

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

In Senate Chamber
Tuesday
January 14, 2025

Senate called to order by President Matthea E. Larsen Daughtry of Cumberland County.

Prayer by Reverend George Sheats of St. Michael's Episcopal Church in Auburn.

REVEREND GEORGE SHEATS: Thank you. Let us pray. God of wisdom and justice, open the hearts and minds of those whom the people of Maine have chosen to represent them to a spirit of service of cooperation. Speak to them of the immeasurable value of integrity, truth, and fairness. We pray that they will always seek and act in the way of justice, mercy, and compassion. Give them the strength and wisdom to guide our state, working in cooperation for the good of all citizens they represent. That we boldly pray that you would bind their hearts together in ways they have yet to imagine so that they will declare as King David did how good and pleasant it is when God's people live together in unity and peace.

Finally, may all the accomplished serving in this august body find favor in your sight. This we pray, trusting in your divine presence to both stir and support these leaders through your spirit of justice, humility, and love. In your name we pray, amen.

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

Reading of the Journal of Wednesday, January 8, 2025.

Medical Provider of the Day, Robert Rousseau, PA-C, EM-CAQ of Sidney.

Off Record Remarks

COMMUNICATIONS

The Following Communication:

H.P. 55

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

January 6, 2025

Honorable Ryan D. Fecteau
Speaker of the House
132nd Legislature

Honorable Matthea Daughtry
President of the Senate
132nd Legislature

Dear Mr. Speaker and Madam President:

On January 6, 2025, 52 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on January 6, 2025, as follows:

Agriculture, Conservation and Forestry

Bill "An Act to Require Forest Landowners to Report the Registration or Sale of Their Forest Carbon Credits" (H.P. 3) (L.D. 39) (Sponsored by Representative PLUECKER of Warren) (Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.)

Bill "An Act to Amend the Laws Governing the Commercial Large Game Shooting Area License Transfer Process" (H.P. 4) (L.D. 40) (Sponsored by Representative PLUECKER of Warren) (Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.)

Bill "An Act Regarding Penalties for Violating the Laws Governing Agriculture and Animals and the Maine Weights and Measures Law" (H.P. 52) (L.D. 88) (Sponsored by Representative PLUECKER of Warren) (Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.)

Criminal Justice and Public Safety

Bill "An Act Regarding the Bind-over and Detention of Juveniles" (H.P. 6) (L.D. 42) (Sponsored by Representative SALISBURY of Westbrook) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act Allowing the Department of Corrections to Offset Some of the Costs of Technology Provided to Residents of Correctional Facilities" (H.P. 9) (L.D. 45) (Sponsored by

Representative LEE of Auburn) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Bill "An Act to Ban the Drug Tianeptine" (EMERGENCY) (H.P. 23) (L.D. 59) (Sponsored by Representative LEMELIN of Chelsea)

Education and Cultural Affairs

Bill "An Act to Establish a Grant Program to Increase Postsecondary Educational Opportunities for Students with Intellectual or Developmental Disabilities or Autism Spectrum Disorder" (EMERGENCY) (H.P. 10) (L.D. 46) (Sponsored by Representative MURPHY of Scarborough) (Cosponsored by Senator RAFFERTY of York and Representatives: DODGE of Belfast, GRAMLICH of Old Orchard Beach, KUHN of Falmouth, SARGENT of York, Senator: PIERCE of Cumberland)

Bill "An Act Regarding Special Education Funding" (H.P. 35) (L.D. 71) (Sponsored by Representative MATHIESON of Kittery) (Cosponsored by Senator LAWRENCE of York and Representative: SARGENT of York)

Bill "An Act to Update the System of Learning Results Review Timeline" (H.P. 38) (L.D. 74) (Sponsored by Representative BRENNAN of Portland) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act to Require Elementary School Students to Learn Cursive Writing" (H.P. 42) (L.D. 78) (Sponsored by Representative UNDERWOOD of Presque Isle)

Bill "An Act to Foster Innovation in Maine Schools by Updating the Requirements of School Innovation Waivers" (H.P. 45) (L.D. 81) (Sponsored by Representative MURPHY of Scarborough) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Bill "An Act to Update the Laws Regarding Education" (H.P. 50) (L.D. 86) (Sponsored by Representative SARGENT of York) (Submitted by the Department of Education pursuant to Joint Rule 204.)

Environment and Natural Resources

Bill "An Act to Remove the 5 Cent Fee for Bags in Retail Stores" (EMERGENCY) (H.P. 20) (L.D. 56) (Sponsored by Representative LEMELIN of Chelsea)

Bill "An Act to Support Municipal and County Actions on Dam Ownership" (H.P. 26) (L.D. 62) (Sponsored by Representative MILLIKEN of Blue Hill) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Bill "An Act to Update the Definition of 'Coastal Wetlands' Under the Natural Resources Protection Act" (H.P. 29) (L.D. 65) (Sponsored by Representative DOUDERA of Camden) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Bill "An Act to Repeal the Law Restricting the Use of Certain Plastic, Paper and Single-use Bags" (H.P. 33) (L.D. 69) (Sponsored by Representative BAGSHAW of Windham)

(Cosponsored by Senator LIBBY of Cumberland and Representatives: COLLINS of Sidney, COOPER of Windham, JAVNER of Chester)

Bill "An Act to Update Funding for the Board of Environmental Protection" (H.P. 39) (L.D. 75) (Sponsored by Representative ANKELES of Brunswick) (Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.)

Health and Human Services

Bill "An Act to Ensure Quality in Personal Care Agencies" (H.P. 13) (L.D. 49) (Sponsored by Representative CLOUTIER of Lewiston) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act to Increase Oversight of Fatalities of and Serious Injuries to Adults Subject to Public Guardianship" (H.P. 15) (L.D. 51) (Sponsored by Representative SHAGOURY of Hallowell) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act to Require the Department of Health and Human Services to Apply for Federal Benefits on Behalf of Children in the Department's Custody Who May Be Eligible for Those Benefits" (EMERGENCY) (H.P. 16) (L.D. 52) (Sponsored by Representative ROEDER of Bangor)

Bill "An Act to Support Implementation of Certified Community Behavioral Health Clinic Projects" (EMERGENCY) (H.P. 27) (L.D. 63) (Sponsored by Representative GRAHAM of North Yarmouth) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act to Establish Minimum Standards for Certain Urgent Care Facilities" (H.P. 31) (L.D. 67) (Sponsored by Representative MEYER of Eliot) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204)

Bill "An Act to Fund Free Health Clinics" (H.P. 34) (L.D. 70) (Sponsored by Representative BRENNAN of Portland)

Bill "An Act Concerning the Filing of Marriage Licenses and the Recording of Intentions as Part of the Electronic Vital Records System" (H.P. 47) (L.D. 83) (Sponsored by Representative KUHN of Falmouth) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act to Improve the Coordination of Health Care for Minors in State Care" (H.P. 48) (L.D. 84) (Sponsored by Representative GRAHAM of North Yarmouth) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Bill "An Act to Revitalize the Maine Temporary Assistance for Needy Families Advisory Council" (H.P. 49) (L.D. 85) (Sponsored by Representative MEYER of Eliot) (Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.)

Health Coverage, Insurance and Financial Services

Resolve, Regarding Legislative Review of Chapter 6: Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel

by Registered Professional Nurses, a Major Substantive Rule of the Department of Professional and Financial Regulation, State Board of Nursing (EMERGENCY) (H.P. 54) (L.D. 90) (Submitted by the Department of Professional and Financial Regulation, State Board of Nursing pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Inland Fisheries and Wildlife

Bill "An Act to Provide an Exception to a Fishing Prohibition near the Crooked Brook Dam" (H.P. 11) (L.D. 47) (Sponsored by Representative MASON of Lisbon) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Bill "An Act to Allow Use of the Fish Hatchery Maintenance Fund to Compensate Hatchery Staff When Certain Operational Needs Require Overtime" (H.P. 40) (L.D. 76) (Sponsored by Representative THORNE of Carmel) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Bill "An Act to Stabilize and Sustainably Fund the Department of Inland Fisheries and Wildlife, Fisheries and Hatcheries Division by Increasing the Inland Fishing License Fees and Establishing the Inland Fisheries Conservation and Enhancement Fund" (H.P. 41) (L.D. 77) (Sponsored by Representative WOOD of Greene) (Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.)

Judiciary

Bill "An Act to Further Protect Victims from Contact Prohibited by Probation Conditions" (H.P. 7) (L.D. 43) (Sponsored by Representative HASENFUS of Readfield) (Submitted by the Department of Corrections pursuant to Joint Rule 204.)

Labor

Bill "An Act to Require Employers to Disclose Pay Ranges and Maintain Records of Employees' Pay Histories" (H.P. 18) (L.D. 54) (Sponsored by Representative ROEDER of Bangor)

Bill "An Act to Amend the Law Governing the Accrual of Earned Paid Leave" (H.P. 19) (L.D. 55) (Sponsored by Representative LEMELIN of Chelsea)

Bill "An Act to Allow Employees to Request Flexible Work Schedules" (H.P. 24) (L.D. 60) (Sponsored by Representative ROEDER of Bangor) (Cosponsored by Senator TIPPING of Penobscot)

Bill "An Act to Regulate Employer Surveillance to Protect Workers" (H.P. 25) (L.D. 61) (Sponsored by Representative ROEDER of Bangor) (Cosponsored by Senator TIPPING of Penobscot)

Bill "An Act to Expand Access to the Maine Wage Assurance Fund" (H.P. 30) (L.D. 66) (Sponsored by Representative SKOLD of Portland) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Bill "An Act to Amend the Workers' Compensation Laws by Extending Indefinitely the Presumption Applying to Law Enforcement Officers, Corrections Officers, E-9-1-1 Dispatchers, Firefighters and Emergency Medical Services Persons Diagnosed with Post-traumatic Stress Disorder" (H.P. 46) (L.D. 82) (Sponsored by Representative MATHIESON of Kittery) (Cosponsored by Senator LAWRENCE of York and Representatives: Speaker FECTEAU of Biddeford, LAJOIE of Lewiston, MEYER of Eliot)

Bill "An Act Regarding the State Workforce Board" (H.P. 51) (L.D. 87) (Sponsored by Representative ROEDER of Bangor) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Resolve, Regarding Legislative Review of Chapter 201: Employer Reporting and Payments, a Major Substantive Rule of the Maine Public Employees Retirement System (EMERGENCY) (H.P. 53) (L.D. 89) (Submitted by the Maine Public Employees Retirement System pursuant to the Maine Revised Statutes, Title 5, section 8072.)

Marine Resources

Bill "An Act to Amend the Laws Pertaining to Elver Fishing" (EMERGENCY) (H.P. 8) (L.D. 44) (Sponsored by Representative HEPLER of Woolwich) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

Bill "An Act to Eliminate the Cultchless American Oyster Growers License" (H.P. 28) (L.D. 64) (Sponsored by Representative STROUT of Harrington) (Submitted by the Department of Marine Resources pursuant to Joint Rule 204.)

State and Local Government

Bill "An Act to Provide the Right of First Refusal to Towns in Which the University of Maine System and Similar Quasi-independent State Entities Are Selling Property" (H.P. 14) (L.D. 50) (Sponsored by Representative DODGE of Belfast) (Cosponsored by Senator CURRY of Waldo)

Bill "An Act to Establish the November General Election Day as a State Holiday" (H.P. 17) (L.D. 53) (Sponsored by Representative POIRIER of Skowhegan)

Bill "An Act to Designate the Spring Peeper as the Official State Amphibian" (H.P. 36) (L.D. 72) (Sponsored by Representative OSHER of Orono) (Cosponsored by Senator BRENNER of Cumberland and Representative: ANKELES of Brunswick, Senator: President DAUGHTRY of Cumberland)

Bill "An Act to Designate the Wood Turtle as the Official State Reptile" (H.P. 37) (L.D. 73) (Sponsored by Representative OSHER of Orono) (Cosponsored by Senator BRENNER of Cumberland and Representative: ANKELES of Brunswick)

Bill "An Act to Designate the Seppala Siberian Sleddog as the Maine State Dog" (H.P. 44) (L.D. 80) (Sponsored by Representative BOYER of Poland) (Cosponsored by Senator BICKFORD of Androscoggin and Representatives: BABIN of Fort Fairfield, BLIER of Buxton, DAIGLE of Fort Kent, MILLIKEN of

Blue Hill, SUPICA of Bangor, WOODSOME of Waterboro,
Senators: BENNETT of Oxford, BERNARD of Aroostook)

The Following Communication:

S.C. 22

Taxation

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory (H.P. 5) (L.D. 41) (Sponsored by Representative CLOUTIER of Lewiston) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act to Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY) (H.P. 12) (L.D. 48) (Sponsored by Representative CLOUTIER of Lewiston) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Bill "An Act to Amend the State Tax Laws" (H.P. 32) (L.D. 68) (Sponsored by Representative CLOUTIER of Lewiston) (Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.)

Transportation

Resolve, to Rename the Bridge on Main Street Between Biddeford and Saco the General Wallace H. Nutting Memorial Bridge (H.P. 43) (L.D. 79) (Sponsored by Representative MALON of Biddeford) (Cosponsored by Senator BAILEY of York and Representatives: ARCHER of Saco, COPELAND of Saco, Speaker FECTEAU of Biddeford, GATTINE of Westbrook, GERE of Kennebunkport, Senator: INGWERSEN of York)

Veterans and Legal Affairs

Bill "An Act to Enable Maine National Guard Commanders to More Efficiently Effect Disciplinary Measures Through the Maine Code of Military Justice" (H.P. 21) (L.D. 57) (Sponsored by Representative FREDETTE of Newport) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Bill "An Act to Establish Certain Positions Within the Maine Bureau of Veterans' Services" (H.P. 22) (L.D. 58) (Sponsored by Representative SUPICA of Bangor) (Submitted by the Department of Defense, Veterans and Emergency Management pursuant to Joint Rule 204.)

Sincerely,

S/Robert B. Hunt
Clerk of the House

S/Darek M. Grant
Secretary of the Senate

Comes from the House, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE**, in concurrence.

STATE OF MAINE ONE HUNDRED AND THIRTY SECOND LEGISLATURE COMMITTEE ON HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

January 8, 2025

The Honorable Matthea Elisabeth Larsen Daughtry
President of the Senate of Maine
132nd Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Health Coverage, Insurance and Financial Services has had under consideration the nomination of the Honorable Joan Cohen, Esq. of Portland, for appointment as the Commissioner of the Department of Professional and Financial Regulation.

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

YEAS	Senators	2	Bailey, D. of York, Haggan, D. of Penobscot
	Representatives	10	Mathieson, K. of Kittery, Arford, P. of Brunswick, Boyer, M. of Cape Elizabeth, Cimino, M. of Bridgton, Cluchey, S. of Bowdoinham, Flynn, P. of Albion, Foley, R. of Wells, Mastraccio, A. of Sanford, Morris, J. of Turner, Olsen, R. of Raymond
NAYS		0	
ABSENT		1	Sen. Baldacci, J. of Penobscot

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of the Honorable Joan Cohen, Esq. of Portland, for appointment as the Commissioner of the Department of Professional and Financial Regulation be confirmed.

Signed,

S/Donna Bailey
Senate Chair

S/Kristi M. Mathieson
House Chair

The President laid before the Senate the following: "Shall the recommendation of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 132nd Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#1)

YEAS: Senators: None

NAYS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BENNETT, BERNARD, BICKFORD, BLACK, BRADSTREET, BRENNER, CARNEY, CURRY, CYRWAY, DUSON, FARRIN, GROHOSKI, GUERIN, HAGGAN, HARRINGTON, HICKMAN, INGWERSEN, LIBBY, MARTIN, MOORE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, STEWART, TALBOT ROSS, TEPLER, TIMBERLAKE, TIPPING, PRESIDENT DAUGHTRY

EXCUSED: Senators: LAWRENCE

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Joan Cohen, Esq** of Portland for appointment as the Commissioner of the Department of Professional and Financial Regulation was **CONFIRMED**.

READ and ORDERED PLACED ON FILE.

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.

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

Joint Resolution

Joint Resolution in Memoriam:

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

Jacob Wolterbeek, of Portsmouth, New Hampshire, a sergeant with the Biddeford Police Department. Sergeant Wolterbeek was a dedicated officer, husband and father known for his positive impact on the community. Sergeant Wolterbeek will be long remembered and sadly missed by his family and friends and the citizens of Biddeford;

Sponsored by Senator INGWERSEN of York.
Cosponsored by Senators: BAILEY of York, BALDACCI of Penobscot, BEEBE-CENTER of Knox, BENNETT of Oxford, BERNARD of Aroostook, BICKFORD of Androscoggin, BLACK of Franklin, BRADSTREET of Kennebec, BRENNER of Cumberland, CARNEY of Cumberland, CURRY of Waldo, CYRWAY of Kennebec, President DAUGHTRY of Cumberland, DUSON of Cumberland, FARRIN of Somerset, GROHOSKI of Hancock, GUERIN of Penobscot, HAGGAN of Penobscot, HARRINGTON of York, HICKMAN of Kennebec, LAWRENCE of York, LIBBY of Cumberland, MARTIN of Oxford, MOORE of Washington, NANGLE of Cumberland, PIERCE of Cumberland, RAFFERTY of York, RENY of Lincoln, ROTUNDO of Androscoggin, STEWART of Aroostook, TALBOT ROSS of Cumberland, TEPLER of Sagadahoc, TIMBERLAKE of Androscoggin, TIPPING of Penobscot, Representatives: ABDI of Lewiston, ADAMS of Lebanon, ALBERT of Madawaska, ANKELES of Brunswick, ARATA of New Gloucester, ARCHER of Saco, ARDELL of Monticello, ARFORD of Brunswick, BABIN of Fort Fairfield, BAGSHAW of Windham, BECK of South Portland, BELL of Yarmouth, BISHOP of Bucksport, BLIER of Buxton, BOYER of Poland, BOYER of Cape Elizabeth, BRENNAN of Portland, BRIDGEO of Augusta, BUNKER of Farmington, CAMPBELL of Orrington, CARLOW of Buxton, CARUSO of Caratunk, CHAPMAN of Auburn, CIMINO of Bridgton, CLOUTIER of Lewiston, CLUCHEY of Bowdoinham, COLLAMORE of Pittsfield, COLLINS of Sidney, COOPER of Windham, COPELAND of Saco, CRAFTS of Newcastle, CRAY of Palmyra, CROCKETT of Portland, DAIGLE of Fort Kent, DANA of the Passamaquoddy Tribe, DEBRITO of Waterville, DHALAC of South Portland, DILL of Old Town, DODGE of Belfast, DOUDERA of Camden, DRINKWATER of Milford, DUCHARME of Madison, EATON of Deer Isle, EDER of Waterboro, FARRIN of Jefferson, FAULKINGHAM of Winter Harbor, Speaker FECTEAU of Biddeford, FLYNN of Albion, FOLEY of Wells, FOSTER of Dexter, FREDERICKS of Sanford, FREDETTE of Newport, FRIEDMANN of Bar Harbor, FROST of Belgrade, 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, HYMES of Waldo, JACKSON of Oxford, JAVNER of Chester, JULIA of Waterville, KESSLER of South Portland, KUHN of Falmouth, LAJOIE of Lewiston, LANCE of Paris, LANIGAN of Sanford, LAVIGNE of Berwick, LEE of Auburn, LEMELIN of Chelsea, LIBBY of Auburn, LOOKNER of Portland, LYMAN of Livermore Falls, MACIAS of Topsham, MALON of Biddeford, MASON of Lisbon, MASTRACCIO of Sanford, MATHIESON of Kittery, MATLACK of St. George, MCCABE of Lewiston, MCINTYRE of Lowell, MEYER of Eliot, MILLIKEN of Blue Hill, MINGO of Calais, MITCHELL of Cumberland, MONTELL of Gardiner, MOONEN of Portland, MORRIS of Turner, MURPHY of Scarborough, NUTTING of Oakland, O'HALLORAN of Brewer, OLSEN of Raymond, OSHER of Orono, PARRY of Arundel, PAUL of Winterport, PERKINS of Dover-Foxcroft, PLUECKER of Warren, POIRIER of Skowhegan, POMERLEAU of Standish, PUGH of Portland, QUINT of Hodgdon, RANA of Bangor, RAY of Lincolnville, RIELLY of Westbrook, ROBERTS of South Berwick,

ROEDER of Bangor, ROLLINS of Augusta, RUDNICKI of Fairfield, RUNTE of York, SACHS of Freeport, SALISBURY of Westbrook, SARGENT of York, SATO of Gorham, SAYRE of Kennebunk, SCHMERSAL-BURGESS of Mexico, SHAGOURY of Hallowell, 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, TERRY of Gorham, THORNE of Carmel, TUELL of East Machias, UNDERWOOD of Presque Isle, WADSWORTH of Hiram, WALKER of Naples, WARREN of Scarborough, WEBB of Durham, WHITE of Guilford, WHITE of Ellsworth, WOOD of Norway, WOOD of Greene, WOODSOME of Waterboro, YUSUF of Portland, ZAGER of Portland.

The Joint Resolution was **READ**.

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

Senator **INGWERSEN:** Thank you, Madam President. Madam President, distinguished guests, my fellow colleagues of the Senate. It's with deep sadness today that I rise before you in remembrance of Sergeant Jacob C. Wolterbeek IX of the Biddeford Police Department.

Jacob was a beloved husband, a father of three, a son, a brother, an uncle, a cousin, a friend, and a respected member of the police force. Sergeant Wolterbeek died suddenly and way too early at the age of 41 on December 12th. Jacob was a kind of man whose love for his family, for his friends, and for his community was really immeasurable, and whose laughter and his good energy made better and brighter wherever he happened to be. As a dedicated and passionate member of the Biddeford law enforcement community for 18 years, Jacob's commitment to his work was unwavering. Sergeant Wolterbeek held several roles in the department, including on its community-oriented police engagement unit, and was the department's most decorated officer.

As a sergeant, he led by example, embodying the values of integrity, bravery, and service. His fellow officers often remarked that he served with compassion, thoughtfulness, and very good humor. He was a protector of his community, always ready to step up when needed, and he took immense pride in knowing he made a difference every single day. His sense of humor, his kindness, and his larger-than-life personality made him a beloved figure not only amongst his colleagues, but with everyone he encountered on the job. Jay, as he was called, was a man of action, and those actions always improved the lives of those around him.

I'd like to extend my deepest condolences to his family, his friends, his colleagues, and to the entire Biddeford Police Department. Sergeant Wolterbeek was a truly great guy who helped make Biddeford the safe and welcoming city that it now is. This is an unexpected loss, and it's left an undeniable void in our community. And I know I speak for all of us here when I say that our hearts are with the family and friends and his professional community in this profound difficult time, very difficult time. Sergeant Wolterbeek, I thank you; I thank you for your service, for your sacrifice. You will forever be missed, but you will never be forgotten. Thank you.

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

Senator **HARRINGTON:** Thank you, Madam President. I'd be remiss if I didn't say a few words.

Sergeant Wolterbeek and I started in law enforcement around the same time, and with that, it was a nearby agency, me being in Kennebunk. We would regularly see each other, whether it be, you know, paperwork transfers or at multiple trainings. I think most recently when the FBI lead -- a supervisor class was held at the Biddeford Police Department and he was kind of our host, so to speak.

So, my deepest condolences to his family and all of our colleagues at the Biddeford Police Department. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

The Following Communication:

S.C. 23

**MAINE LEGISLATURE
OFFICE OF PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY**

January 10, 2025

The Honorable Craig V. Hickman, Senate Chair
The Honorable Anne-Marie Mastraccio, House Chair
Members of the Government Oversight Committee
82 State House Station
Augusta, Maine 04333

The Honorable Matthea Elisabeth Larsen Daughtry, President of the Senate
Members of the 132nd Maine Senate
3 State House Station
Augusta, Maine 04333

The Honorable Ryan D. Fecteau, Speaker of the House
Members of the 132nd Maine House of Representatives
2 State House Station
Augusta, Maine 04333

Dear Government Oversight Committee Members, Senators and Representatives:

In accordance with 3 MRSA §995(4), I respectfully submit the Office of Program Evaluation and Government Accountability (OPEGA) Annual Report for 2024. OPEGA's service to the Legislature as an independent, non-partisan resource is meant to support the important role of legislative oversight and to help improve the performance of State government. We remain committed to serving Maine's legislators and citizens as a trusted source of objective, credible information.

Sincerely,

S/Peter Schleck
Director

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

The Following Communication:

S.C. 24

**STATE OF MAINE
131st LEGISLATURE
CRIMINAL RECORDS REVIEW COMMITTEE**

January 7, 2025

The Honorable Matthea Elisabeth Larsen Daughtry, President
Maine State Senate

The Honorable Ryan D. Fecteau, Speaker
Maine House of Representatives
State House
Augusta, Maine 04333

Dear President Daughtry and Speaker Fecteau:

Pursuant to Resolve 2023, c. 103, the Criminal Records Review Committee is pleased to submit its final report. Copies of the full report have been distributed to committees or individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Policy and Legal Analysis at <http://legislature.maine.gov/opla>.

Sincerely,

S/Donna Bailey
Senate Chair

S/Rachel Talbot Ross
House Chair

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

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

ORDERS

Joint Orders

On motion by Senator **PIERCE** of Cumberland, the following Joint Order:

S.P. 83

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 21, 2025, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

READ and **PASSED.**

Sent down for concurrence.

On motion by Senator **CARNEY** of Cumberland, the following Joint Order:

S.P. 97

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 208 by adding at the end 2 new paragraphs to read:

A proposal to adopt a uniform or model act must be prepared in concept form and must include an Internet address at which may be found the text of the proposed uniform or model act.

A proposal to recodify a title of the Maine Revised Statutes may not go forward in the absence of legislation prepared in accordance with this paragraph. Legislation that proposes to recodify a title of the Maine Revised Statutes must be prepared by the Revisor of Statutes to direct appropriate Legislative Council staff to work with the requestor over the course of a sufficient number of legislative interims to ensure the accurate completion of the recodification. Legislation that authorizes such a recodification must be placed on the special study table that is established in accordance with Joint Rule 353. The Legislative Council shall review legislation proposing recodifications together with proposed studies that are on the study table and shall authorize the allocation of budgetary and staffing resources for those studies and recodifications identified by the Legislative Council. Legislative resources may not be used to recodify a title without approval of the Legislative Council. For purposes of this paragraph, legislation to recodify a title of the Maine Revised Statutes includes legislation that proposes to recodify, with or without substantive revisions, the entirety of one or more titles of the statutes or a substantial portion of one or more titles of the statutes.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 302 to read:

Rule 302. Membership.

Each of the joint standing committees consists of 13 members, 3 from the Senate and 10 from the House of Representatives. The first Senate member named is the Senate chair. The first House member named is the House chair. The Senate chair shall preside and in the Senate chair's absence, the House chair shall preside and, thereafter, as the need may arise, the chair shall alternate between the members from each chamber in the sequence of their appointment to the committee. The sequence of appointment for the biennium is as announced by the presiding officers in each chamber. ~~Every~~ Except for members serving on the Legislative Council, every member of the Senate and the House of Representatives is entitled to at least one initial committee assignment.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 304, first paragraph to read:

At the beginning of each legislative biennium, the presiding officers shall establish procedures that govern public hearings, work sessions and confirmation hearings. Once established, copies of the procedures must be sent to the committees, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council. A committee by majority vote may ~~make propose~~ propose exceptions to the rules ~~and notify the presiding officers of exceptions to the rules; exceptions to the rules are subject to the approval of the presiding officers.~~

Final committee rules must be posted and made available upon request at all public hearings and work sessions.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 305 to read:

Rule 305. Scheduling Public Hearings and Work Sessions; Concept Draft Amendments.

1. Scheduling. At the beginning of the regular session, the presiding officers shall jointly establish authorized meeting days for committees to hold their public hearings and work sessions, taking into consideration the availability of assigned staff and hearing rooms. Committees may meet only on authorized meeting days unless the presiding officers authorize an exception in writing. Each committee shall distribute a detailed list of hearings and work sessions that have been scheduled for the following week to all committee members. This schedule must also be posted outside the committee room. Notice of a committee's public hearings and work sessions must be posted each day in the State House and the Cross Building. A committee may not hold a hearing or conduct a work session for which notice has not been posted.

2. Advance Notice. ~~Public Notice of public hearings must be advertised provided no later than 5:00 p.m. on the Friday 2 weekends in advance of the hearing date, including, but not limited to, by posting on the Legislature's website.~~ All exceptions must be approved by both presiding officers.

3. Notification of Sponsors. The committee shall direct the committee clerk to notify all sponsors of the bill of the public hearing and work session on the bill.

4. Access. It is the intent of the Legislature that a person not be denied access to committee public hearings and work sessions because of a disability. Committees shall provide reasonable access for disabled persons to their proceedings and allow adequate time for participation by disabled persons.

5. Hearing of Concept Drafts; Preparation of Amendment; Confidentiality; Posting. A bill printed as a concept draft pursuant to Joint Rule 208, with the exception of budget bills presented by the Governor, model acts and uniform acts, and referred to a committee is subject to the provisions of this subsection.

A. The sponsor of that concept draft shall prepare and submit a proposed amendment to that concept draft to that committee no later than 3 business days before the public hearing scheduled for that concept draft.

B. If nonpartisan staff is used to assist in the preparation of a proposed amendment required by paragraph A, the sponsor is limited to one draft. Notwithstanding the rules of confidentiality, nonpartisan staff may discuss with the chairs of the committee to which the concept draft has been referred the status of the proposed amendment for the purposes of committee scheduling and to facilitate the purposes of this section. Nonpartisan staff may not disclose the content of the proposed amendment.

C. The proposed amendment must be posted on the committee's testimony page on the Legislature's website no later than 2 business days before the date of the public hearing on the concept draft.

6. Automatic Withdrawal. Notwithstanding Joint Rule 310, if a sponsor of a concept draft fails to submit a proposed committee amendment as required by subsection 5, that concept draft is automatically and immediately withdrawn and placed in the legislative files.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 308, subsections 1 and 2 to read:

1. Legislature in Session Suggested Reference by Secretary and Clerk. ~~When At the direction of the presiding officers, when the Legislature is in session, the Secretary of the Senate and the Clerk of the House shall jointly suggest an appropriate committee reference for every bill, resolve and petition offered. The suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of reference must be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of suggested reference must be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber.~~

Each suggested reference appearing upon the Advance Journal and Calendar of each chamber must contain a recommendation for the printing of the document being referred and may contain a recommendation on the number of copies of that document to be printed.

Any member may move for reconsideration of a committee reference on the floor. Notwithstanding Joint Rule 103, a majority vote is necessary to overturn the original committee of reference.

2. Legislature Not in Session Reference to Committee by Secretary and Clerk. ~~When the Legislature is not in session or is in recess for more than 4 days, the Secretary of the Senate and Clerk of the House may refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the President of the Senate and the Speaker of the House.~~

Upon reference of a bill to a committee by the Secretary of the Senate and Clerk of the House pursuant to this subsection, if a majority of the chairs and leads of the committee agree, in advance of scheduling the bill for public hearing, that the reference to that committee is inappropriate, a communication must be sent to the Senate and House with a recommendation of "change of committee reference." Upon reference of a bill to a committee pursuant to this subsection, if a majority of the chairs and leads of the committee agree, in advance of scheduling the bill for public hearing, that the reference to that committee is appropriate, that bill remains in that committee. If there is not a majority agreement among the chairs and leads regarding reference of that bill, the bill is designated for discussion by the committee for a possible committee report of "refer to another committee" under Joint Rule 310, subsection 2. Any bill that undergoes a reference determination pursuant to this subsection that is retained by the committee must be scheduled for a public hearing.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 310, subsection 2 to read:

2. Committee Reports. The report of the committee must include a recommendation. Recommendations that may be made are:

Ought to Pass
Ought to Pass as Amended
~~Ought to Pass in New Draft~~
Ought Not to Pass
Refer to Another Committee

Leave to Withdraw

Except for Leave to Withdraw, the committee shall vote on all recommendations to be included in reports on a bill during a work session on that bill. When the committee recommendation is not unanimous, a minority report or reports are required. ~~Except as provided in subsection 5, minority~~ Minority committee reports must be voted on at the same work session as the majority report on that bill. ~~Notwithstanding subsection 5, a~~ A committee vote to report a bill out favorably must be taken based on written language before the committee at that time or on a motion describing the content of the report. After a committee vote, no substantive change may be made in the committee report unless motions to reconsider and to amend the report are approved at a committee work session. All reports on any legislative document must be submitted to the Legislature at the same time.

; and be it further

ORDERED, that the Joint Rules be amended by striking out all of Joint Rule 310, subsection 4; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 310, subsection 5, paragraph A to read:

A. If any member is absent from the committee at the time of the vote, that member's vote may be registered with the clerk up until noon on the 2nd business day following the vote. A member may register a vote only on a report that was made when the vote was taken by the committee. A member may not register a vote with the clerk creating an additional report.

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 353, subsection 1 to read:

1. Definitions. For the purposes of this Joint Rule, the following terms have the following meanings:

A. The term "legislative study" or "legislative study committee" means any group of individuals established in an Act, Resolve or Joint Order or by the Legislative Council, except those exempted under policies adopted by the Legislative Council, whose duties include studying and reporting to the Legislature on any matter or advising the Legislature on any matter and that requires the use of legislative resources; and

B. The term "legislative resources" means the expenditure of any funds appropriated or allocated to the Legislative Account, ~~the appointment of one or more persons by the Legislature, the inclusion of one or more legislators as members of the legislative study committee or the use of Legislative Council staff; and,~~

~~C. The term "non-legislative study" or "non-legislative study group" means any group of individuals directed by legislation to report back to the Legislature on any issue but that is not otherwise a legislative study.~~

; and be it further

ORDERED, that the Joint Rules be amended by amending Joint Rule 353, subsection 8 to read:

8. Legislation may not be introduced by legislative studies or non-legislative study groups. Legislative and non-legislative study committees or groups may include proposed legislation in their reports to the Legislature, but are not authorized to introduce legislation. Upon receipt of a report submitted by a legislative ~~or non-legislative~~ study committee or group, the joint standing committee to which the report is submitted, or the appropriate joint standing committee of jurisdiction in the event that the report is submitted to the Legislature as a whole, may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.

The Joint Order was **READ**.

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

Senator **CARNEY:** Thank you, Madam President. I wish to speak briefly on this Joint Order, colleagues, because it's a matter of importance that I think we've all been focusing over the last couple of years. It relates to the work of the Joint Rules Committee in taking up a number of issues, but most importantly, the issue related to concept drafts. So, I'll give you a little background.

This -- these matters were presented to the Joint Rules Committee of the previous Legislature, the 131st. That committee took in testimony from -- extensive testimony from other legislators, from members of the public, and also did a very deep dive with our nonpartisan staff into certain technical and logistical issues and the interaction between various proposals for changes to the Joint Rules and other existing rules and laws. And without going into all of that detail, I will just tell you that there was a clear priority that rose to the top, and that was to ensure that when there was a public hearing for a concept draft bill, that the public, the committee, members of the Legislature, and everyone had access to the content of the bill that was scheduled for public hearing. We made that the priority of the work, and we worked very hard as a committee when it was taken up by the 132nd Joint Rules Committee to take advantage of all that feedback and to continue to advance that priority. And what you have before you in Joint Order 4-2 is the synthesis of the work of all of the members of the 131st and 132nd Joint Rules Committee, the nonpartisan staff who provided extensive contributions to our work, and as well as the members of the public and other legislators who weighed in.

I would describe to you just briefly because I think it's a matter of importance to all of us, as well as the public, what the process is -- will be going forward if we are to pass this Joint Order for concept drafts. And that is that a concept draft will be noticed for a public hearing, but before that public hearing is to take place, the contract draft language, the statutory language, will be posted on the Legislature's website for that bill under the concept draft bill number, and it will be listed as sponsor's concept draft for LD, whatever the LD number is, so that everybody who goes to the page for that LD and looks into the testimony can clearly see what the proposal is that will be subject to the public hearing in the following days.

Now, that may seem like a slightly imperfect process because, ideally, one would want it to be posted on the website as the bill language, but we have some technological and programming problems that we just couldn't work around prior to the beginning of this legislative session. And so, we adopted -- we proposed changes to the Joint Rules and adopted a policy and practice that will address the number one priority; namely, to make sure that that language and information is available to the public for the public hearing, and I would just urge my colleagues to support the pending motion.

I will also let you know that, as a committee in the 132nd, the Joint Rules Committee worked very hard to try to achieve consensus. Nearly all of the proposals in item 4-2 were agreed upon by ten, that is a unanimous number of the members of the Joint Rules Committee. And I will also let you know that this is not the last action of the Joint Rules Committee. We recognize

that there are a number of things that we need to continue to take up and look at. We also need to see how this new proposal, should it be adopted today, works. And so, we plan to meet partway through the session and then again at the end of the session, take in all of the lessons learned, and revisit these and other proposals that are referred to the committee.

So, I want to thank you for your time and attention today and ask that you support the pending motion.

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

Senator **STEWART:** Thank you, Madam President, Ladies and Gentlemen of the Senate. I rise in somewhat support of the pending motion.

I also served on the Joint Rules Committee, and I do think we made some progress there. I want to commend the chair of that committee, Senator Carney, for all her work over the last year or so. And I think it's important to think about why we even had the meetings of the Joint Rules Committee, which was from a profound sense of a lack of transparency within the process that had accumulated over time that was reflected in a lot of comments and feedback, as the Senator from Cumberland mentioned, during that hearing process. And while I do think there are some improvements to the process within this order, and I do intend to support it here later today, I want to note that there are still several flaws in there, and also maybe provide a cautionary note to Members in this Chamber and hopefully the Other Chamber as well, as this does reflect -- this does impact the rules for both the House and the Senate.

And to kind of take it sequentially here, the first component that you see within the order with regard to concept drafts, I actually don't feel that there is, in fact, any need for concept drafts, regardless of what issue we're talking about within this institution. If you need more time for a bill, there are mechanisms procedurally and otherwise that we can use within both this floor as well as at the committee level to give you that time. If you need an amendment, certainly we can help with that in the Revisor's Office -- between both the Revisor's Office and the Office -- OPLA, the Office of Policy and Legal Analysis can help you with that. The budget doesn't even need to be a concept draft; you don't need to have every bit of details, as we all know. Between committee amendments and floor amendments, we can manage the budget process and there will be dozens, if not hundreds, of amendments to the budget throughout that process.

So, I struggle with this notion that we've kind of tried to present something here that addresses the elephant in the room which folks acknowledge that there is a problem with concept drafts, particularly as it relates to transparency, and yet, I actually think that there's some problems with what we're putting forward here as well. Namely, and this is the cautionary note part, that if a member doesn't do their due diligence in proposing and working their piece of legislation, they have a three-day period to sort of drop this bomb on the committee analysts. And that, then, puts the onus on the analyst to stop what they're doing because now they have a clock of three days to fully draft this amendment which could be 20-30 pages to a bill. And if that was to happen, particularly - to my colleagues who have been around here long enough - in let's say, April or early-May, as things are in full swing at the committee level, you've got maybe dozens of committee amendments that are being managed through a one-week period of time as we're trying to meet deadlines and get out the door,

and then you have a member from probably a different committee come in, drop this amendment, start that clock, it's then going to pull that analyst away from everything else that they would otherwise be doing on behalf of that committee. And whether they're able to meet the needs of that committee still is probably going to be in flux.

And so, my cautionary note to all of you is don't let that happen. Don't be that person under this model who drops that bomb and completely derails a committee's progress in particularly the latter months. Because I really am concerned that we are setting up with this vote here that scenario where under the rule -- and it's unclear what happens after that. Let's say we institute this rule, somebody does exactly that, it starts that clock, and the analyst fails to be able to produce that document within three days. What recourse? I don't know. That's not really spelled out here. I think it is critical to at least have that for when it is done, whenever that is, hopefully within three days, that amendment then gets published in a public place, and I think that's really important, we heard that that was a common theme. And again, I'm not willing to concede the point that these things are really necessary at all.

The other piece that I think I share some frustration with some of my other colleagues is around committee referencing and how -- if we're going to make a change, let's make a change to committee referencing. And I think you're going to hear about that from my colleague from Oxford, maybe, in a little bit, and I don't want to steal his thunder, so I will say again, I don't think this proposal goes far enough in that regard, I think there's more that we can do that would be important.

You know, the rest of this is really kind of -- kind of milk toast, it's some technical changes and some practical, you know, evolution of our internal operations as it relates to rules that are things that we just either, one, never do in practice or, two, can't do because of some technical limitations. So, I think, you know, on the whole, this is some progress. At the same time, it creates some possibilities for maybe some backwards sliding as well. That remains to be in our control, though. So, I guess my charge to all of you is to be mindful of that, try not to take advantage of that, because ultimately, the biggest fear that I have is that the staff here and across the way are going to bear the brunt of the devolution of that process, if it is to occur. So, I hope that doesn't happen. Like I said, I am going to support this motion as well as a number of other motions later on on the calendar here today. And Madam Chair, I would request the yeas and nays. Thank you.

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

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

Senator **BENNETT:** Thank you, Madam President. Madam President and Fellow Members of the Senate, as many of you know, I was pleased when the 131st Legislature finally convened the Rules Committee after a long hiatus. Prior to last July, there had not been a Rules Committee meeting since January 25th of 2018, notwithstanding the fact that the rules themselves, through all of those intervening years, called for the committee to meet at least once annually.

Madam President, as you know, I was pleased to be

reappointed by you as a member of the Rules Committee for the 132nd. I've been calling for reforms for years. And I remain encouraged, Madam President, by the change that you have recognized as needed in your remarks on opening day. And I have nothing but respect and friendship for the Senator from Cumberland, Senator Carney, who brings this proposal forward as the chair of the Rules Committee. And so, it brings me sadness and regret that I must vote against the pending motion. I do so as much for what is not in this order as for what is in it.

Madam President, we've reached a point in our civic evolution where the Legislature has become so much less than we should be. Already hampered by the constitutional powers weighted toward the Executive Branch, over many years, I've observed the Legislature stepping itself down as an equal branch of government and, indeed, as the policy leader that we should be. We have done that to ourselves. We have ceded the information advantage to the Executive. We have organized ourselves poorly, we have squandered our own talent and our time. The testimony we heard from the public last July was quite sobering. Policy advocates and rank and file members of the Legislature took the time and had the temerity to come in person to a summer meeting in this building for what purpose? To share their frustrations on the way that we operate. The public perception described that day is that the Legislature was being deceptive, our process wasn't transparent, and in some cases, even abusive.

So, when we gathered last week, we had a chance to provide greater transparency, better time management, more public information and public participation, with more online information and accessibility. However, the committee failed to harness the considerable energy for reform to affect real change. And so, we are left with a proposal before us today. Under the Majority Report, the Legislature will still have undefined placeholder bills, the Legislature will still be frustrated in our ability to speak to pressing national issues, Maine's ability to call for amendments to the U.S. Constitution, to save our fragile democracy will be impinged still, allowing other states to take the lead. We will still spend scarce resources at OPLA, prioritizing the printing of paper for State House insiders, often unread, rather than putting information online for all citizens to see. And we will still allow the peoples' business to be voted in the middle of the night rather than in the full light of day.

Every Legislature, Madam President, has the chance to redefine itself anew, to learn from the past and improve for the future. The COVID era of four or five years ago was an inflection point where our society made leaps toward changes; toward remote working, digital meetings, streamlined processes that have since taken root and led to transformational change in the way we conduct business, how we interact with each other, our productivity, and the opportunities for individuals to reclaim the work-life balance that is right for them. We've made the leap in this very institution. But unlike the rest of the world, this Legislature slid backwards to the ways of the past. Indeed, we adopted even worse practices. Concept drafts bloom like algae in a lake. Bills were heard but then lay festering in committee or in the Chambers or on the Appropriations Table, never to be seen again. We never even cracked the spine on 85% of the state budget, the current services portion, in last year's appropriations work.

It's worth remembering that the last Legislature, the 131st, began with an attempt to spend \$450 million on day one in December without even a public hearing. And of course, that

Legislature ended with the Governor of Maine refusing to even -- refusing to even receive 35 bills enacted properly by this Body. She closed the door on the Secretary of the Senate dutifully delivering those measures. And we left over 200 bills in limbo, unresolved.

This is not a time for weak tea and half measures. It is time for robust reform. It is time for our own institutional transformation to fulfill the promise and responsibility of leadership called for in Article IV, Part Third, Section 1 of the Maine Constitution. "The Legislature shall have full power to make and establish all reasonable laws and regulations for the defense and benefit of the people of this state."

Friends, I'll be voting against these proposed rule changes in this order, knowing that we can do better, that we must do better. Thank you.

THE PRESIDENT: The Chair would remind Members when referring to the other portion of government to use the phrase Chief Executive. With that, the Chair would recognize the Senator from Cumberland, Senator Libby.

Senator **LIBBY:** Thank you very much, Madam President, and Men and Women of the Senate. I rise today to speak to you about an issue related to the Joint Rules that occurred in the 131st Legislature.

And this was a case where a memorial was submitted by myself, a memorial to Congress. And that memorial was submitted before cloture and was in good order. And for some reason, in previous Legislatures and in that Legislature, there was a rule that required that a memorial in good order be voted on by the Legislative Council. That is an incorrect use of the Joint Orders because it is a right for me to be able to represent both the Republicans, the Democrats, and anyone, any other party back in my district. People have concerns about issues that come in front of Congress, and they want those concerns to be relayed by us to Congress. So, on that day, two years ago, I came in front of the Legislative Council and was voted down in a majority vote. And I left that room - I didn't say a word - I left that room, and I said to myself I am going to bring this up in two years and people are going to hear that my right to present a memorial in good order before cloture was violated. And as a result, all of the members of my district, which has 13 towns, they were shorted.

And so, my question today that I am really needing an answer to is to the very good Senator from Cumberland, Senator Carney, who I think does wonderful work, we don't see eye to eye on everything, but she does wonderful work. Should I wait until after this is voted on and bring up an issue later that's already on the calendar that regards my problem of not being able to represent my constituents? Should I wait until then and vote yea on this bill? I gave this, which I consider a violation, I gave this issue to my Representative, to the Joint Rules Committee, Senator Bennett. He raised the issue. For some reason, it was voted down. I don't -- I can't imagine what that would be. If it is the subject that one doesn't like of my memorial, if it's the subject, you all will have the opportunity to vote on that in this Chamber, in this Body. Instead, ten people had the opportunity to vote on my memorial to Congress.

My memorial to Congress two years ago was very detailed, several pages, and it raised the issue of the impact of inflation on my constituents and on the constituents that you have as well and what we'd be facing with the expansion of M1, the money supply

in the United States, there was a 400% increase in M1 the prior year. And so, I knew there would be inflation - there's other reasons for inflation, but I knew there would be inflation - and I really, honestly felt like this was a topic made for a memorial to Congress. And I brought that issue with the best of intentions to the Legislative Council, and the chair of that council is not here anymore but said, I quote, "I don't think Congress pays any attention to these things." You were there, Madam President, I think you probably remember that comment.

So, I'd like to have my question answered. Why in the world am I not allowed to put a memorial in good order that is submitted before cloture, why am I not able to bring that to this Body?

Thank you, Madam President.

THE PRESIDENT: The Chair will remind Members that they can pose a question to the Body, but not to a specific Member. So, with that paraphrasing, the Member has posed a question to anyone who may answer it. The Senator from Cumberland, Senator Libby, has posed said question to anyone who may wish to respond.

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

Senator **CARNEY:** Thank you, Madam President. I have a long list of items that I'm going to address shortly, so thank you in advance for your attention.

I'm going to start with the question from my colleague from York on the issue of the proposed rule change related to memorial orders. And I will say that it would've been really helpful to hear from any Member of this Body who has an issue with the Joint Rules when we took it up. When we met this year - we met twice last week - it was a meeting about fixing the Joint Rules. That's kind of like fixing an airplane that's in flight; the Legislature had already taken off, people had submitted bills including concept drafts, there was a lot of demands on legislators, on the nonpartisan staff. And so, we were operating in an environment where we knew that we could address the high priority issues, but we also knew that there were things that might have to be deferred to take up at a later time. And I had no idea what the memorial issue was related to, I knew nothing about the substance, I actually didn't -- hadn't had time to research the process, either. But since we had spoken as a committee about doing a mid-session check-in and then also doing a deeper dive into suggested changes at the end of the session when the airplane was safely on the ground, it seemed to me like that would be a better time to take up those topics that we had incomplete information about when we were voting last week. And I appreciate the sensitivity toward time, and I apologize, but I also think that it is better to understand an issue before the Joint Rules Committee takes it up, or any issue before any committee takes a vote on something. And based on that, I think that this is a really important issue for us to take up, and it should be presented and referred to the Joint Rules Committee for a more thorough understanding of the issue.

What we found when we were working on the Joint Rules was -- I know knitting is sometimes a controversy in this Chamber, but changing the Joint Rules is like starting to unravel a knitting project. It has lots of impacts where you're not anticipating it to have impacts, and that is what I think we were so attentive to when we made the progress we did on item 4-2. I appreciate that some Members are frustrated that we didn't make,

"more progress", but again, the -- the guiding light that I was looking at is how do we address the public and other legislators' top priority of greater transparency while respecting the operations of the Legislature that had already begun.

I will note that the concept draft aspect of our Joint Rules I believe has been in effect since some of the members of the Joint Rules Committee had been born, and so, it's a longstanding tradition and it didn't seem to make sense to immediately throw it out when we knew that there were ways that we could achieve the goal of transparency without ditching the whole concept of concept drafts.

I also wanted to address a little bit the concerns that were raised on -- by colleagues about the burdens of rule changes and the burdens of existing rules on the nonpartisan staff. Because that is one of those pieces of yarn that we really came to understand the impact of unraveling as we did our work on the Joint Rules Committee, and we were very careful to make sure that we were not shifting burdens to the nonpartisan staff but that we were actually vesting responsibility for patrolling committee workload, committee agendas, and committee requests of OPLA staff, we were vesting control of all of those issues in the hands of the committee chairs and not the nonpartisan staff, who, of course, can't make those policy decisions about where to prioritize committee energy. And so, we were very careful to do that. I think we did that by requiring committee chairs to be really attentive to concept drafts that were in their committee, when they would be scheduled, making the committee chairs responsible for ensuring that language would be posted before a public hearing, and then creating a process for an automatic withdrawal of a concept draft that is, again, that automatic withdrawal vests responsibility for the concept draft not being done in time with -- solidly with the bill sponsor and the chairs of the committee and not with our nonpartisan staff.

I won't go on at issue because not everybody is as nerdy as me about their love of rules, but I would just assure you that we were really -- had in mind the impact of the changes that we were making on nonpartisan staff, and we affirmatively tried to make sure that it increased transparency without increasing burden on our staff. Thank you.

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

Senator **LIBBY:** Thank you, Madam President. I rise to thank the Good Senator from Cumberland, Senator Carney, for her explanation and I also thank you for taking the -- my question.

One thing I'd like to point out is that I did not submit this year a memorial to Congress, and one of the reasons why I did not submit it is because the Joint Rules were not enacted by this Body. As you know, cloture is behind us. So, no matter what, if I were to decide to bring something else in front of the Body, I'd have to go through the Legislative Council, and I understand that, but I think it would have been in better order to have these Joint Rules completed before cloture. I appreciate it. Thank you very much.

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

Senator **PIERCE:** Thank you, Madam President. I appreciate the conversation that's been going on around item 4-2 on the agenda, the good work of the Joint Rules Committee, of which I am now a

member, and appreciate the diligence and time that we took meeting for many hours to get to this point. I appreciate the comments in the room of some bipartisanship around it. The votes that we took in committee, straw poll, and then eventually with this -- this Joint Order were overwhelming majority of the members of the Joint Rules Committee, which I always appreciate as well.

So, I think we've also heard from the chair of the committee that the conversations will continue, that the work will continue, but today is the day to vote. I hope you'll follow my light on this Joint Order 4-2, Senate Paper 97.

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

Senator **BENNETT:** Thank you, Madam President, Fellow Members of the Senate. I rise to respond to the question that was posed by the Good Senator from Cumberland, Senator Libby, regarding one of the matters that was not addressed.

I have to call foul on the notion that this was not raised before last week for the Rules Committee. And there are a number of items, in fact, that were considered by the 131st and put on the list in the matrix. In fact, I put -- I proposed three matters in December of 2022 that were referred to the Rules Committee, ultimately, and none of those were considered. And part of the reason given in the Rules Committee is we haven't had time to think about it. This was -- these were matters that were on the agenda for two years. And so, the notion that we didn't have time to think about it or that we ended on the -- we needed to study it further is nonsensical.

We have an opportunity here - a unique opportunity - to change the rules going forward today with a simple majority vote. After today, it will require two-thirds vote to change the rules. So, this is the moment that we all have for the next two years to paint a new direction for this Legislature. I encourage you to embrace that.

Thank you, Madam President.

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

Senator **CARNEY:** Thank you. Just a very brief response. There were items that were raised in the last Legislature to the Joint Rules Committee. I honestly don't know what all of those were because the Joint Rules Committee didn't meet until the summer and we didn't take up everything as thoroughly as we took up the concept draft issue - again, which seemed to be the top priority for everyone. But I do want to say that when the Joint Rules Committee for the 132nd convened, my colleague from Oxford and I were the only returning members on that committee. And I know as the chair, I struggled with not wanting to push new committee members too quickly but wanting to make sure that they had the information they needed before we moved to a vote on anything.

And so, I think the -- from my perspective, the need to thoroughly understand something was partly because I truly did not understand all of the implications of the memorial issue, but also because we were dealing with a newly compromised committee of ten people, only two of whom were returning members, and it was a sincere wish to do good work on the issue. Thank you.

THE PRESIDENT: The pending question before the Senate is Passage. A roll call has been ordered. Is the Senate ready for the question?

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#2)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BICKFORD, BRENNER, CARNEY, CURRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, MOORE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, STEWART, TALBOT ROSS, TEPLER, TIPPING, PRESIDENT DAUGHTRY

NAYS: Senators: BENNETT, BERNARD, BLACK, BRADSTREET, CYRWAY, FARRIN, GUERIN, HAGGAN, HARRINGTON, LIBBY, MARTIN, TIMBERLAKE

EXCUSED: Senators: LAWRENCE

22 Senator having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senators being excused, the Joint Order **PASSED**.

Sent down for concurrence.

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

SENATE PAPERS

Bill "An Act to Prohibit the University of Maine System Campus Police from Issuing a Citation or Summons Related to a Parking Violation to a Visitor of the University of Maine System"
S.P. 85 L.D. 198

Presented by Senator LIBBY of Cumberland.

On motion by Senator **RAFFERTY** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Resolve, to Direct the Governor's Energy Office to Conduct a Study Regarding the Future of Electric Transmission Infrastructure in the State (EMERGENCY)

S.P. 84 L.D. 197

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Senator: FARRIN of Somerset, Representative: WADSWORTH of Hiram.

Bill "An Act to Reduce the Cost of Electricity by Removing the 100-megawatt Limit on Renewable Resources of Energy"

S.P. 91 L.D. 204

Presented by Senator TIMBERLAKE of Androscoggin.

Cosponsored by Senators: BLACK of Franklin, FARRIN of Somerset, HARRINGTON of York, Representatives: LYMAN of Livermore Falls, MASON of Lisbon.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Improve Women's Health and Economic Security by Funding Family Planning Services"

S.P. 79 L.D. 143

Presented by Senator PIERCE of Cumberland.

Cosponsored by Representative CLOUTIER of Lewiston and Senators: President DAUGHTRY of Cumberland, DUSON of Cumberland, INGWERSEN of York, TALBOT ROSS of Cumberland, Representatives: Speaker FECTEAU of Biddeford, GRAMLICH of Old Orchard Beach, MEYER of Eliot, MOONEN of Portland.

Bill "An Act to Increase the Number of Children a Family Child Care Provider May Care for Without Having to Be Licensed by the Department of Health and Human Services"

S.P. 89 L.D. 202

Presented by Senator MOORE of Washington.

Cosponsored by Senators: BALDACCI of Penobscot, BENNETT of Oxford, Representatives: DUCHARME of Madison, GRIFFIN of Levant, JAVNER of Chester, LEMELIN of Chelsea.

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

Sent down for concurrence.

Bill "An Act to Prohibit Financial Institutions from Charging Multiple Fees for Attempted Withdrawals Involving Insufficient Funds"

S.P. 78 L.D. 142

Presented by Senator LIBBY of Cumberland.

Cosponsored by Senator: BERNARD of Aroostook.

Bill "An Act to Establish a Limit on the Interest Rate Charged for Revolving Loans"

S.P. 88 L.D. 201

Presented by Senator LIBBY of Cumberland.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act to Amend the Bag Limit for Turkey"

S.P. 92 L.D. 205

Presented by Senator TIMBERLAKE of Androscoggin.

Cosponsored by Senator: BLACK of Franklin, Representatives: LYMAN of Livermore Falls, WOOD of Greene.

On motion by Senator **BALDACCI** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act to Create the Small Business Capital Savings Account Program"

S.P. 95 L.D. 195

Presented by Senator STEWART of Aroostook.

Cosponsored by Representative FAULKINGHAM of Winter Harbor and Senators: BALDACCI of Penobscot, BERNARD of Aroostook, BICKFORD of Androscoggin, HICKMAN of Kennebec, TALBOT ROSS of Cumberland, Representatives: GUERRETTE of Caribou, HALL of Wilton, PLUECKER of Warren.

On motion by Senator **CURRY** of Waldo, **REFERRED** to the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

Bill "An Act to Provide Limited Immunity to Maine Human Rights Commission Mediators"

S.P. 77 L.D. 141

Presented by Senator CARNEY of Cumberland.

Submitted by the Maine Human Rights Commission pursuant to Joint Rule 204.

Bill "An Act Regarding Documents Obtained by Subpoena by the Government Oversight Committee"

S.P. 94 L.D. 196

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Senators: BENNETT of Oxford, FARRIN of Somerset, HICKMAN of Kennebec, LIBBY of Cumberland.

On motion by Senator **CARNEY** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act to Protect Maine Businesses by Eliminating the Automatic Cost-of-living Adjustment to the Minimum Hourly Wage"

S.P. 93 L.D. 206

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative MORRIS of Turner and Senators: LIBBY of Cumberland, STEWART of Aroostook, Representatives: FAULKINGHAM of Winter Harbor, LYMAN of Livermore Falls.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **LABOR** and ordered printed.

Sent down for concurrence.

Bill "An Act to Create a Limited Retail Seafood Harvester Certificate"

S.P. 80 L.D. 144

Presented by Senator RENY of Lincoln.
Submitted by the Department of Marine Resources pursuant to Joint Rule 204.

On motion by Senator **TEPLER** of Sagadahoc, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

Sent down for concurrence.

Bill "An Act to Incrementally Increase the Homestead Property Tax Exemption"

S.P. 76 L.D. 140

Presented by Senator BALDACCI of Penobscot.
Cosponsored by Senators: BAILEY of York, CYRWAY of Kennebec, Representative: ROEDER of Bangor.

Bill "An Act Pertaining to Sales and Use Tax Exemptions for Durable Medical Equipment, Breast Pumps and Mobility-enhancing Equipment"

S.P. 81 L.D. 145

Presented by Senator ROTUNDO of Androscoggin.
Cosponsored by Representative HASENFUS of Readfield, Representative CLOUTIER of Lewiston and Senator: LIBBY of Cumberland, Representative: ABDI of Lewiston.

Bill "An Act to Increase the Maximum Amount of the Historic Property Rehabilitation Tax Credit That May be Taken in a Year"
S.P. 82 L.D. 146

Presented by Senator ROTUNDO of Androscoggin.
Cosponsored by Speaker FECTEAU of Biddeford and Senators: BENNETT of Oxford, President DAUGHTRY of Cumberland, Representatives: GATTINE of Westbrook, RANA of Bangor.

Bill "An Act to Provide an Income Tax Credit for Employer-supported Child Care"
S.P. 90 L.D. 203

Presented by Senator STEWART of Aroostook.
Cosponsored by Senators: BENNETT of Oxford, BICKFORD of Androscoggin, LIBBY of Cumberland, Representative: GUERRETTE of Caribou.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Resolve, to Rename the Sebago Lake Road Crossing Bridge in the Town of Standish

S.P. 87 L.D. 200

Presented by Senator LIBBY of Cumberland.

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

Bill "An Act to Change the Limits on Candidates' Communications with Voters at the Polls"

S.P. 86 L.D. 199

Presented by Senator LIBBY of Cumberland.
Cosponsored by Representative BOYER of Poland and Representative: POMERLEAU of Standish.

Bill "An Act to Amend the Laws Governing Qualifying Contributions of Cash Under the Maine Clean Election Act"
S.P. 96 L.D. 207

Presented by Senator BENNETT of Oxford.
Cosponsored by Representative ARATA of New Gloucester and Senators: CYRWAY of Kennebec, GROHOSKI of Hancock, HICKMAN of Kennebec, Representatives: GRAHAM of North Yarmouth, MALON of Biddeford.

On motion by Senator **HICKMAN** of Kennebec, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 98

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 208 to read:

Rule 208. Requirements for Drafting.

A request for a bill or resolve filed with the Revisor of Statutes is considered complete when the request is properly titled and accompanied by sufficient instructions, information and data required for its preparation. When a request is not accompanied by sufficient instructions, information or data, the Revisor of Statutes is directed to give written notice of inadequate information to the legislator. Upon receipt of said written notice, the legislator has 5 business days, unless an alternative period is set jointly by the presiding officers, to file adequate information with the Revisor of Statutes, or the request for the bill or resolve will be denied. Drafts prepared by an outside source must be filed in final form by the appropriate cloture date.

~~When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor of Statutes. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported in fully drafted form by that committee in the same manner as other legislation. Except as otherwise provided in this Joint Rule, this method of drafting legislation is not allowed for legislation submitted by the Governor, by agencies or departments of state government, by study commissions, by joint standing committees or joint select committees or pursuant to law or statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft.~~

The Revisor of Statutes shall prepare in concept form a bill submitted pursuant to the Maine Revised Statutes, Title 5, chapter 149 that proposes to make unified appropriations and allocations for the expenditures of state government for the biennium or supplemental appropriations and allocations, and shall include an Internet address at which may be found the text of the draft unified budget bill or supplemental budget bill submitted to the Revisor of Statutes by the Governor.

A proposal to adopt a uniform or model act must be prepared in concept form and must include an Internet address at which may be found the text of the proposed uniform or model act.

The Joint Order was **READ**.

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

Senator **BENNETT:** Thank you, Madam President. To return to the matter of our Joint Rules, I have before us I believe five items,

this is the first of five that I will be presenting for your consideration this morning.

This order would ban concept drafts completely, with the exceptions of the budget and model and uniform acts where such drafts are available online. Some will say that we already have concept drafts submitted in this Legislature, and it would be unfair at this point to eliminate them entirely. The Majority Report already requires, as you know, that those concepts be drafted as real bills before the public hearing. So, we've addressed that. My belief is that if there is some question of the ex post facto enforcement of a rule being changed, we can easily draft a Joint Order to make it clear that those bills will survive until drafted fully.

It's time that we put a stake in the ground on concept drafts and say that these are not necessary. I don't know when people were born, and I don't want to speculate, but I would say that concept drafts are, from my vantage point, a fairly new innovation. Maybe I go back too far, but I was first elected to the 115th State Legislature, I served in the 116th, and I believe these didn't come into effect until around the 118th or 19th. We survived for many years without concept drafts and done the peoples' business well. I think it's time to ban concept drafts for the clarity and transparency that this proposal would provide.

Thank you, Madam President.

On motion by Senator **PIERCE** 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 Cumberland, Senator **NANGLE**, and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#3)

YEAS: Senators: **BENNETT, BERNARD, BICKFORD, BLACK, BRADSTREET, CYRWAY, FARRIN, GUERIN, HAGGAN, HARRINGTON, LIBBY, MARTIN, MOORE, STEWART, TIMBERLAKE**

NAYS: Senators: **BAILEY, BALDACCI, BEEBE-CENTER, BRENNER, CARNEY, CURRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, PIERCE, RAFFERTY, RENY, ROTUNDO, TALBOT ROSS, TEPLER, TIPPING, PRESIDENT DAUGHTRY**

EXCUSED: Senators: **LAWRENCE, NANGLE**

15 Senator having voted in the affirmative and 18 Senators having voted in the negative, with 2 Senators being excused, the Joint Order **FAILED PASSAGE**.

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 99

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 214 to read:

Rule 214. Memorials.

A memorial ~~is not in order for introduction unless approved submitted prior to cloture~~ is not subject to approval by a majority of the Legislative Council. A memorial submitted after cloture is subject to the requirements of Joint Rule 205.

The Joint Order was **READ**.

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

Senator **BENNETT:** Thank you, Madam President. There are three kinds of joint resolutions. This proposal deals with those that are memorializations, those that express the position or the wishes of this Legislature and the people we represent on issues that may not be directly before us but before, say, a federal agency or Congress. An example is the Legislature years past adding our voice to the calls for Congress to correct the injustice of denying Social Security benefits to public employees. Currently under our rules, these resolutions must be approved by the Legislative Council. This proposal before you would allow such resolutions submitted prior to cloture to be drafted for consideration by the House and the Senate. This gets to the issue that the Good Senator from Cumberland, Senator Libby, raised earlier.

Again, the current rule is a fairly new innovation, empowering the Legislative Council to take these up when I believe that it's our responsibility as the representatives of the people that elected us to be able to put these matters directly to the Legislature if done in a timely fashion, prior to cloture.

So, I encourage you to vote for this passage of this order, Madam President.

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

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

Senator **LIBBY:** Thank you, Madam President. I'll be brief, I think we've had quite a bit of information already about memorials. I just do want to point out that I was also a member of the 116th, the 117th, the 118th, and the 119th, and at no time during my previous service was there a rule that prevented somebody from issuing a memorial by cloture and in good order without it having to go to -- in front of another body for approval. And so, I would want that right for all Members of this Body - the Democrats, the Republicans, anyone else that serves here in the future. The order before us - part of it is moot because cloture has passed - but I think it sends a very good message and it would be a fine way for us to communicate the importance of this important ability for us to be able to submit a joint order and not be subject to votes in another committee. Thank you very much.

THE PRESIDENT: The pending question before the Senate is Passage. 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 (#4)

YEAS: Senators: BENNETT, BERNARD, BICKFORD, BLACK, BRADSTREET, CYRWAY, FARRIN, GUERIN, HAGGAN, HARRINGTON, LIBBY, MARTIN, MOORE, STEWART, TIMBERLAKE

NAYS: Senators: BAILEY, BALDACC, BEEBE-CENTER, BRENNER, CARNEY, CURRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, NANGLE PIERCE, RAFFERTY, RENY, ROTUNDO, TALBOT ROSS, TEPLER, TIPPING, PRESIDENT DAUGHTRY

EXCUSED: Senators: LAWRENCE

15 Senator having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senators being excused, the Joint Order **FAILED PASSAGE**.

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 100

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 215, subsection 1 to read:

1. Calling of Convention Pursuant to Article V of the United States Constitutional Convention Constitution. An item requesting the calling of a United States ~~Constitutional~~ Convention pursuant to Article V of the United States Constitution requires a 2/3 majority vote of the members present in each chamber;

The Joint Order was **READ**.

On motion by Senator **PIERCE** of Cumberland, 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, Madam President. This proposal deals with another sort of joint resolution, those applying to Congress under Article V of the United States Constitution calling for a convention to propose an amendment to the Constitution on a given topic, such as term limits or campaign finance reform.

This proposal corrects the title of the rule to an Article V Convention from the term currently used in our rules, a United

States Constitutional Convention, which these gatherings are not. And it makes the vote required to -- for the State of Maine to call for an application to Congress for such a convention to -- moves it from a two-thirds majority to a majority in each Chamber. It's worth noting that an Article V Convention may only be called by two-thirds of the states agreeing on a given matter, and any proposal that comes out of an Article V convention must be ratified by three-quarters of the states. If such a matter went to an Article V convention and a proposal was generated or if one comes to us from Congress, such ratification out of this Body and the other one requires a simple majority to ratify. So, the current rule makes no sense. Two-thirds of a vote required to engage in an important national conversation, but only one-half needed to ratify the result.

Maine has taken this strange stand of standing down in this area. Frankly, it's not like us. We lead on issues of importance. In fact, only Maine and Kansas require a two-thirds vote to call for an Article V Convention.

I encourage you to vote for passage of this amendment to our rules.

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

Senator **CARNEY:** Thank you, Madam President. I just wish to speak briefly on this motion.

This is another issue where I feel like there were changes being proposed that were -- that we did not have enough information about. That is not the fault of Senator Bennett, he gave us a very thorough explanation from his perspective, but I felt that the Joint Rules Committee really didn't have any feedback from OPLA or any nonpartisan analysis of how this change in rules would impact our Legislature, and for that reason, I think it's best to vote against the pending motion and defer this to the Joint Rules Committee when we have more time to take it up.

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

Senator **BENNETT:** Thank you, Madam President. Again, I would note that this matter is no stranger to the Rules Committee. I proposed this two years ago in a month and it's languished in the Rules Committee ever since.

It is the job of the Rules Committee to inform itself of these matters and to be prepared to vote on them. The Rules Committee, except for the Good Senator from Cumberland and myself and one Member from the Other Body, are all members of leadership with ample resources to study issues and drill down to the points of view, and I don't accept the notion that we don't have time to deal with it, to learn about it, as an excuse not to pass this important measure.

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

Senator **PIERCE:** While I appreciate the work that the Good Senator from Oxford has done on this and the fact that we did discuss this in the Joint Rules somewhat, I don't mind being with Kansas. I don't mind being Maine and doing the thing that we do with two-thirds when you're talking about the Constitution; I think that's an important element.

So, I think there's strong opinion on this topic, I understand that, but I would encourage you to follow my light on this one as well.

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

Senator **CARNEY:** Thank you, Madam President. I also just wanted to point out with regard to this and the other proposal that we may be taking up shortly, that there are some changes related to the type of constitutional convention, and I feel like I'm back in grade school where I need to diagram the sentence, and that's the aspect that I don't understand, and I think it is kind of convoluted the way it's written now, and I don't know the impact of the rewrite. And I think we should all know what that is before we vote to adopt an amendment to our Joint Rules.

THE PRESIDENT: The pending question before the Senate is Passage. 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 (#5)

YEAS: Senators: BALDACCI, BENNETT, BERNARD, BICKFORD, BLACK, BRADSTREET, CYRWAY, FARRIN, HAGGAN, HARRINGTON, HICKMAN, LIBBY, MARTIN, MOORE, STEWART, TIMBERLAKE

NAYS: Senators: BAILEY, BEEBE-CENTER, CARNEY, CURRY, DUSON, GROHOSKI, GUERIN, INGWERSEN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, TALBOT ROSS, TEPLER, TIPPING, PRESIDENT DAUGHTRY

16 Senator having voted in the affirmative and 19 Senators having voted in the negative, the Joint Order **FAILED PASSAGE**.

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 101

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 215, subsection 1 to read:
1. Calling of Convention Pursuant to Article V of the United States Constitutional Convention Constitution. An item requesting the calling of a United States ~~Constitutional~~ Convention pursuant to Article V of the United States Constitution requires a 2/3 vote of the members present in each chamber;

The Joint Order was **READ**.

On motion by Senator **PIERCE** of Cumberland, 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, Madam President. Keen observers will note that this item is exactly as the last item we just considered except it does not change the vote from a two-thirds to a majority, it just corrects the inept wording around the use of the term United States Constitutional Convention that is in our rules.

Thank you, Madam President.

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

Senator **CARNEY:** Thank you. Colleagues, this is where I'm scratching my head trying to answer a question that I don't have enough information to answer in order to vote in favor of this, which is that by inserting specific references to an Article V Convention, does that mean that there are non-Article V types of constitutional conventions that would not be subject to the two-thirds vote? That's what I can't figure out, and that is why I will be voting against this motion. That's not something that's set in stone, I just need an answer to that question, and if you don't know the answer to the question, I would ask you to vote against the motion as well.

THE PRESIDENT: The pending question before the Senate is Passage. A roll call has been ordered. Is the Senate ready for the question?

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#6)

YEAS: Senators: BALDACCI, BENNETT, BERNARD, BICKFORD, BLACK, BRADSTREET, CYRWAY, FARRIN, HAGGAN, HARRINGTON, HICKMAN, LIBBY, MARTIN, MOORE, STEWART, TIMBERLAKE,

NAYS: Senators: BAILEY, BEEBE-CENTER, CARNEY, CURRY, DUSON, GROHOSKI, GUERIN, INGWERSEN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, TALBOT ROSS, TEPLER, TIPPING, PRESIDENT DAUGHTRY

EXCUSED: Senators: BRENNER

16 Senator having voted in the affirmative and 18 Senators having voted in the negative, with 1 Senator being excused, the Joint Order **FAILED PASSAGE**.

On motion by Senator **BENNETT** of Oxford, the following Joint Order:

S.P. 102

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 308 to read:

Rule 308. Reference of Bills to Committee.

All bills and resolves must be referred to committee, except that this provision may be suspended by a majority vote in each chamber.

~~1. **Legislature in Session.** When the Legislature is in session, the Secretary of the Senate and the Clerk of the House shall jointly suggest an appropriate committee reference for every bill, resolve and petition offered. The suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of reference must be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of suggested reference must be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber. Each suggested reference appearing upon the Advance Journal and Calendar of each chamber must contain a recommendation for the printing of the document being referred and may contain a recommendation on the number of copies of that document to be printed.~~

~~Any member may move for reconsideration of a committee reference on the floor. Notwithstanding Joint Rule 103, a majority vote is necessary to overturn the original committee of reference.~~
2. Legislature Not in Session 1. Reference to Committee by Secretary and Clerk. When the Legislature is not in session or is in recess for more than 4 days Unless the Secretary of the Senate and Clerk of the House are unable to agree on an appropriate committee reference, the Secretary of the Senate and Clerk of the House may shall refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the President of the Senate and the Speaker of the House.

Upon reference of a bill to a committee by the Secretary of the Senate and Clerk of the House pursuant to this subsection, if a majority of the chairs and leads of the committee agree, in advance of scheduling the bill for public hearing, that the reference to that committee is inappropriate, a communication must be sent to the Senate and House with a recommendation of "change of committee reference." Upon reference of a bill to a committee pursuant to this subsection, if a majority of the chairs and leads of the committee agree, in advance of scheduling the bill for public hearing, that the reference to that committee is appropriate, that bill remains in that committee. If there is not a majority agreement among the chairs and leads regarding reference of that bill, the bill is designated for discussion by the committee for a possible committee report of "refer to another committee" under Joint Rule 310, subsection 2. Any bill that

undergoes a reference determination pursuant to this subsection that is retained by the committee must be scheduled for a public hearing.

2. Reference in Absence of Agreement Between Secretary and Clerk. If the Secretary of the Senate and Clerk of the House are unable to agree on an appropriate committee reference, the question of reference must be referred to a conference of the President of the Senate and the Speaker of the House. Upon the agreement of the President of the Senate and the Speaker of the House, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of suggested reference must be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber.
If the suggested reference of a bill appears on the Advance Journal and Calendar, any member may move for reconsideration of a committee reference on the floor. Notwithstanding Joint Rule 103, a majority vote is necessary to overturn the original committee of reference.

3. Reference to More Than One Committee. When a bill or resolve has a subject matter that falls within the jurisdiction of more than one committee, ~~suggested references may be made and the full Legislature may vote to refer a bill or resolve pursuant to this rule~~ to more than one committee. When references are made to more than one committee, the ~~first named~~ first-named committee is responsible for the scheduling and conduct of all public hearings, subject to approval of the chairs of the other committee or committees. Committees to whom a bill or resolve is referred pursuant to this rule shall participate equally in all public hearings and work sessions and shall make a joint report or joint reports. The public hearing or hearings and work session or work sessions must be conducted jointly by both committees. The chairs of the committees involved shall establish the process for conduct of the work session or work sessions on the bill. If the chairs are unable to agree, the presiding officers shall establish the process. The work session process must provide for balanced representation for each committee. The report or reports on a jointly referred bill is as voted by the full membership of each committee, except that if a member serves on more than one committee to whom a bill or resolve is referred, that member may cast only one vote.

The Joint Order was **READ**.

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 will now recognize the Senator from Oxford, Senator Bennett.

Senator **BENNETT:** Thank you, Madam President. The proposal before you creates one unitary path for the referencing of bills. Under the rules that were adopted earlier, with the amendments offered today, as we saw on our calendar, we have communications from the Secretary and Clerk and where they have referred bills to committee. And then, on a session day, we also have a bunch of bills that we're referencing. We have two different standards, two different methods of referring bills that

we've created, and it's totally unnecessary. This proposal would create one unitary path for bill referencing.

Now, it's really critical if one of the purposes of rule reform is to streamline the legislative process to avoid strange defects like we've just put in where some bills are referred by the Legislature if we happen to be meeting that day, and other bills, most of the bills this time of year, are being referred by the Clerk and the Secretary. It is a strange and possibly inequitable circumstance where we have these two different methods at work based solely on the random act of when they come upstairs from the Revisor's Office. And as I said, one of the express purposes of rules reform was to streamline our process and rid our calendars of busy work. The majority report we voted earlier fails that standard; this proposal meets it. I encourage you to vote for this proposal.

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

Senator **CARNEY:** Thank you, Madam President, Colleagues. I'm going to refer to my knitting analogy again. The concern about this proposed amendment to the Joint Rules is that it's not an unnecessary process, it's not this won't create a streamlining, what it will do is it creates duplicative work because the Clerk's office and the Senate Secretary's office are already on session days preparing a calendar that lists bills to be referred to committee. Those are all the bills that they were uncertain which committee they would go to and, under the action we took earlier today, would also include any bills that came in the day before and in time to be put on the calendar.

Now, with -- if we were to adopt this amendment to the Joint Rules, we would be asking those offices to do two different tasks involving the exact same work; one is preparing a list and sending it to the Chambers and the legislators, and the other is preparing a calendar that goes to the Chambers and the legislators. There's nothing nefarious or inequitable about the arrangement that we voted on this morning, it's simply to allow the Clerk's office and the Senate Secretary's office to do one task to accomplish referencing of bills every day and not two tasks on session days. Thank you.

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

Senator **STEWART:** Thank you, Mr. Chair, Ladies and Gentlemen of the Senate. I'm not sure I agree with the assessment from the Senator from Cumberland there.

In reading the proposal in front of us, effectively what we're doing here is saying that the Clerk and Secretary do referencing, period, all stop. There's no two sets of work being done here under this model. What this proposal is is to quite literally take it off our calendar, just do it. If there's an objection, we'll deal with that at the appropriate time. However, if there's not, it keeps things moving. Instead of the process which we literally just experienced today, the complete unnecessary redundancy that we just experienced a few minutes ago, where we just sent a bunch of bills outside of when we were in session to committee, no problem, and then came in and referenced all the same bills. And my friends on the other side of the aisle get much more activity than we do because you all have to jump up and be recognized and be ready and -- when it's not necessary. And that's what this is saying is that we are living in two worlds right now, let's bring it to one, and if anybody really, really feels

strongly about the need to get up and kind of stumble through a script referencing some bills here and there every time that we're here, then, yeah, I guess go ahead and vote down this motion. But if you think that's silly, like I happen to, and you think that it's a waste of time, like I happen to, then vote for this motion. This isn't partisan, this is just good governance, good use of time, there isn't anything here that's going to derail anything.

I've been disappointed thus far at the lack of sort of bipartisan support, I went into the process in good faith in the first order, hoping that we might have a robust, you know, back and forth here, and yet, it seems pretty scripted, but I literally don't get why we wouldn't do this. I do not get it, okay? There's no reason to not just send the bills. Send the bills. If somebody disagrees, we'll deal with it, but it just -- let's get a handle on things here. Thank you.

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

Senator **CARNEY:** Thank you. I'm embarrassed because I got tangled up in my own knitting project, but I would just point out that this proposal would require three steps, so -- well, four: Clerk of the House, Secretary of the Senate, Legislative Council, calendar. Thank you.

THE PRESIDENT: The pending question before the Senate is Passage. 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 (#7)

YEAS: Senators: BALDACCI, BENNETT, BERNARD, BICKFORD, BLACK, BRADSTREET, CYRWAY, FARRIN, GUERIN, HAGGAN, HARRINGTON, LIBBY, MARTIN, MOORE, STEWART, TIMBERLAKE

NAYS: Senators: BAILEY, BEEBE-CENTER, CARNEY, CURRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, TALBOT ROSS, TEPLER, TIPPING, PRESIDENT DAUGHTRY

EXCUSED: Senators: BRENNER

16 Senator having voted in the affirmative and 18 Senators having voted in the negative, with 1 Senator being excused, the Joint Order **FAILED PASSAGE**.

Senate at Ease.

The Senate was called to order by the President.

The Senate considered the following additional papers:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Cap Publicly Owned Land Area at No More than 50 Percent of Any County"

H.P. 116 L.D. 183

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **TALBOT ROSS** of Cumberland, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act to Require the Maine State Police to Create a Statewide List of Missing Persons"

H.P. 105 L.D. 172

Bill "An Act to Establish a Regional Ambulance Service in Southern Penobscot County"

H.P. 109 L.D. 176

Bill "An Act to Amend the Maine Bail Code to Eliminate the Class E Crime of Violation of Condition of Release"

H.P. 112 L.D. 179

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **BEEBE-CENTER** of Knox, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act to Make Menstrual Products Available in Certain Schools"

H.P. 88 L.D. 155

Bill "An Act to Allow School Boards to Expel or Suspend Students Regardless of Grade Level"

H.P. 98 L.D. 165

Bill "An Act to Improve Safety in Public Schools by Requiring Silent Electronic Notification Systems in Classrooms"

H.P. 101 L.D. 168

Resolve, Establishing a Pilot Program to Reduce Personal Electronic Device Distractions During the School Day

H.P. 103 L.D. 170

Bill "An Act to Restore Religious Exemptions to Immunization Requirements"

H.P. 107 L.D. 174

Bill "An Act to Modify the Calculation of Pupil Counts Used for Determination of School Administrative Unit Operating Costs"

H.P. 114 L.D. 181

Bill "An Act to Fund Students in Maine Schools Who Are Experiencing Homelessness"

H.P. 126 L.D. 193

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **RAFFERTY** of York, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act to Clarify the Public Utilities Commission's Authority to Establish Time-of-use Pricing for Standard-offer Service"

H.P. 119 L.D. 186

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act to Improve Notifications Related to Substance-exposed Infants"

H.P. 89 L.D. 156

Bill "An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies"

H.P. 99 L.D. 166

Bill "An Act to Provide 2 Hearing Aids to MaineCare Members with Diagnosed Hearing Loss"

H.P. 100 L.D. 167

Bill "An Act to Amend the Laws Regarding Estate Recovery and Planning for Long-term Care"

H.P. 102 L.D. 169

Bill "An Act to Require the Department of Health and Human Services to Establish MaineCare Reimbursement Rates for the Maine Veterans' Homes on a Per Resident Basis"

H.P. 115 L.D. 182

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **INGWERSEN** of York, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act to Allow Businesses to Impose a Surcharge on Credit Card and Debit Card Transactions"

H.P. 84 L.D. 151

Bill "An Act to Require Health Insurance Coverage for Federally Approved Nonprescription Oral Hormonal Contraceptives and Nonprescription Emergency Contraceptives"

H.P. 96 L.D. 163

Bill "An Act Regarding Coverage for Step Therapy for Advanced Metastatic Cancer"

H.P. 111 L.D. 178

Bill "An Act Regarding the Interactions of Pharmacy Benefits Managers and So-called 340B Entities and Reimbursements by Pharmacy Benefits Managers to Pharmacies"

H.P. 113 L.D. 180

Bill "An Act to Increase Availability and Affordability of Mental Health Care and Substance Use Disorder Services by Removing the Certificate of Need Requirement"

H.P. 122 L.D. 189

Come from the House, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

On motion by Senator **BAILEY** of York, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act to Prohibit the Unauthorized Mooring of Watercraft"

H.P. 86 L.D. 153

Bill "An Act to Amend Certain Inland Fisheries and Wildlife Laws"

H.P. 90 L.D. 157

Bill "An Act to Enhance Protections Regarding Invasive Aquatic Plant Infestations in Inland Waters of the State"

H.P. 104 L.D. 171

Bill "An Act to Exempt Certain Watercraft from Registration Requirements"

H.P. 106 L.D. 173

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **BALDACCI** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act to Amend the Freedom of Access Act to Require a Specific Time Frame for Agencies to Comply with Requests for Public Records"

H.P. 85 L.D. 152

Bill "An Act to Improve the Maine Unfair Trade Practices Act"

H.P. 127 L.D. 194

Bill "An Act to Eliminate the 72-hour Waiting Period on Firearm Purchases"

H.P. 128 L.D. 208

Come from the House, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

On motion by Senator **TALBOT ROSS** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act to Prohibit Labor Organizations from Imposing Mandatory Service Fees on Nonmembers"

H.P. 120 L.D. 187

Comes from the House, **REFERRED** to the Committee on **LABOR** and ordered printed.

On motion by Senator **TIPPING** of Penobscot, **REFERRED** to the Committee on **LABOR** and ordered printed, in concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Secretary of State

H.P. 80 L.D. 147

Bill "An Act to Provide for the Statewide Popular Election of the State Auditor"

H.P. 81 L.D. 148

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Attorney General

H.P. 82 L.D. 149

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Provide for the Popular Election of the Treasurer of State

H.P. 83 L.D. 150

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **BALDACCI** of Penobscot, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act to Expand Opportunities to Invest Municipal Tax Increment Financing Revenues"

H.P. 118 L.D. 185

Bill "An Act to Exempt Certain Numismatic Transactions from State Sales Tax"

H.P. 123 L.D. 190

Bill "An Act to Support Maine Businesses by Establishing a Pass-through Entity Tax and Tax Credit"

H.P. 124 L.D. 191

Bill "An Act to Exempt from State Sales Tax Utility Vehicles Purchased for Use in Commercial Fishing, Agricultural Production, Aquacultural Production and Wood Harvesting"

H.P. 125 L.D. 192

Come from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **GROHOSKI** of Hancock, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Bill "An Act to Amend the Transportation Laws"

H.P. 87 L.D. 154

Bill "An Act to Require Vehicle Registrations to Include the Next of Kin of the Vehicle Owner"

H.P. 92 L.D. 159

Bill "An Act to Eliminate REAL ID Requirements in Maine"

H.P. 93 L.D. 160

Resolve, to Rename a Bridge in the Town of Carmel the Kevin M. Howell Memorial Bridge

H.P. 95 L.D. 162

Bill "An Act to Exempt Authorized Emergency Vehicles from Tolls When Operating in an Official Capacity"

H.P. 97 L.D. 164

Come from the House, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act to Direct the Secretary of State to Establish a Date Each Year for Voting by Absentee Ballot"

H.P. 91 L.D. 158

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Ensure That Only Citizens of the United States May Participate in Elections

H.P. 108 L.D. 175

Bill "An Act to Create Municipal Cannabis Revenue Sharing"
H.P. 110 L.D. 177

Come from the House, **REFERRED** to the Committee on
VETERANS AND LEGAL AFFAIRS and ordered printed.

On motion by Senator **DUSON** of Cumberland, **REFERRED** to
the Committee on **VETERANS AND LEGAL AFFAIRS** and
ordered printed, in concurrence.

The Senate considered the following additional papers:

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Department of Agriculture, Conservation
and Forestry to Convene a Stakeholder Group Tasked with a
Comprehensive Overhaul and Modernization of the State
Subdivision Laws

H.P. 94 L.D. 161

Committee on **AGRICULTURE, CONSERVATION AND
FORESTRY** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on
HOUSING AND ECONOMIC DEVELOPMENT.

On motion by Senator **TALBOT ROSS** of Cumberland,
REFERRED to the Committee on **HOUSING AND ECONOMIC
DEVELOPMENT** and ordered printed, in concurrence.

Resolve, Establishing the Commission to Study the Foreclosure
Process

H.P. 117 L.D. 184

Committee on **HOUSING AND ECONOMIC DEVELOPMENT**
suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on
JUDICIARY.

On motion by Senator **CURRY** of Waldo, **TABLED** until Later in
Today's Session, pending **REFERENCE**.

Bill "An Act to Permit the Sale of Motor Vehicles on Sundays"
H.P. 121 L.D. 188

Committee on **TRANSPORTATION** suggested and ordered
printed.

Comes from the House, **REFERRED** to the Committee on
HOUSING AND ECONOMIC DEVELOPMENT.

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to
the Committee on **HOUSING AND ECONOMIC DEVELOPMENT**
and ordered printed, in concurrence.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **CURRY** of Waldo, the Senate
RECONSIDERED whereby it **REFERRED** to the Committee on
UTILITIES AND ENERGY the following:

Bill "An Act to Permit the Sale of Motor Vehicles on Sundays"
H.P. 121 L.D. 188

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to
the Committee on **TRANSPORTATION**, in **NON-
CONCURRENCE**.

Sent down for concurrence.

The Senate considered the following additional papers:

PAPERS FROM THE HOUSE

Joint Order

The following Joint Order:

H.P. 129

ORDERED, the Senate concurring, that the Joint Rules be
amended by amending Joint Rule 206, subsection 3 to read:

3. Indian Wabanaki Tribal Representatives. The member
of the Penobscot Nation, the member of the Passamaquoddy
Tribe and the member of the Houlton Band of Maliseet Indians
elected to represent their people at each biennial Legislature may
sponsor legislation specifically relating to Indians and Indian land
claims, may offer floor amendments to this legislation, may
cosponsor any other legislation and may sponsor and cosponsor
expressions of legislative sentiment in the same manner as other
members of the House.

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

READ and **PASSED**, in concurrence.

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

Off Record Remarks

On motion by Senator **DUSON** of Cumberland, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, January 21, 2025 at 10:00 in the morning in memory of and lasting tribute to Jacob Wolterbeek of Portsmouth, New Hampshire.