



Senate of Maine

One Hundred and Thirty-First Legislature
First Special Session

Advance Journal and Calendar

Legislative Memorial Scholarship Ceremony

2nd Legislative Day

In Senate Chamber, Thursday, April 6, 2023.

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

Prayer by Rev. Vanessa Betancourt of the Church of the Nazarene in Gardiner.

Pledge of Allegiance led by Senator Peter A. Lyford of Penobscot County.

Reading of the Journal of Wednesday, April 5, 2023.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 616

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 11, 2023, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

(1-1) An Act to Clarify MaineCare Program Requirements Regarding Certain High-risk Health Care Providers

H.P. 265 L.D. 432

In Senate, March 30, 2023, **PASSED TO BE ENGROSSED** in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY HOUSE AMENDMENT "A" (H-22)** in **NON-CONCURRENCE**.

House Papers

(1-2) Bill "An Act to Strengthen Medicare by Preventing Providers from Adding Excess Charges" (EMERGENCY)

H.P. 952 L.D. 1497

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

(1-3) Bill "An Act to Ensure the Accuracy of Vital Records with Respect to Gender"
H.P. 962 L.D. 1507

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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

(1-4) Resolve, Directing the Department of Education and Department of Health and Human Services to Study Placing Child Care Facilities in Secondary Schools
H.P. 975 L.D. 1520

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

(1-5) Bill "An Act to Support the Essential Support Workforce by Promoting Enhanced Reimbursement and Benefits and Encouraging Information Sharing"
H.P. 976 L.D. 1521

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

(1-6) Bill "An Act to Advance Justice in Sentencing by Amending the Laws Governing the Maine Criminal Justice Sentencing Institute and Increasing Funding for Meetings of the Institute"
H.P. 990 L.D. 1535

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

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

(1-7) Bill "An Act to Reduce Rental Housing Costs by Eliminating Additional Fees at or Prior to the Commencement of Tenancy"

H.P. 945 L.D. 1490

Committee on **LABOR AND HOUSING** suggested and ordered printed.

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

Joint Order

An Expression of Legislative Sentiment recognizing:

(1-8) Wilfred Murray, of Dexter, on his retirement from the Dexter Fire Department after 40 years of public service. Joining the Dexter Fire Department in December 1983, Mr. Murray served in several officer positions, including those of Safety Officer and Assistant Chief. He was also involved for many years with the department's Fire Prevention Programs, represented the department at many Maine State Federation of Firefighters annual conventions and participated in the department's fund-raising efforts, including the annual auction, boot drive and rubber ducky race. We extend our appreciation and best wishes;

HLS 216

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

Joint Resolutions

(1-9) The following Joint Resolution:

H.P. 898

**JOINT RESOLUTION RECOGNIZING APRIL 2023 AS
CHILD ABUSE PREVENTION MONTH**

WHEREAS, child abuse is a community problem, and finding solutions depends on recognizing that the effects of child abuse and neglect are felt by whole communities and need to be addressed by the entire community; and

WHEREAS, effective child abuse and neglect prevention programs succeed because partnerships are created among government agencies, policymakers, nonprofit organizations, health care providers, schools, faith communities, businesses and law enforcement agencies; and

WHEREAS, when families lack access to adequate financial resources, a stable living situation, nutritious food, affordable health care, quality child care and education, a child's healthy development is at risk; and

WHEREAS, all Maine citizens should become more aware of child abuse and neglect and its prevention and become involved in the raising of children in a safe, secure, nurturing environment; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize April 2023 as Child Abuse Prevention Month, to recognize that we all have a role to play in strengthening families so as to ensure healthy child development and a duty to help others recognize that role and to celebrate the positive community connections available to our families and caregivers to promote the health and well-being of Maine children and help prevent child abuse and neglect.

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

(1-10) The following Joint Resolution:

H.P. 942

**JOINT RESOLUTION RECOGNIZING THE WEEK OF
APRIL 1, 2023 TO APRIL 7, 2023 AS THE WEEK OF THE YOUNG CHILD**

WHEREAS, the Maine Association for the Education of Young Children and the National Association for the Education of Young Children are celebrating the Week of the Young Child, April 1, 2023 to April 7, 2023; and

WHEREAS, these groups are committed to the healthy development of all young children in Maine through strengthening and building systems of equitable access to high-quality early childhood education; and

WHEREAS, children's cognitive, physical, social and emotional development and language and literacy development are built on a foundation of their positive interactions with adults, peers and their environment; and

WHEREAS, Maine's early childhood education workforce is vital to providing a nurturing and educational foundation of early care and learning experiences for young children; and

WHEREAS, seventy percent of children under 6 years of age in Maine have all available parents in the workforce; and

WHEREAS, access to high-quality child care is a necessity for many families in our community to participate in the workforce; and

WHEREAS, high-quality early childhood programs provide important benefits to children, families and state and national economies; and

WHEREAS, celebrating the Week of the Young Child enables the recognition and advancement of the early childhood education profession; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize April 1, 2023 to April 7, 2023 as the Week of the Young Child and encourage all residents to work to support and invest in early childhood in the State.

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

Joint Resolution in Memoriam:

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

(1-11) Larry E. Curtis, of Unity. A mechanic by training, Mr. Curtis spent time racing at Unity Raceway in the early 1970s. He worked at Pullen Ford for 27 years and then in security at MBNA. In retirement, he worked for Waldo County Oil. He was a dedicated firefighter for the Unity Fire Department for 52 years. Mr. Curtis will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

HLS 214

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

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 290

STATE OF MAINE
ONE HUNDRED AND THIRTY FIRST LEGISLATURE
COMMITTEE ON INNOVATION, DEVELOPMENT,
ECONOMIC ADVANCEMENT AND BUSINESS

April 4, 2023

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Innovation, Development, Economic Advancement and Business has had under consideration the nomination of Kevin Bunker of Brunswick, for appointment to the Maine Redevelopment Land Bank Authority.

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:

Table with 4 columns: Category, Senators, Representatives, and Names. Rows include YEAS (Senators: 2, Representatives: 6), NAYS (0), and ABSENT (5).

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Kevin Bunker of Brunswick, for appointment to the Maine Redevelopment Land Bank Authority be confirmed.

Signed,

S/Chip Curry
Senate Chair

S/Tiffany Danielle Roberts
House Chair

SENATE PAPERS

(3-1) Bill "An Act to Authorize the Expungement of Records of Nonviolent Crimes"
S.P. 613 L.D. 1550

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Speaker TALBOT ROSS of Portland and Senator: HICKMAN of Kennebec,
Representatives: BOYER of Poland, CLUCHEY of Bowdoinham, COLLINGS of Portland, LEE
of Auburn.

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

(3-2) Bill "An Act to Create the Lobster Innovation Fund"
S.P. 615 L.D. 1552

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Representative HEPLER of Woolwich and Senators: LAWRENCE of York,
RENY of Lincoln.

Committee on **MARINE RESOURCES** suggested and ordered printed.

(3-3) Bill "An Act to Increase Bicycle Safety by Allowing Cyclists to Treat Stop Signs as Yield
Signs and Red Lights as Stop Signs"
S.P. 614 L.D. 1551

Presented by Senator TIPPING of Penobscot.
Cosponsored by Senators: CHIPMAN of Cumberland, MOORE of Washington, Representatives:
GEIGER of Rockland, SOBOLESKI of Phillips.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Tia Lee Saucier, of Fort Kent, a senior at Fort Kent Community High School, who has successfully completed the core requirements for the Social Studies curriculum as prescribed by School Administrative District No. 27 and has received the Class of 2023 Four Year Social Studies Award. We extend our congratulations and best wishes;

SLS 344

Sponsored by President JACKSON of Aroostook.
Cosponsored by Representative: THERIAULT of Fort Kent.

(4-2) Logan Ouellette, of Turner, a member of the Leavitt Area High School Cross Country Ski Team, who won the 5K Classic and Nordic Freestyle Events at the Class B Boys State Championship. We extend our congratulations and best wishes;

SLS 345

Sponsored by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative: MORRIS of Turner.

(4-3) the Spruce Mountain High School Girls Basketball Team, of Jay, which won the Class B South Championship. We extend our congratulations and best wishes;

SLS 346

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: LYMAN of Livermore Falls.

(4-4) the Gorham High School Girls Varsity Basketball Team, which won the Class AA South Championship. We extend our congratulations and best wishes;

SLS 347

Sponsored by Senator BRENNER of Cumberland.
Cosponsored by Representatives: BOYLE of Gorham, TERRY of Gorham.

(4-5) Myles Hang, of Portland, who won the 2023 Southwestern Maine Activities Association Championship in the Senior Shot Put Event. We extend our congratulations and best wishes;

SLS 348

Sponsored by Senator CHIPMAN of Cumberland.
Cosponsored by Senator: DUSON of Cumberland, Representatives: BRENNAN of Portland, COLLINGS of Portland, LOOKNER of Portland, MOONEN of Portland, SKOLD of Portland, Speaker TALBOT ROSS of Portland, ZAGER of Portland.

(4-6) the Cheverus High School Girls Co-op Varsity Hockey Team, of Portland, which won the Maine Principals' Association State Championship. We extend our congratulations and best wishes;

SLS 349

Sponsored by Senator CHIPMAN of Cumberland.

Cosponsored by Senator: DUSON of Cumberland, Representatives: BRENNAN of Portland, COLLINGS of Portland, LOOKNER of Portland, MOONEN of Portland, SKOLD of Portland, Speaker TALBOT ROSS of Portland, ZAGER of Portland.

(4-7) Charlie Jacques, of Portland, who won the 2023 Southwestern Maine Activities Association Championship in the Junior 800 Meter Run Event. We extend our congratulations and best wishes;

SLS 350

Sponsored by Senator CHIPMAN of Cumberland.

Cosponsored by Senator: DUSON of Cumberland, Representatives: BRENNAN of Portland, COLLINGS of Portland, LOOKNER of Portland, MOONEN of Portland, SKOLD of Portland, Speaker TALBOT ROSS of Portland, ZAGER of Portland.

(4-8) Dominic Cortez, of Portland, who won the 2023 Southwestern Maine Activities Association Championship in the Open Pole Vault Event. We extend our congratulations and best wishes;

SLS 351

Sponsored by Senator CHIPMAN of Cumberland.

Cosponsored by Senator: DUSON of Cumberland, Representatives: BRENNAN of Portland, COLLINGS of Portland, LOOKNER of Portland, MOONEN of Portland, SKOLD of Portland, Speaker TALBOT ROSS of Portland, ZAGER of Portland.

Joint Resolution

(4-9) On motion by Senator **POULIOT** of Kennebec (Cosponsored by Representative DOUDERA of Camden and Representative: MORRIS of Turner), the following Joint Resolution:

S.P. 612

JOINT RESOLUTION RECOGNIZING MAINE'S REALTORS

WHEREAS, the Maine Association of REALTORS® has more than 6,200 members actively involved in the business of real estate and it has approximately 400 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

WHEREAS, the not-for-profit trade association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

WHEREAS, a healthy supply of affordable, safe, secure and high-quality residential and commercial real estate inventory statewide supports the continuing growth of Maine's economy; and

WHEREAS, real estate transactions stimulate Maine's economy and include not only the money spent and reinvested in the sale price of a property but all those services and expenditures that occur in relation to a property transaction, for both a buyer and a seller; and

WHEREAS, according to national statistics, it is estimated that one job is generated for every 2 home sales, each home sale contributes about \$146,000 to the economy and the real estate industry accounts for 18.6% of the gross state product; and

WHEREAS, the real estate market in Maine is strong, as evidenced by the number of home sales and the overall impact on Maine's economy in 2022 of 15.7 billion dollars; and

WHEREAS, real estate ownership is an investment in the future and one of the best ways to build financial security through equity accumulation, and for many in Maine their real property ownership represents their life savings; and

WHEREAS, expanding real property ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions to and the significant role they play in the lives of Maine citizens and their communities and that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and Maine's 12 local association boards and councils.

REPORTS OF COMMITTEES

House

Divided Report

(5-1) The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding the Purpose and Responsibilities of the State Regulatory System for Public Utilities"

H.P. 214 L.D. 340

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

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

ZEIGLER of Montville
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

HARRINGTON of York

Representatives:

DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

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

Divided Report

(5-2) The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Strengthen Maine's Health Care Workforce by Preventing Discrimination by Requiring Maintenance of Certification for Insurance Reimbursement"

H.P. 145 L.D. 224

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-21)**.

Signed:

Senator:

BAILEY of York

Representatives:

PERRY of Calais

ARFORD of Brunswick

CLUCHEY of Bowdoinham

MASTRACCIO of Sanford

MATHIESON of Kittery

NUTTING of Oakland

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion

MORRIS of Turner

SWALLOW of Houlton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

Senate

Ought to Pass

(5-3) Senator BALDACCI for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Establish Adult Protective Services Training Requirements for Professionals Mandated to Report Suspected Abuse, Neglect or Exploitation to Enhance Protection of Incapacitated and Dependent Adults"

S.P. 27 L.D. 35

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

Divided Report

(5-4) The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Improve Harness Racing in Maine by Repealing the Law Governing Standardbred Horses Eligible for Registration"

S.P. 184 L.D. 403

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

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

PLUECKER of Warren
COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford
HEPLER of Woolwich
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senators:

INGWERSEN of York
BLACK of Franklin

SECOND READERS

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

House As Amended

(6-1) Bill "An Act to Increase the State's Share of Retired Teacher Health Insurance"
(EMERGENCY)

H.P. 80 L.D. 112
(C "A" H-15)

(6-2) Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 226 L.D. 375
(C "A" H-13)

Senate

(6-3) Bill "An Act to Promote Higher Blends of Biofuel by Regulating the Sale or Transfer of Biofuels"

S.P. 313 L.D. 755

Senate As Amended

(6-4) Bill "An Act to Expand Access to Banking Services for Minors"

S.P. 310 L.D. 752
(C "A" S-16)

ENACTORS

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

Emergency Resolve

(7-1) Resolve, Regarding Legislative Review of Portions of Chapter 25: Standards for Placing Wood into Stream Channels to Enhance Cold Water Fisheries Habitat, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry

H.P. 241 L.D. 390

(C "A" H-8)

Acts

(7-2) An Act to Increase Support for the Modernization of the Board of Pesticides Control by Increasing the Annual Pesticide Registration Fee

H.P. 12 L.D. 8

(C "A" H-7)

(7-3) An Act to Update the Maine State Grant Program

S.P. 24 L.D. 32

(H "A" H-11)

(7-4) An Act to Include a Representative of Newspaper and Other Press Interests on the Archives Advisory Board and to Require the Member Representing a Historical Society to Have Expertise in Archival Records

S.P. 72 L.D. 133

(C "A" S-9)

ORDERS OF THE DAY

Unfinished Business

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

1.

Tabled and Later Assigned

JOINT RESOLUTION - Memorializing Leon J. Tanguay, of Sanford
SLS 107

Tabled - February 9, 2023 by Senator **HARRINGTON** of York

Pending - **ADOPTION**

2.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Carter Butterfield, of Phillips
SLS 157

Tabled - February 28, 2023 by Senator **KEIM** of Oxford

Pending - **PASSAGE**

3.

Tabled and Later Assigned

JOINT RESOLUTION - memorializing Dan Davis, of Hallowell.

HLS 181

Tabled - March 23, 2023 by Senator **HICKMAN** of Kennebec

Pending - **ADOPTION** in concurrence

(In House, **READ** and **ADOPTED**.)

4.

Tabled and Later Assigned

Bill "An Act Regarding the Distribution of Revenue from the Real Estate Transfer Tax"
(EMERGENCY)

S.P. 572 L.D. 1454

Tabled - March 30, 2023 by Senator **GROHOSKI** of Hancock

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and ordered printed.)

SPECIAL APPROPRIATIONS TABLE

L.D. 49 - S.P. 41 (C "A" S-8)
L.D. 143 - H.P. 89 (C "A" H-6)
