neighbor, and she tried to go to John, she tried to go to me, and we both said it might be a conflict for us to be involved in this. So, she called Tim Woodcock. She goes, I know Tim's going to take care of me. And she goes, I got one son who's a congressman, one son's a mayor, neither one can help me. She went to Tim Woodcock. Tim is a great attorney, he is a great leader, I have enormous respect for him and his family, and they have contributed much to our state. Thank you.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the chamber as it was said, Tim Woodcock, who's a lawyer, Patrick Woodcock, who is the executive director of the Maine Chamber, and Eliza Woodcock who in my opinion is probably the most brilliant of all of them because she sends the best notes up to me that I can read. But seriously. They are the guests today of the Senator from Penobscot, Senator Baldacci, and we're certainly sorry for your loss. Would they please rise and accept the condolences of the Maine State Senate.

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.

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

The Honorable Joseph Edward Brennan, of Portland. Mr. Brennan was a veteran of the United States Army. He joined the law firm of Casper Tevanian in 1963. He won election to the Maine Legislature at age 29 in 1964 and was elected Cumberland County attorney in 1970. In 1972, he returned to the State Senate, where he was elected immediately to serve as Minority Leader. In 1974, he ran for Governor for the first time, losing to George Mitchell in the primary but then being elected Attorney General by the State Senate. He led negotiations between the Maine tribes and the Federal Government, which ultimately resulted in the Indian Land Claims Settlement Act of 1980. He was elected governor in 1978 and was reelected in 1984, becoming the first Democrat to win all 16 counties since the Civil War. Perhaps his most important contribution as Governor was his decision in 1980 to appoint George Mitchell to serve in the United States Senate to finish the term of Edmund Muskie. Senator Mitchell went on to become the Senate Majority Leader and negotiate a peace agreement in Northern Ireland. After his governorship, Mr. Brennan was elected to the United States Congress twice, in 1986 and 1988. He completed his public service career by serving three United States presidents as a Commissioner of the Federal Maritime Commission from 1999 until his retirement in 2013. Mr. Brennan will be long remembered and sadly missed by his wife of 30 years, Connie LaPointe Brennan, his family and friends and all those whose lives he touched;
SLS 1888

Sponsored by President JACKSON of Aroostook.
Cosponsored by Senators: BAILEY of York, BALDACCII of Penobscot, BEEBE-CENTER of Knox, BENNETT of Oxford, BLACK of Franklin, BRAKEY of Androscoggin, BRENNER of Cumberland, CARNEY of Cumberland, CHIPMAN of Cumberland, CURRY of Waldo, DAUGHTRY of Cumberland, DUSON of Cumberland, FARRIN of Somerset, GROHOSKI of

Hancock, GUERIN of Penobscot, HARRINGTON of York, HICKMAN of Kennebec, INGWERSEN of York, KEIM of Oxford, LaFOUNTAIN of Kennebec, LAWRENCE of York, LIBBY of Cumberland, LYFORD of Penobscot, MOORE of Washington, NANGLE of Cumberland, PIERCE of Cumberland, POULIOT of Kennebec, RAFFERTY of York, RENY of Lincoln, ROTUNDO of Androscoggin, STEWART of Aroostook, TIMBERLAKE of Androscoggin, TIPPING of Penobscot, VITELLI of Sagadahoc, Representatives: ABDI of Lewiston, ADAMS of Lebanon, ALBERT of Madawaska, ANDREWS of Paris, ANKELES of Brunswick, ARATA of New Gloucester, ARDELL of Monticello, ARFORD of Brunswick, BABIN of Fort Fairfield, BAGSHAW of Windham, BECK of South Portland, BELL of Yarmouth, BLIER of Buxton, BOYER of Poland, BOYLE of Gorham, BRADSTREET of Vassalboro, BRENNAN of Portland, BRIDGEO of Augusta, CAMPBELL of Orrington, CARLOW of Buxton, CARMICHAEL of Greenbush, CLOUTIER of Lewiston, CLUCHEY of Bowdoinham, COLLAMORE of Pittsfield, COLLINGS of Portland, COPELAND of Saco, COSTAIN of Plymouth, CRAFTS of Newcastle, CRAVEN of Lewiston, CRAY of Palmyra, CROCKETT of Portland, CYRWAY of Albion, DANA of the Passamaquoddy Tribe, DAVIS of East Machias, DHALAC of South Portland, DILL of Old Town, DODGE of Belfast, DOUDERA of Camden, DRINKWATER of Milford, DUCHARME of Madison, DUNPHY of Embden, EATON of Deer Isle, FAULKINGHAM of Winter Harbor, FAY of Raymond, FOSTER of Dexter, FREDERICKS of Sanford, GALLETTA of Durham, GATTINE of Westbrook, GEIGER of Rockland, GERE of Kennebunkport, GIFFORD of Lincoln, GOLEK of Harpswell, GRAHAM of North Yarmouth, GRAMLICH of Old Orchard Beach, GREENWOOD of Wales, GRIFFIN of Levant, GUERRETTE of Caribou, HAGGAN of Hampden, HALL of Wilton, HASENFUS of Readfield, HENDERSON of Rumford, HEPLER of Woolwich, HOBBS of Wells, HYMES of Waldo, JACKSON of Oxford, JAUCH of Topsham, JAVNER of Chester, KESSLER of South Portland, KUHN of Falmouth, LAJOIE of Lewiston, LANDRY of Farmington, LANIGAN of Sanford, LaROCHELLE of Augusta, LAVIGNE of Berwick, LEE of Auburn, LEMELIN of Chelsea, LIBBY of Auburn, LOOKNER of Portland, LYMAN of Livermore Falls, MADIGAN of Waterville, MALON of Biddeford, MASON of Lisbon, MASTRACCIO of Sanford, MATHIESON of Kittery, MATLACK of St. George, MEYER of Eliot, MILLETT of Waterford, MILLETT of Cape Elizabeth, MILLIKEN of Blue Hill, MONTELL of Gardiner, MOONEN of Portland, MORIARTY of Cumberland, MORRIS of Turner, MURPHY of Scarborough, NESS of Fryeburg, NEWMAN of Belgrade, NUTTING of Oakland, O'CONNELL of Brewer, O'NEIL of Saco, OSHER of Orono, PARRY of Arundel, PAUL of Winterport, PERKINS of Dover-Foxcroft, PERRY of Calais, PERRY of Bangor, PLUECKER of Warren, POIRIER of Skowhegan, POLEWARCZYK of Wiscasset, POMERLEAU of Standish, PRINGLE of Windham, QUINT of Hodgdon, RANA of Bangor, RIELLY of Westbrook, RISEMAN of Harrison, ROBERTS of South Berwick, ROEDER of Bangor, RUDNICKI of Fairfield, RUNTE of York, RUSSELL of Verona Island, SACHS of Freeport, SALISBURY of Westbrook, SAMPSON of Alfred, SARGENT of York, SAYRE of Kennebunk, SCHMERSAL-BURGESS of Mexico, SHAGOURY of Hallowell, SHAW of Auburn, SHEEHAN of Biddeford, SIMMONS of Waldoboro, SINCLAIR of Bath, SKOLD of Portland, SMITH of Palermo, SOBOLESKI of Phillips, STOVER of Boothbay, STROUT of Harrington, SUPICA of Bangor, SWALLOW of Houlton, Speaker TALBOT ROSS of Portland, TERRY of Gorham, THERIAULT of

Fort Kent, THORNE of Carmel, UNDERWOOD of Presque Isle, WALKER of Naples, WARREN of Scarborough, WHITE of Waterville, WHITE of Guilford, WOOD of Greene, WOODSOME of Waterboro, WORTH of Ellsworth, ZAGER of Portland, ZEIGLER of Montville.

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

Senator **JACKSON:** Thank you, Madam President, Ladies and Gentlemen of the Senate. I'm sure like most of us, I was very sorry to hear of the passing of Governor Joe Brennan. And though I only met him a handful of times, at least in my estimation, he proved himself to be a man of integrity, and who tried to make good on his promises and wasn't afraid to meet with people that were considered underdogs. And I think a lot of people probably would be wondering why someone from Northern Maine, especially far Northern Maine, would be speaking on somebody that came out of Cumberland County, Portland, someone that actually, I think, ran through his two terms as Governor before I could even vote, but I think Joe Brennan was probably one of the first people that I really associated politics with, even before I understood what it meant. You know, he -- looking back on it, he's the person that I probably associate with what I'm doing now more than anything when I was a child. And the reason that I wanted to get down, because he did make a lasting impression on me even though I met him only a couple of times, was that way a long time ago, I'm not sure exactly the year, but I do know very well that I was in the fourth grade, I can remember it like it was yesterday, the teacher that I had at the time asked us to do a mock election, and I was in St. Francis Elementary School, and the school was very small and I think we were in a class of like 23-24, which was a big class for that school, and, you know, we didn't really understand much about what was going to be going on or anything as far as election, but what I think most of us knew back then was that the Dickey-Lincoln project for that area was a hot topic, and in the mind of a fourth grader, for many of us, a dam that was supposedly to be in St. Francis, Maine, the secondary dam was actually going to be right by my grandparents' house, I think the mindset of a lot of us were that these dams were going to be built and our families were going to be washed out and drowned, you know, I mean, no concept of really how that would work except that this whole place would be full of water and that's where you lived and everyone you knew lived. And so, as much as fourth graders can talk about politics, the mindset was that, you know, Joe Brennan was in favor of the Dickey-Lincoln Dam, and that meant certain death, and Lynn Palmer, who was the candidate that time against him, was against the Dickey-Lincoln Dam. Now, I think if you flash forward 50 or whatever years now, I think a lot of people would probably be in favor of the Dickey-Lincoln Dam, but back then, it seemed to be somewhat of a controversy, and for us, it was a big controversy because we didn't want to die. But the class set like this, the door to the class was here, we all lined up, the teacher, you know, put up on the board Joe Brennan or Brennan, Palmer, line down through, we did a vote, a secret vote, you know, sending up paper, and when it was all said and done, whatever the amount was, like, it was 22-23, whatever it was we had for -- I mean, and the other one was one. So, it was like 22-1 for Lynn Palmer over Joe Brennan. And I know that the dam carried the day on that vote, but, you know, that was -- and, you know, we found out who actually made that vote for Joe Brennan of our

classmates and probably ridiculed him quite strongly. But later on in the day, the door -- there was a knock on the door, and the door opened up, and who was the county sheriff at that time, Roger Harvey, opened the door, and of course, I think we all probably knew Roger at that point, he walked in, and who walked in behind him but Joe Brennan. And so, clearly, the teacher knew that he was coming to the area for a visit or whatever and had the mock election, but I think what she didn't remember to do was erase the board. Because he stood there, with the board there, and talked, you know, about things that I really -- I don't remember, but he talked. And then somewhere along the line, he turned and looked at the board and noticed the tabulation and how solidly he had gotten beaten in St. Francis, and asked. And what probably is not the most -- well, probably not the thing that you should do in a group fourth graders, single out the person that actually voted for you, but he did ask who voted for him. And Dale Gardner was a classmate of mine, I knew him like his family kind of traveled like mine did, Connecticut and back and forth, I knew him all his life, I know his family today, but Dale raised his hand that he had voted for him. And Dale's family was not well off, I think at that time a single mom with five kids, but he said if you -- if I win this election, he said, you will be at my inauguration. And I think even then, we kind of scoffed at the fact that the guy that was going to bring all this water and destruction to our area was going to bring Dale to inauguration, or even that there'd be a chance. But later on, when the election came through and Governor Brennan won, he made good on that. He had Dale and some of his family brought to Augusta, he had Dale go to the inauguration, you know, he made good on that for a fourth grader, which, you know, I don't even know how Dale feels about that today, I don't know how his family feels about that today, but I know that night of the inauguration on channel 4, PBS, it was very snowy, me and probably most of my classmates were wishing we had voted for Joe Brennan at that point. And I always remember that about him, I mean, that -- it's one of the few things that happened, but the other thing that did happen that I also had great respect for was later on, you know, my father was a working logger all of his life, probably one of the reasons why I'm so hardheaded today about logging issues, back whenever there were a lot of people in my area, I mean, they had a big labor dispute and I remember my father taking me to the University of Maine at Fort Kent and they said the Governor was coming. And everyone was in one of the rooms there in the college, and I remember Governor Brennan walking in and, you know, these bunch of, you know, loggers, truckers, things like that all in there and, you know, he came in and he talked like an everyday person to this group of everyday people. And he didn't make any commitments but, you know, he gave them respect to hear their issues. And I don't know that that always happens in government. I don't know that people that don't have all the power ever get those conversations, but I did see that day that he didn't really care about who he was going to upset, who might have more political ability, what he saw was a group of people that felt that they had a problem, and it was his job to go and hear them out. And I really have always thought back on that, how important that was that people in government listen to other people because that's what our job is. Regardless of where we end up, that opportunity to hear people out, I think, is something. And Joe Brennan, through my very limited time or abilities with him, showed me that two separate times in ways that, you know, 40-50 years later, I just will never forget. So, I am very sorry for his loss and the loss to his family.

THE PRESIDENT PRO TEM: The Chair would recognize the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you, Madam President, and that is a great story by the Senate President. It's hard to follow that one and hard to think of, but I'm also going to tell a little story about Joe Brennan and about how I first really met him in my life. And this is really for me and for many Democrats the end of an era, seeing Joe Brennan pass, and we're seeing many of the people who were icons in our lifetimes as Democrats in the State of Maine, back when the Democratic party really, you know, was the minority party in Maine. It was the exception that happened, and people had to be very incredible campaigners and incredible leaders to get elected at that time. I had just graduated, Joe Brennan was elected Governor when I was in college, and I had just graduated from college, I was up -- he was up for reelection, and that same election, my cross-country coach from Traip Academy in Kittery, where I grew up, was running for the State Senate, Steve Estes, and he asked me to be his campaign manager because he knew I loved politics. And both Steve and I had been Independents, you know, not aligned with any party. Steve enrolled in the Democratic party but I stayed unenrolled, but I managed his campaign. And I remember the long discussions I'd have with the local Democrats in Kittery. And Kittery then was probably one of the most Republican towns in the state, Republicans outnumbered Democrats like four to one. I remember when my brother went in to register as a Democrat -- registered to vote, they asked him if he wanted to be a member of a party, and he said yes, and they gave him a Republican registration card and he said no, I'd like to register as a Democrat, and they said we'd have to send away to Augusta to get that particular form. But much to the chagrin of all these, you know, the few leaders of the Democratic party in Kittery, I said, you know, I think we ought to open our headquarters in Kittery, and they said oh, you'll never be able to do that. So, I finally arranged -- got -- raised enough money to do it, and rented the old Carl's Meat Market for the headquarters, and I said we're going to have a grand opening and invite Joe Brennan and George Mitchell, said no, you'll never get people to turn out, it'll never happen, it'll never happen. And so, I worked pretty hard on it, I was working days over at an insurance company, Liberty Mutual, and nights getting people -- and we got, like, it was well over 150 people in the town of Kittery to turn out at this headquarters opening for the local Democratic party. And I remember Joe Brennan and George Mitchell gave speeches and one of George Mitchell's speeches was he was actually amazed that this would happen in Kittery because when he campaigned for Ed Muskie, people would actually pull down the shades as they went through Kittery, when Ed Muskie went through. But they gave their speeches, and they talked about their humble beginnings. George Mitchell, his father was a janitor, Joe Brennan who grew up on Munjoy Hill, large family, large Irish family, and the struggles they had. And the speeches got done and all the local Democrats who said yeah, you couldn't do this, you couldn't do this, were glomming all over Joe Brennan and George Mitchell to claim credit for the great night, and I was just kind of hanging out in the back, doing nothing, and all of a sudden, I felt a hand on my arm, and I turned around, and there's Joe Brennan. And he had come over and he said I just wanted to personally come over and thank you for doing this. And George Mitchell was right behind him, and he says we know how hard this is in a town like Kittery, and we really

appreciated the turnout. And I'll never forget that, that he took the time to go over and to a 23-year-old kid who really didn't know what he was doing, and personally thank him for something, and we actually carried Kittery for both Joe Brennan and George Mitchell for the first time in anybody's memory. My candidate lost, but we carried it for Joe Brennan and George Mitchell by only a handful of votes. And I got a personal note from Joe afterwards, sending me -- thanking me for all the organizing we did in Kittery. I later became a Democrat because in their speeches, I recognized what they were talking about, I recognized myself, my background, and the issues I believed in. Joe was somebody who always understood people who lived from paycheck to paycheck. He understood how it was to struggle, and he understood that the purpose of government was to make life better for those people. My seatmate, the Senator from Oxford, Senator Bennett, quoted Joe Brennan yesterday as saying, you know, a famous statement he would always say is the best social service program is a job. And what he meant is if we can improve the economy and we can give people who live from paycheck-to-paycheck good jobs, we don't need the amount of social services we have before. And a family that's always making a good amount of money will have the money to afford healthcare, to afford a good life for their kids. Joe believed that very deeply, and he believed it all through his lifetime. He was a very humble person, he was very soft-spoken, despite, you know, having been -- having been Governor and everything, he wasn't a person with a huge ego or anything like that, but he was an incredible campaigner and beloved in Maine. And I still think, even after he lost his first election, I still think today you could probably put him on a Democratic ballot in Maine and he would win the Democratic primary, he had such loyal following throughout the State of Maine. He was very beloved by the people whose lives he touched. So, it is truly the end of an era to have Joe Brennan pass, but he will not be forgotten as for what he did in the State of Maine. He became governor shortly after Jim Longley was -- right after Jim Longley was Governor and the state was very much in chaos. The education system in Maine was very much in chaos, a lot of things were in chaos, and during his eight years as Governor, Joe Brennan repaired a lot of that, rebuilt the belief in the University System in Maine and did a lot for average Mainers while keeping a balanced budget and keeping Maine in good fiscal position and bringing a tremendous number of people, average Mainers, into state government to make that happen. They were all called Brennanistas. They had a tremendous impact on the future of the State of Maine. And as I see people who were like that passing away, I think of Joe and how much he changed the lives of so many people in Maine. So, I do want to share and give my condolences to Connie and all her family and all the people I know who were close to Joe, because he was a very transformative figure for Maine. Thank you.

THE PRESIDENT PRO TEM: The Chair would recognize the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Madam President, Men and Women of the Senate. I also rise to offer my condolences to the family and to pay my respects for the many decades of service that Governor Joe Brennan provided to our state. I first started paying attention to politics when I was around ten years old, and Joe Brennan was Governor at the time, and I remember him as being very fair, someone who worked with both sides, and someone who really stood up for working-class families and

lower-income families like the one that I was growing up in at the time. So, he also started his career representing -- getting elected to represent the Senate District that I now represent, and we had a conversation about that several years ago in front of a polling place and he told me I was doing a good job and been proud to represent him as a constituent for the last eight years but just wanted to express condolences. I mean, the things that he's done for our state over the years are significant, they're changes and improvements that will benefit the state for a long time, and just want to again express my condolences to his wife, Connie, and to his family, and our entire state will miss Joe Brennan, but we'll never forget his contribution to our state.

THE PRESIDENT PRO TEM: The Chair would like to recognize the Senator from Penobscot, Senator Baldacci.

Senator **BALDACCI:** Thank you, Madam President. I rise to speak about a great man, a very good man, somebody that I first met when I was about 8 years old and over the years, I thought he was related to us somehow, but we weren't Irish, so I figured he must be doing something else. But he was a great campaigner, and I just want to talk briefly about his -- what I think is his legacy. He was pure Munjoy Hill, but he was also someone who could easily relate to the farmer in Aroostook, the lobsterman off the coast, to the city -- of the person working in the city or on a farm. He really cared about people, and he was brought up that way and very -- cared about just average working people. He was never impressed, thankfully, by the monied interests or people who thought they were powerful. He was interested in helping -- in making government actually work for people. So, I think the legacy, he was a decent man, had a huge heart, and I think -- I remember his 1982 campaign for reelection that he won every county in the state, the first Democrat since the Civil War, got over 60% of the vote, and his slogan was your vote worked, which I have loved ever since, because it really says to the voter you -- you know, I took your vote last time very seriously, and I entrusted my -- I did everything and kept your trust and your faith. And over the four years before, he had basically worked on so many things that needed to happen in state government - education, healthcare, infrastructure - he put his neck out on the line to get a university system at Lewiston-Auburn after great political battles, but those are the types of things he would fight for because he knew that education and helping people in terms of that was the most important thing. His legacy, and your vote worked, your vote worked because I kept the faith and I'm going to keep the faith, and really, that is the legacy of Joe Brennan is showing us all that it is important to keep trust with the voter and to keep the faith. Thank you.

THE PRESIDENT PRO TEM: The Chair would recognize the Senator from Somerset, Senator Farrin.

Senator **FARRIN:** Thank you, Madam President. Some of you might be wondering why the Republican Senator from Somerset rises, but I got to tell you, I was born and raised in Norridgewock in a strong Democratic household, and Governor Brennan impacted our lives when I was a junior in high school, when I think he made another great appointment, he named my mother, Marguerite, as the Somerset County Register of Deeds, where she went on to serve for 20 years and worked very closely with Governor Brennan and others in the party on elections and things of that nature. So, as a proud son - mom passed away in 2019,

and I'm sure she and the Governor are having conversations about how a boy from -- raised in a good Democratic household turned into the Republican party, but -- so, thank you, Madam 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.

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

Senate at Ease.

The Senate was called to order by the President.

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

ORDERS

Joint Order

On motion by Senator **VITELLI** of Sagadahoc, under unanimous consent on behalf of President **JACKSON** of Aroostook, the following Joint Order:
S.P. 1005

ORDERED, the House concurring, that all legislation not finally disposed of upon adjournment sine die of the Second Regular Session of the 131st Legislature be carried over in the same posture to any special session of the 131st Legislature.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#735)

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

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

EXCUSED: Senators: LAFOUNTAIN

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the Joint Order **PASSED**.

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

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 10: Rules for the Administration of the Adult Use Cannabis Program, a Major Substantive Rule of the Department of Administrative and Financial Services, Office of Cannabis Policy
H.P. 1401 L.D. 2187
(S "A" S-699 to C "A" H-952)

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

Senator **HICKMAN:** Thank you, Mr. President. It is important that we send this bill to the Chief Executive's desk with an emergency in order to not authorize the adult use cannabis rules. Those rules will be authorized in a different vehicle. Thank you, Mr. President.

On motion by Senator **GUERIN** of Penobscot, 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 (#736)

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

NAYS: Senators: GUERIN, LYFORD

EXCUSED: Senators: LAFOUNTAIN

32 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being excused, this being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 2 Senators having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and having been signed by the President, was presented by the Secretary to the Governor for approval.

Acts

An Act Regarding the Future of Renewable Energy Transmission in Northern Maine
S.P. 799 L.D. 1963
(C "A" S-652)

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

An Act to Change How Adult Use Cannabis Excise Tax Is Calculated
H.P. 901 L.D. 1405
(S "B" S-694 to C "A" H-834)

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

An Act to Strengthen Public Safety by Improving Maine's Firearm Laws and Mental Health System
S.P. 953 L.D. 2224
(C "A" S-687; S "A" S-695)

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

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 (4/10/24) matter:

HOUSE REPORTS - from 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

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-932) (7 members)

Minority - Ought Not to Pass (6 members)

Tabled - April 10, 2024 by Senator **DAUGHTRY** of Cumberland

Pending - motion by Senator **BENNETT** of Oxford to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in concurrence

(In Senate, April 10, 2024, on motion by Senator **HICKMAN** of Kennebec, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **FAILED**.)

(In House, Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

On motion by Senator **DAUGHTRY** of Cumberland, 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 (#737)

YEAS: Senators: **BALDACCI, BENNETT, BLACK, CHIPMAN, FARRIN, GUERIN, HARRINGTON, KEIM, LAWRENCE, LIBBY, LYFORD, POULIOT, RAFFERTY, STEWART, TIMBERLAKE**

NAYS: Senators: **BAILEY, BEEBE-CENTER, BRAKEY, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, MOORE, NANGLE, PIERCE, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON**

EXCUSED: Senators: **LAFOUNTAIN**

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BENNETT** of Oxford to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in concurrence, **FAILED**.

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

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

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

Senator **BALDACCI**: Thank you, Mr. President, I just -- I know I've spoken before on this item, but apparently this item is now reappearing. I want to -- I've already shared with you the concerns that my community has about this bill, which are significant, and -- but I want to share with you the editorial that Steve Silver, who is the current -- the Governor's appointed Chairman of the Gambling Control Commission, his editorial that was in yesterday's Portland paper. And as Chair of the Maine Gambling Control Board, I cannot sit idly by - and this is consistent with his lengthy testimony to the Veterans Committee - I cannot sit idly by while the Legislature considers passing LD 1777, an ill-conceived bill that purports to create economic opportunity while paying little care to the destruction that putting 24/7 casinos in everyone's pockets will bring. Last week, it appeared LD 1777 had been defeated in both the House and the Senate. The Legislature should put an end to the bill. There have been studies that have found that internet gaming is ten times more addictive than other forms of gambling. Those most susceptible to internet gaming addiction are younger individuals. We already are seeing this play out nationally and here in Maine since the legalization of mobile sports gambling. In Connecticut, a state with both legalized sports wagering and internet gaming, calls to the Connecticut Council on Problem Gambling's hotlines doubled between 2019 and 2023. More troubling, in only three months after Connecticut legalized internet gaming, the state's gambling help line saw its calls quadruple. Since mobile sports betting launched in Maine in November, calls to the Maine help line have jumped dramatically. For example, in January 2024, Maine had 71 calls for help, an increase of 133% from January of 2023. Putting a blackjack or roulette table in everyone's pockets is only going to exacerbate the problem. The other major flaw in LD 1777 is that it cuts out the state's two casinos from offering internet gaming, to award an effective monopoly. Oxford and Hollywood Casinos are major employers and taxpayers of Maine, yet LD 1777 will lead to large cuts in the tax revenue and job losses. In 2023, the Maryland Lottery and Gaming Control Agency commissioned a study that found that legalized internet gaming would cause a 10% drop to land-based casino revenue. In Maine, there are 19 different recipients of casino taxes that include the Penobscot and Passamaquoddy Tribes. LD 1777 has no plan for a loss of revenue to those recipients if Oxford and Hollywood Casinos are excluded from offering internet gaming. For context, a 10% loss in revenue means the Department of Education would lose 2.4 million, the University of Maine system scholarship fund would lose 435,000, and the Maine community college system would lose 314,000. Additionally, legalizing

internet gaming does not create new jobs. Like we saw from the legalization of sports wagering, there is no local job creation, no local infrastructure development. However, Oxford and Hollywood Casinos employ more than a thousand Mainers. Legalizing internet gaming without permitting Oxford or Hollywood to participate will almost certainly lead to job cuts. Lastly, LD 1777 puts all authority for internet gaming in the hands of the Director of the Gambling Control Unit, with no oversight by the Gambling Control Board. Yet Maine law vests the power of regulating slot machines and table games to the Board. By doing so, Mainers get a more representative governing body since board members must be appointed by the Governor and confirmed by the Senate with staggered terms. Given that LD 1777 started out as one of the Legislature's beloved concept drafts that the public never had an opportunity to review until shortly before the first public hearing, it is no surprise that the beneficiaries of internet gaming do not want the public scrutiny that comes with having to conduct business publicly at the board like the casinos must do. LD 1777 as currently written is a threat to Maine, and I urge the Legislature and Governor Mills to exercise extreme caution before diving into internet gaming legalization. This is the person appointed and confirmed by this Body to serve as the Chair of the Gambling Control Commission. The first Chair of the Gambling Control Commission, George Hale, has also written. His major issue is that it should be out to referendum. All the prior -- this is a huge, huge expansion of gambling, to happen without a referendum would be unprecedented, and I think very much disfavored by the vast majority of Mainers, who we represent here. So, I ask you carefully, as I did before, to exercise caution, that we really need to hit the pause button. This -- the lack of oversight is very important, the lack of public input, the cuts to jobs, the cuts to state revenue, and all of -- and the increased addiction are plenty of reasons for us to pause on this item.

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

Senator **HICKMAN:** Thank you, Mr. President. I rise to correct the record. Even though I have never been a big fan of gambling, I have always supported it for the Tribes because when the Tribes can create economic opportunities for their communities, the people of the state will benefit. What Senator Baldacci has read into the record represents a turf war that our committee has seen between the Gambling Control Commission and the Gambling Control Unit in the Department of Public Safety. That's all that was. And it contained information that cannot be verified. There's no loss of anything that can be verified, which is why none of those losses are in the fiscal note. The original bill is an 18-page bill, it's not a concept draft. So, I want to correct the record, that the committee did its work, the stakeholders did their work, the bill sponsor did her work. The compromise legislation in front of us is comprehensive, the cascade that is presented is progressive and will help a lot of entities in the State of Maine, including providing sustainable funding for the Maine Veterans homes. So, Mr. President, however anyone votes, I just wanted to correct the record because that editorial just contained way too many falsehoods for me to remain quiet. Thank you.

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

Senator **TIMBERLAKE:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand here in opposition to the pending motion, and I'm not here to stand because I want to support Hollywood Slots or Oxford Casinos or any of the above, I'm standing here opposing this because I've grown up and lived in a family where somebody had a very serious gambling addiction and I watched a family basically not have food, and I just can't imagine that I can flip this laptop open and just sit here at my desk while -- even while the Senate's going on and gamble. That's what this bill does, it lets you sit at your computer, click the button, and just keep spending money that you probably don't have, and dig in your pocket and put on your credit card. Ladies and gentlemen, I have watched a member of my own family have a very bad, bad, bad experience with this, and I can't see -- and I can't see why we would want to expand gambling any further than it is. We already got two casinos that have over 800 slot machines in each one that people can go visit. You can go to every local store in the State of Maine and buy your lottery ticket and everything else and gamble. I don't think we need to expand gambling beyond where it is today and make it so that everybody don't even have to leave their living room couch and just keep spending money that they don't have. Please oppose this bill.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#738)

YEAS: Senators: BAILEY, BEEBE-CENTER, BRAKEY, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, MOORE, PIERCE, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BALDACCİ, BENNETT, BLACK, CHIPMAN, FARRIN, GUERIN, HARRINGTON, KEIM, LAWRENCE, LIBBY, LYFORD, NANGLE, POULIOT, RAFFERTY, STEWART, TIMBERLAKE

EXCUSED: Senators: LAFOUNTAIN

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **DAUGHTRY** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (H-932) **READ.**

On motion by Senator **BALDACCİ** of Penobscot, Senate Amendment "A" (S-706) to Committee Amendment "A" (H-932) **READ.**

THE PRESIDENT: The Senator may proceed.

Senator **BALDACCI**: Thank you, Mr. President. The amendment is simply to put this out to public referendum, and -- which I think is us keeping the faith with the people who sent us here. This is an enormous expansion of gambling for our state. Other large expansions of gambling have gone through referendum, I don't -- the public has a right to weigh in on something that will have this type of historic effect on the public, on public health, state finances, communities. So, I ask you to join with me in letting the public decide by supporting this amendment.

On motion by Senator **DAUGHTRY** of Cumberland, 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 (#739)

YEAS: Senators: **BALDACCI, BENNETT, CHIPMAN, FARRIN, HARRINGTON, KEIM, LAWRENCE, LYFORD, NANGLE, RAFFERTY, STEWART, TIMBERLAKE**

NAYS: Senators: **BAILEY, BEEBE-CENTER, BLACK, BRAKEY, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, GROHOSKI, GUERIN, HICKMAN, INGWERSEN, LIBBY, MOORE, PIERCE, POULIOT, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON**

EXCUSED: Senators: **LAFOUNTAIN**

12 Senators having voted in the affirmative and 22 Senators having voted in the negative, with 1 Senators being excused, the motion by Senator **BALDACCI** of Penobscot to **ADOPT** Senate Amendment "A" (S-706) to Committee Amendment "A" (H-932), **FAILED**.

Senator **BENNETT** of Oxford moved to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**.

On motion by Senator **DAUGHTRY** of Cumberland, 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 (#740)

YEAS: Senators: **BALDACCI, BENNETT, BLACK, CHIPMAN, FARRIN, GUERIN, HARRINGTON, KEIM, LAWRENCE, LIBBY, NANGLE, POULIOT, STEWART, TIMBERLAKE**

NAYS: Senators: **BAILEY, BEEBE-CENTER, BRAKEY, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, LYFORD, MOORE, PIERCE, RAFFERTY, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON**

EXCUSED: Senators: **LAFOUNTAIN**

14 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 1 Senators being excused, the motion by Senator **BENNETT** of Oxford to **INDEFINITELY POSTPONE** the Bill and accompanying papers, in **NON-CONCURRENCE**, **FAILED**.

Committee Amendment "A" (H-932) **ADOPTED**.

Senator **BENNETT** of Oxford objected to the **SUSPENSION OF THE RULES** to give this Bill its **SECOND READING**.

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

THE PRESIDENT: For what purpose does the Member rise?

Senator **PIERCE**: Thank you. I just need a point of clarification, I just need a repeat of what this vote is and what we're -- what's been requested and what we're voting on. Thank you.

THE PRESIDENT: The Senator from Oxford has asked for a Roll Call on suspension of the rules, which is a two-thirds vote to have suspension of the rules, and that's what we're voting on right now, if we're suspending the rules for second reading, and you need two-thirds vote to get that.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#741)

YEAS: Senators: BAILEY, CARNEY, CURRY, DAUGHTRY, GROHOSKI, HICKMAN, LAWRENCE, MOORE, PIERCE, RAFFERTY, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BALDACCI, BEEBE-CENTER, BENNETT, BLACK, BRAKEY, BRENNER, CHIPMAN, DUSON, FARRIN, GUERIN, HARRINGTON, INGWERSEN, KEIM, LIBBY, LYFORD, NANGLE, POULIOT, STEWART, TIMBERLAKE

EXCUSED: Senators: LAFOUNTAIN

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senators being excused, the motion to **SUSPEND THE RULES** to allow for **SECOND READING, FAILED**.

The President assigns **SECOND READING** for 1 hour.

(See action later today.)

The Chair laid before the Senate the following Tabled and Later Assigned (4/15/24) matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act to Amend the Mining Excise Tax Laws" H.P. 1445 L.D. 2251

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-969) (11 members)

Minority - Ought Not to Pass (1 member)

Tabled - April 15, 2024 by Senator **STEWART** of Aroostook

Pending - motion by Senator **GROHOSKI** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report in concurrence

(In House, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-969)**.)

(In Senate, April 15, 2024, Reports **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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#742)

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

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

EXCUSED: Senators: LAFOUNTAIN

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** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-969) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-969)** in concurrence.

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

RECESSED until the sound of the bell.

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

The Chair laid before the Senate the following matter:

HOUSE REPORTS - from 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

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

Senator **BENNETT:** Thank you, Mr. President. I appreciate the extra time for deliberation, and I know that it's really important to give the Senate Standing Committee on Bills in the Second Reading a chance to review these documents before we actually do a second reading, and I just wanted to actually pose a question through the Chair, if I may, to probably ultimately the Chair of the Committee on Bills in the Second Reading, if she

would be willing to address it - Senator Brenner of Cumberland is the Chair of the Committee on Bills in the Second Reading, I just would -- it would benefit me in voting on this if I could hear the results of their deliberations. Thank you, Mr. President.

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

Senator **BRENNER:** I'm grateful to the Good Senator from Oxford for giving the Committee on Bills in the Second Reading an opportunity to meet. We thought about the option and -- of meeting, but we did not convene. Thank you.

READ A SECOND TIME.

On motion by Senator **DAUGHTRY** of Cumberland, 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 Somerset, Senator **FARRIN**, and the Senator from Kennebec, Senator **POULIOT**, and further excused the same Senators from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#743)

YEAS: Senators: BAILEY, BEEBE-CENTER, BRAKEY, BRENNER, CARNEY, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, MOORE, NANGLE, PIERCE, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BALDACCI, BENNETT, BLACK, CHIPMAN, GUERIN, HARRINGTON, KEIM, LAWRENCE, LIBBY, LYFORD, RAFFERTY, STEWART, TIMBERLAKE

EXCUSED: Senators: FARRIN, LAFOUNTAIN, POULIOT

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being excused, was **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Enact the Maine Consumer Privacy Act"
S.P. 807 L.D. 1973

Reported that the same **Ought Not 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" (S-713)**.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

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

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

Reports **READ**.

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

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

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

Senator **KEIM**: Thank you, Mr. President, Ladies and Gentlemen of the Senate. I've been working for four years to get privacy protections in Maine. Right now, there are none. Our children, who are the only ones that are worth protecting at this point because all of the data of you and I, it's all out there, it's all taken. And so, the only people worth protecting at this point are children, because ours is out. A company is able to collect your voiceprint in the amount of time that it -- that you say on your answering machine hello, this is so-and-so, your voiceprint can be taken like that. Our retina scans are being collected constantly through -- we're surveilled as we go to the grocery store and we use self-checkout. There are no laws to protect anyone from taking your biometric data at this point. Your fingerprint, your retina scan, there's nothing for Maine people. Nothing. So, that's where we're starting. The bill before you, 1973, is patterned after what we call the Connecticut framework - probably you've heard about this - there are more than 20 states, I believe, at this point that have passed similar language. I was part of a working group through Zoom with legislators all across New England. And I listened to their information and their learnings from what they -- from similar legislation that they had passed, and every single one of them said we left too many loopholes, we left too many exemptions, we need to tighten up. But not one of them said the framework was wrong or that there wasn't a way to make it better; they said it was a work in progress. So, what you have before you here today is not an absolutely perfect solution. It needs to be tightened, there will be things that need to be changed. But there are a few misconceptions about it. One is that yes, it does - we do have a very strong - in fact, first-in-nation - ISP law. We understand that it's important to protect people with that information, and we voted for that, and it withstood even a legal battle. And contrary to the discussion that I just had as I looked further at the language, because, again, the language matters, ISPs are exempt, but ISP and all of their bundled services are in this bill subject to the ISP law. So, whatever bundled services comes through an internet service provider, they're all subject to the ISP law. The ISP law is stronger than this law is here. ISP is the strongest privacy law we have. So, it's true that they're exempt, but it's also true that they're subject to another law. One of the really important things about this bill, and when I started on this journey, I said I want the very strongest privacy protections we can have for Maine people and still allow businesses to succeed in the State of Maine and to be able to be offering us the goods and services that we need and want. This has to be a partnership. Everybody should care about privacy. We need to care about privacy. I'm going to say again, we have none. But there has to be a partnership about this because there is an amount of information that we want to have used because we want the goods and services that that provides for us. However, there are some things we don't want used or taken without our knowledge, and that's what this is about. This is about giving people choice. So, this bill would give you a banner to opt out. You can say I don't want my private information sold. Very important. And you can use a universal method of opting out of all data collection, another very important element of this bill. But we're going to have another bill, we're talking about 1973, as I said, was the Connecticut framework, and it was used as the vehicle -- as the language was used for two bills. And the really important things, some of the really important things about this bill is that it gives Mainers privacy protection, and it does so in a way that businesses can comply with. There's a reason that this model language has been passed in more than 20 states. And

they're of varying interests, right, they're Democrat-leaning states, Republican-leaning states, this is not a bill written by big business. This is a bill that has been worked with stakeholders, absolutely, but where I care the most -- who I care the most for are Maine people. And who I care the absolute most for, who I care the most for absolutely is the children. And in this bill, there are no exemptions for institutions of education and there are no exemptions for nonprofits. And I sent out just a little bit of information. The College Board -- it's not on your paper, but the College Board is one of the worst actors in this space for gleaning and taking children's information and selling it. I think I still get emails and phone calls from my children's information being sold, and supposedly it's under the guise of this was so necessary, right, in order for your kid to get into college or to get scholarships, and that's an absolute lie, it's not necessary. They make money off our children. So, I also grabbed a couple more, there's one, a nonprofit called Committee for Children. And they say their program reaches thousands of schools and more than 26.9 million children worldwide. And yet, if you look at their privacy policy, right, these are our kids, it says it's unclear whether or not their personal information is sold or rented to third parties. But their personal information is shared for third party marketing, the data is collected for their own purposes. And then Summit Learning, this one is even more egregious, right, and this is 4,000 educators, 300 schools, and 75,000 students across the U.S. And they're spying on parents, they're encouraging schools to spy on parents and the Summit platform collects a huge amount of personal student data. If you read this report, they are collecting data on our kids, and this is used in our schools and it has only grown exponentially since COVID and we started having kids do so much learning online. These are nonprofits. These are exempted in another bill. They are not exempted in this bill. We have to include them. Everyone needs to be concerned about privacy. Every business, no matter how small or how big, every nonprofit. Just because they have a nonprofit status does not mean they have a halo. And they are making money off our children. The children are the gold mine. That's where people are looking to collect data and to use it because that's the future money that they're looking for. I will say again Mainers have no privacy protection right now. This bill would offer us a path forward. This bill is one of the strongest, if not the strongest bills in the nation for protecting privacy. Sensitive data is cared for in a way that you have to approve of whether or not they can collect and use your data, and they have to tell you why. And then you have the right to delete it. That's important. So, we can pass this, and we can protect Mainers, we can give them the protections that they want and they need. We have far more work to do, we haven't even started on artificial intelligence and what that means. But this bill would be a strong framework to build from, and we -- to ignore this path forward based on information which I will say lots of it is from nonprofits who like to be exempted, right, so there's a little bit of a fallacy there, it's a nonprofit giving you the information on different pieces of legislation saying these are so good, you need to do this, by the way, please exempt us. Are those the people you want to trust? Is that the voice you want to trust? I think not. I think we're being hoodwinked into trying to put together something that no other state in the nation does and say somehow we're forging a new path and that's good. Sometimes it is and sometimes it isn't. 73 is incrementally better than what other states have, but it works. It's interoperable between the states. L.L. Bean, for an example, they sell across all states. They need a law in our states that they

can use and sell and serve consumers with their products. That's what this law allows, but it also allows Maine people from no matter where a business is, where in the country a business is, this protects Maine people, this gives them privacy, regardless of whether that business is -- resides in this state or not. I would ask you to consider questioning what you've heard and wondering whether or not some path forward is better than none at all, especially if you care about business and you want them to be able to work in this state and be effective in this state and also to protect the privacy information of children. Thank you, Mr. President.

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

Senator **CARNEY:** Thank you, Mr. President, Colleagues of the Senate. I just want to provide a little additional information about LD 1973 and kind of indirectly about the -- all the work that the Judiciary Committee and Senator Keim, the sponsor of LD 1973, put into data privacy this session and actually between sessions. It was among the hardest, most detailed work that we did, and everybody in the room - Senator Keim and Representative O'Neil, the sponsors of the legislation, put in a lot of hard work, as did the committee and many members of the public. I will just address first the assertion that nonprofits are hoodwinking us in this legislation. They were actually not a big part of the conversation that we had. I think that the reason -- the reason I have concern about the lack of an exemption in LD 1973 for nonprofits is that nonprofits only achieve their tax-exempt status under federal law because they act in -- for the public benefit. And that criteria that they act for the public benefit is something that takes a significant amount of work to qualify for, that status can be revoked if they're not doing that, but to me, if a nonprofit meets that criteria under federal tax law, then the nonprofit is not an entity that is engaging in the commercial sale of consumer data. And so, we felt comfortable, at least for the initial -- well, so that I have a concern that by imposing burdens on nonprofits that aren't kind of in the business of data marketing that we would be imposing an undue burden on those businesses that make up a huge part of Maine's -- the services and that Mainers receive and that help elevate the quality of our life in this state. But I want to move on to two much more important issues that I think the committee spent a lot of time on in our discussion, and the first has to do with Maine's internet service provider law. I would say that many members of the committee, especially those who were not in support of LD 1973 when we finally had to come down on where we felt on this bill, were concerned that Maine's internet service provider law was hard fought both at the legislative level and in the courts and we really want to do everything to protect it. And so, we -- the language that is before us in 1973 has a broad entity level exemption that applies to any entity that is an internet service provider. It extends, though, beyond the internet service provider activity, which is specifically defined in the internet service provider law, and the exemption in LD 1973 would apply to all these bundled services that an internet service provider might offer that are not regulated by our protected internet service provider law. And so, that was one of the concerns that caused me to not support LD 1973. The other has to do with protection for children. The committee, and I think everybody, is really concerned about children's data, both the fact that, as the Good Senator from Oxford said, you know, they -- their data has not been monetized to the extent that all of our adult data has been

yet, and so it's important to act to protect children. The standard now in the Connecticut statute is the protection of children's privacy up to age 18. And the legislation before us generally adopts a threshold of up to age 13, and there are some additional protections to 13- to 15-year-olds, but I personally am concerned about not providing comprehensive, adequate privacy protections to children in the 13- to 18-year-old age range, because I think as we've all seen reported in the media, that the online activity of children and the types of messages that are being driven toward children is very -- is showing to be very harmful to children who are in middle school and in high school and, in fact, has been implicated in instances of self-harm to children. And so, I do respect and appreciate much about LD 1973, but I think that the protections for internet service provider activities and also the protections for children are simply not sufficient to meet the needs of Mainers, and I ask you to support the pending motion.

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

Senator **KEIM:** Thank you. I just want to rise in response to a couple of comments. One is Epic, which is a nonprofit, was incredibly involved in this whole entire process, as was ACLU - two nonprofits which basically helped with writing this. And not with mine, necessarily, actually, but with the others. So, they were an integral part of committee process, and yet they're exempt from the law. And the other thing I wanted to clarify is, as I stated, yes, Maine has an incredibly strong ISP law and yes, there is an exemption in here, but it does state in the exemption that the ISP and their bundled services are all falling under the ISP law. So, this in fact does not exempt them from privacy law, it puts them under the stricter privacy law that we already have in place, which is the ISP law, which this doesn't touch. But it's just -- it's very difficult to take one entity and say for these services, you have to be under this law and then for these services, you have to be on another, and so the ISP providers wanted to be under one law, the umbrella law covers them and all of their services in this amendment. And that's why this does cover them and is not a loophole but is, in fact, strong.

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

Senator **CARNEY:** Actually, never mind, Senate President. Thank you.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#744)

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

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

EXCUSED: Senators: FARRIN, LAFOUNTAIN, POULIOT

18 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/12/24) matter:

An Act to Authorize a General Fund Bond Issue for Research and Development and Commercialization
S.P. 197 L.D. 416
(C "A" S-669)

Tabled - April 12, 2024 by Senator **STEWART** of Aroostook

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED**.)

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

Senator **STEWART:** Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise just because I want to provide a little bit of context around these upcoming three different bond initiatives in front of this Legislature and probably in front of us tonight. And, frankly, on some of them, I'm still a little back and forth on, but part of my, I guess, frustration that I want to air as it relates to these issues is not at all what they represent in terms of the initiatives behind them, but rather, the source of funding. And we have not passed a supplemental budget, there was I think an effort to preserve some of those excess funds to do these things, which I think as you'll see in the committee reports have broad bipartisan agreement on; however, unfortunately, I think that ship has sailed, and we are now in a posture whereby the recommendation of the Appropriations Committee is not going to be sufficient to cover the cost of these three different initiatives. And so, while I am frustrated at the source of funds, I am not frustrated on the significance of what we have in front of us. I think as it relates to critical infrastructure investments, namely our repairing and fixing and upgrading our trail systems in Maine, that's critically important, and to not get too far ahead but some

other infrastructure as well. And then, certainly, on the research and development side of things, that's another initiative where I think the return on that investment is going to be substantial for our state. So, I just air that as it relates to all three of these measures, that I appreciate the work that's gone into it, I appreciate the work that's happening outside of the Legislature and outside the state government on all of these efforts, and so -- but I do have to note that at a time when our revenues are historically high, we're still borrowing and putting things effectively on a credit card that we're going to pay interest on, that is a bit frustrating to me. That said, I don't want to delay, and I certainly don't want to harm any of the efforts that are being made as it relates to these three. So, I think my position is going to be a begrudging yes as it relates to these initiatives, but I would not -- I would be remiss if I did not air that point of caution as it relates to borrowing in a time when we don't need to, but I do want to provide a level of support to all three of these what I think are critically important initiatives for our state. 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. I'll be very short and very brief. I can't support bonding money when we got so much money in this state capitol right now that I have kind of a standing joke that we can't even open the windows because the money blows out it so fast. It just -- we've got enough money to pay for all this stuff, and if I managed my money at home the way we were managing our money here, and we were bonding, I would not accept it. So, if I can't do it in my books, I'm sure not going to support it here, and I think that there's plenty of money and we can pay for this without borrowing one penny.

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

Senator **PIERCE:** Thank you, Mr. President, Colleagues of the Senate. I rise today in support of the motion on the floor. Our state is at an inflection point, and if we're going to remain competitive in a rapidly growing economy, the time to invest and expand in our industries is now. This bill would allocate funds in support of technological innovations, leading to the commercialization of targeted sectors of the biomedical technical, advanced technologies for forestry and agriculture, environmental and renewable energy technology, information technology, aquaculture, marine technology, composites, advance materials, and precision manufacturing. We hosted a number of lunch and learns around the R&D bond this session. We had a great attendance at that, I think we learned about the vast things that are going on across our state with the investment that we had from the last bond in 2017 which invested 45 million dollars of investment, created 1.4 billion dollars in economic impact, reaching every corner of the state. The result of that investment in economic growth is equivalent to more than 31 times our original expenditure, well worth the return on investment. We have the opportunity today to do it once again at a smaller level, but I think an important one. I am heartened by the Good Senator from Aroostook saying that he will support this. He's been a long supporter of R&D and I'm glad that we've been able to work together on something. I like the idea of bonding. I like the idea

of coming together with two-thirds to put something forward to the people of the state to vote to do something. It sends a good message, it sends the right message, its good governance, it's fiscally responsible - although some may argue against that - I think it works and is the right thing to do. I look forward to passing this today and sending it to the voters. Thank you for your time.

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

Senator **BENNETT:** Thank you, Mr. President, Fellow Members of the Senate. I can't help but reflect - particularly as my seatmate, the Senator from York, Senator Lawrence, is here - on the extraordinary amount of investment that we, under his leadership, started nearly 30 years ago, when we -- in 1997, I believe it was, that when Senator Lawrence was President of the Senate, he had the good grace to trust in me and appoint me as a co-chair, notwithstanding my minority status, to the Joint Select Committee on Research and Development, along with then Senator Mary Cathcart of Penobscot. And I believe that we started something really big during that period and we've seen the dividends from it pay off and with subsequent investment and tremendous growth at the University of Maine and some of the laboratories across this state. I agree with the sentiments about the question of whether this is a good time to borrow. We looked at that in the committee. We've retired almost \$200 million of bonded indebtedness over the last two years because we haven't been doing borrowing, and that has actually increased our capacity for -- in several ways, and I think that was a good decision and I also agree with the notion that we could be using our resources that we have now in a way to pay for these with cash. And the interesting thing is that our bonded -- payments on our bonds every year, historically, has basically equated to the amount of money that we are bonding in that year. So, if you follow that logic, if we just stop borrowing for ten years, we could actually have a capital expense budget that came out of current services or a general fund rather than borrow and it would be the same kind of investment except we wouldn't be paying interest. On the interest question, I asked the State Treasurer this because, as we all know, we're in a period of high interest rates, and there was some concern about what kind of interest rates we would be taking on if we recommended to the voters that they take this borrowing. And I was actually heartened to hear that the expected rates from a bunch of alphabet soup kind of acronyms that the State Treasury uses to analyze such things, suggested that the borrowing would probably be between 3% and 4%, probably on the high end there, which in today's environment sounds not too bad, frankly, but again, I understand those who don't really want to borrow. The return on investment here is profound, as the Senator from Cumberland, Senator Pierce, said. It's been proven to be amazing. I think it keeps growing with each successive investment we make into research and development capabilities and, particularly, this bond is focused on bringing research to commercialization, to actually building products and businesses and industries that can flourish for all of the other research that we've encouraged over the last 27 years now. And so, I stand here to support this bond in the context -- I think we had 14 or 16 bonds that were considered in the Appropriations Committee, three are emerging. These three have broad bipartisan support and are all ones that I'm proud to endorse as well. With that, Mr. President, I encourage enactment of this

measure.

This being a Bond Authorization Act, in accordance with the provisions of Section 14 of Article IX of the Constitution, having received the affirmative vote of 25 Members of the Senate, with 7 Senators having voted in the negative, and 25 being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for approval.

The Chair laid before the Senate the following Tabled and Later Assigned (4/12/24) matter:

An Act to Authorize a General Fund Bond Issue to Restore Historic Community Buildings
H.P. 568 L.D. 912
(C "A" H-938)

Tabled - April 12, 2024 by Senator **STEWART** of Aroostook

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED.**)

This being a Bond Authorization Act, in accordance with the provisions of Section 14 of Article IX of the Constitution, having received the affirmative vote of 25 Members of the Senate, with 7 Senators having voted in the negative, and 25 being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for approval.

The Chair laid before the Senate the following Tabled and Later Assigned (4/12/24) matter:

An Act to Authorize a General Fund Bond Issue to Promote the Design, Development and Maintenance of Trails for Outdoor Recreation and Active Transportation
H.P. 728 L.D. 1156

Tabled - April 12, 2024 by Senator **STEWART** of Aroostook

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED.**)

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

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

Senator **BENNETT:** Thank you, Mr. President. I think we can all agree that one of Maine's greatest assets is our magnificent outdoors. Between the forests, the lakes, the coasts, we are truly blessed. From hiking, snowmobiling, biking, hunting, riding ATVs, outdoor activities are deeply embedded in our heritage. As more

and more people can work from home, we're seeing people move to rural Maine, towns like I represent, so that they can have easy access to outdoor activities. I've consistently gotten emails urging my support of this bill through the first and second sessions. I'm sure this is the case for many of you. Our local economy will benefit immensely from this investment. Trails are an essential component of Maine's \$3 billion outdoor recreation economy, which supports at least 41,000 jobs. Snowmobiling alone is worth \$600 million annually for Maine's economy, with most of that spending happening in rural Maine at lodges, restaurants, mom-and-pop stores, equipment outfitters. According to the National Association of Realtors, nearby trails and greenways raise property values by an average of 3-5%, and sometimes upwards of 15%. So, we have an incredible opportunity before us. Our districts all have potential projects that may be in a position to compete for these funds if we approve the measure before us and the voters follow. In my district, there are many projects, one of which, near and dear to me, is the Mountain Division Trail which this Legislature authorized last year. The Mountain Division would provide a continuous trail from Casco Bay through the mountains of Western Maine and will unlock tremendous opportunities for rural-urban connections and recreation and health living, property values, and economic development. I'm sure there are projects in many of your districts that will benefit likewise from the passage of this measure. As I said earlier, for this measure and the others, I'm willing to set aside my predilection not to borrow, because the investment here is just too important, and I want to support the amazing number of organizations and interests from across the political spectrum and across the cultural spectrum and the social spectrum and all the spectra of our state that have managed to come together somehow like 500+ endorsers of this amazing -- amazing initiative. And so, I just believe we should support this bill to strengthen Maine's communities, economy, quality of life, it's just too an opportunity to pass up, Mr. President. Thank you.

THE PRESIDENT: The pending question before the Senate is Enactment. 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 (#745)

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

NAYS: Senators: BRAKEY, LYFORD, TIMBERLAKE

EXCUSED: Senators: FARRIN, LAFOUNTAIN, POULIOT

29 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 3 Senators being excused, 29

being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and having been signed by the President, was presented by the Secretary to the Governor for approval.

The Chair laid before the Senate the following Tabled and Later Assigned (4/15/24) matter:

An Act to Ensure Employer and Employee Harmony in Clean Energy Development Projects
S.P. 180 L.D. 373

Tabled - April 15, 2024 by Senator **CHIPMAN** of Cumberland

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED**.)

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 (#746)

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

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

EXCUSED: Senators: LAFOUNTAIN, POULIOT

21 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 2 Senators being excused, **PASSAGE TO BE ENACTED, PREVAILED**.

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

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Assigned (4/15/24) matter:

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Amend the Cannabis Laws" S.P. 32 L.D. 40

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-709) (10 members)

Minority - Ought Not to Pass (2 members)

Tabled - April 15, 2024 by Senator **HICKMAN** of Kennebec

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

(In Senate, April 12, 2024, Report **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 Cumberland, Senator **PIERCE**, and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#747)

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

NAYS: Senators: FARRIN, GUERIN, KEIM, LIBBY, LYFORD, STEWART

EXCUSED: Senators: LAFOUNTAIN, PIERCE, POULIOT

26 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-709) **READ**.

On motion by Senator **HICKMAN** of Kennebec, Senate Amendment "A" (S-717) to Committee Amendment "A" (S-709) **READ**.

THE PRESIDENT: The Senator may proceed.

Senator **HICKMAN:** Thank you, Mr. President. This amendment does seven things. It removes the emergency preamble and the emergency clause; it makes a technical change to the definition of registration certificate in the medical law; it makes a technical change that is somewhat substantive to the ability of the patient testimonials on medical cannabis to include the following disclaimer - this statement has not been evaluated by the Food and Drug Administration and this product is not intended to diagnose, treat, cure, or prevent any disease; it makes a technical change to the rules around individual identification cards in the adult use program; a technical change to the ownership requirements of a co-located facility; and it makes another technical change to remove the exemptions from the laws relating to clean indoor air from the Cannabis Hospitality Taskforce; and last but not least, it authorizes all of the adult use rules that we have not authorized in other legislative instruments till now. 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#748)

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

NAYS: Senators: LIBBY, NANGLE

EXCUSED: Senators: LAFOUNTAIN, POULIOT

31 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **HICKMAN** of Kennebec to **ADOPT** Senate Amendment "A" (S-717) to Committee Amendment "A" (S-709), **PREVAILED**.

Committee Amendment "A" (S-709) as Amended by Senate Amendment "A" (S-717) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-709) AS AMENDED BY SENATE AMENDMENT "A" (S-717)** thereto.

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

On motion by Senator **CHIPMAN** of Cumberland, **ADJOURNED** until Wednesday, April 17, 2024 at 9:00 in the morning in memory of and lasting tribute to Joan Woodcock Nestles of Bangor and the Honorable Joseph Edward Brennan of Portland.