

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

In Senate Chamber
Wednesday
January 4, 2023

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

Prayer by Reverend Mark Tanner of Skowhegan Federated Church.

REVEREND TANNER: Good morning, everyone. What a beautiful day. Let's pray.

Gracious God, we come here today as a people called to do the work before us. Important work that can and will change lives of others. We come from around the state sharing varied experiences and bringing those experiences into everything that is done here. Help these folks who empower one another as ideas are shared. This journey can be difficult and days can be long but your love for us, oh, Lord, is great. Surround these folks with love and blessing as they work with confidence to be changemakers in the lives of the people they serve. Bless them, guide them, love them, and hold them in the palm of your hand. For this we ask in your tender and most precious name. Amen.

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

Reading of the Journal of Wednesday, December 7, 2022.

Doctor of the day, Erik Steele, DO, MMA President.

Off Record Remarks

On motion by Senator **DAUGHTRY** of Cumberland, the following Senate Order:

S.P. 43

ORDERED, the House concurring, that the returns of votes for the Governor, given in the several cities, towns and plantations of the State for the political years 2023, 2024, 2025 and 2026, be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House may join.

READ and PASSED.

Ordered sent down forthwith for concurrence.

The Chair appointed the following members on the part of the Senate to the Gubernatorial Vote Committee:

- Senator **HICKMAN** of Kennebec
- Senator **BRENNER** of Cumberland
- Senator **NANGLE** of Cumberland
- Senator **BALDACCI** of Penobscot
- Senator **TIMBERLAKE** of Androscoggin
- Senator **LIBBY** of Androscoggin
- Senator **BLACK** of Franklin

On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:

S.O. 12

ORDERED, the House concurring, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 6:00 this evening at the Augusta Civic Center for the purpose of administering to the Honorable Janet T. Mills, Governor-elect, the oaths required by the Constitution to qualify her to enter upon the discharge of her official duties and to receive such communication as she may be pleased to make.

READ and PASSED.

The Chair appointed the Senator from Sagadahoc, Senator **VITELLI** to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Sagadahoc, Senator **VITELLI** reported that she had delivered the message with which she was charged.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 7

**MAINE SENATE
131st LEGISLATURE
OFFICE OF THE SECRETARY OF THE SENATE**

December 16, 2022

The Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, ME 04330

Dear President Jackson,

I am pleased to report that today Senator-elect Bradlee Farrin of Somerset took and subscribed the necessary oaths of office required. The Certificate of Qualification has been forwarded to the Secretary of State for filing.

Sincerely,

S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 4

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 16, 2022

The Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant,

Pursuant to my authority under Senate Rule 201.3, I have temporarily made the following appointments to the Joint Standing Committee on Appropriations and Financial Affairs, effective immediately:

Troy D. Jackson, Chair (D-Aroostook)
Eloise A. Vitelli (D-Sagadahoc)
Harold "Trey" L. Stewart (R-Aroostook)

Please do not hesitate to contact me should you have any questions regarding these appointments.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 5

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 19, 2022

The Honorable Darek Grant
Secretary of the Senate
2 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 5 MRSA, Chapter 631-A, §25002, I am pleased to appoint Deb Ibonwa to the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations.

With this appointment, she will be serving as a representative of an organization with expertise in legal and policy matters related to public benefit programs that assists individuals with low incomes, effective the date of this letter.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 8

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Senate Rule 201.3, I have made the following appointments to various joint Standing Committees.

Agriculture, Conservation, and Forestry

Senator Henry Ingwersen, Chair (D-York)
Senator Craig Hickman (D-Kennebec)
Senator Russell Black (R-Franklin)

Appropriations and Financial Affairs

Senator Peggy Rotundo, Chair (D-Androscoggin)
Senator Jill Duson (D-Cumberland)
Senator Rick Bennett (R-Oxford)

Criminal Justice and Public Safety

Senator Pinny Beebe-Center, Chair (D-Knox)
Senator David LaFountain (D-Kennebec)
Senator Matthew Harrington (R-York)

Education and Cultural Affairs

Senator Joe Rafferty, Chair (D-York)
Senator Teresa Pierce (D-Cumberland)
Senator Jim Libby (R-Cumberland)

Energy, Utilities, and Technology

Senator Mark Lawrence, Chair (D-York)
Senator Nicole Grohoski (D-Hancock)
Senator Matthew Harrington (R-York)

Environment and Natural Resources

Senator Stacy Brenner, Chair (D-Cumberland)
Senator Anne Carney (D-Cumberland)
Senator Peter Lyford (R-Penobscot)

Health Coverage, Insurance, and Financial Services

Senator Donna Bailey, Chair (D-York)
Senator Cameron Reny (D-Lincoln)
Senator Eric Brakey (R-Androscoggin)

Health and Human Services

Senator Joe Baldacci, Chair (D-Penobscot)
Senator Henry Ingwersen (D-York)
Senator Marianne Moore (R-Washington)

Innovation, Development, Economic Advancement and Business

Senator Glenn "Chip" Curry, Chair (D-Waldo)
Senator Joe Rafferty (D-York)
Senator Stacey Guerin (R-Penobscot)

Inland Fisheries and Wildlife

Senator David LaFountain, Chair (D-Kennebec)
Senator Glenn "Chip" Curry (D-Waldo)
Senator Russell Black (R-Franklin)

Judiciary

Senator Anne Carney, Chair (D-Cumberland)
Senator Donna Bailey (D-York)
Senator Peter Lyford (R-Penobscot)

Labor and Housing

Senator Mike Tipping, Chair (D-Penobscot)
Senator Mattie Daughtry (D-Cumberland)
Senator Matt Pouliot (R-Kennebec)

Marine Resources

Senator Cameron Reny, Chair (D-Lincoln)
Senator Pinny Beebe-Center (D-Knox)
Senator Marianne Moore (R-Washington)

State and Local Government

Senator Tim Nangle, Chair (D-Cumberland)
Senator Joe Baldacci (D-Penobscot)
Senator Eric Brakey (R-Androscoggin)

Taxation

Senator Nicole Grohoski (D-Hancock)
Senator Ben Chipman (D-Cumberland)
Senator Jim Libby (R-Cumberland)

Transportation

Senator Ben Chipman, Chair (D-Cumberland)
Senator Tim Nangle (D-Cumberland)
Senator Brad Farrin (R-Somerset)

Veterans and Legal Affairs

Senator Craig Hickman, Chair (D-Kennebec)
Senator Stacy Brenner (D-Cumberland)
Senator Jeff Timberlake (R-Androscoggin)

Additionally, I have made the following appointments to the **Joint Select Committee on Housing**:

Senator Teresa Pierce, Chair (D-Cumberland)
Senator Eloise Vitelli (D-Sagadahoc)
Senator Matthew Pouliot (R-Kennebec)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 9

**STATE OF MAINE
131ST LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 371, I have made the following appointments to the Government Oversight Committee:

Senator Craig Hickman (D-Kennebec), Chair
Senator Jill Duson (D-Cumberland)
Senator Mike Tipping (D-Penobscot)
Senator Lisa Keim (R-Oxford)
Senator Jeff Timberlake (R-Androscoggin)
Senator Rick Bennett (R-Oxford)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 10

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 354, I have made the following appointments to the Committee on Joint Rules:

Senator Troy Jackson (D-Aroostook), Chair
Senator Eloise Vitelli (D-Sagadahoc)
Senator Anne Carney (D-Cumberland)
Senator Rick Bennett (R-Oxford)
Senator Eric Brakey (R-Androscoggin)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 11

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 201.3, I have made the following appointments to the Senate Rules Committee:

Senator Eloise Vitelli (D-Sagadahoc), Chair
Senator Mattie Daughtry (D-Cumberland)
Senator Mark Lawrence (D-York)
Senator Trey Stewart (R-Aroostook)
Senator Lisa Keim (R-Oxford)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 12

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 201.3, I have made the following appointments to the Committee on Bills in the Second Reading:

Senator Stacy Brenner (D-Cumberland)
Senator Henry Ingwersen (D-York)
Senator Stacey Guerin (R-Penobscot)
Senator Peter Lyford (R-Penobscot)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 13

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 201.3, I have made the following appointments to the Committee on Engrossed Bills:

Senator Glenn "Chip" Curry (D-Waldo)
Senator Nicole Grohoski (D-Hancock)
Senator Marianne Moore (R-Washington)
Senator Matthew Pouliot (R-Kennebec)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 14

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 201.3, I have made the following appointments to the Committee on Conduct and Ethics:

Senator Mark Lawrence (D-York), Chair
Senator Donna Bailey (D-York)
Senator Craig Hickman (D-Kennebec)
Senator Trey Stewart (R-Aroostook)
Senator Jim Libby (R-Cumberland)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 15

**STATE OF MAINE
131st LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

December 27, 2022

Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Senate Order 3, I have made the following appointments to the Committee on Senatorial Vote:

Senator Eloise Vitelli (D-Sagadahoc), Chair
Senator Cameron Reny (D-Lincoln)
Senator Teresa Pierce (D-Cumberland)
Senator Joe Baldacci (D-Penobscot)
Senator Jeff Timberlake (R-Androscoggin)
Senator Russell Black (R-Franklin)
Senator Matthew Harrington (R-York)

Sincerely,

S/Troy Dale Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 3

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE**

December 9, 2022

Honorable Darek Grant
Senate Secretary
3 State House Station
Augusta, ME 04333

Dear Secretary Grant,

Pursuant to my authority under Title 5, section 12004-I, subsection 2-I, I am pleased to reappoint Representative Jessica Fay of Raymond to the *Advisory Committee on the Fund To Address PFAS Contamination*, effective immediately.

Representative Fay will continue to serve as House chair on the committee.

If you have any questions regarding this appointment, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 6

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE**

December 22, 2022

The Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant:

Pursuant to my authority under House Rule 201.1 (I) (a), I am rescinding the appointments of the following House members from the Joint Standing Committee on Appropriations and Financial Affairs, effective immediately:

Speaker Rachel Talbot Ross of Portland as House Chair
House Democratic Leader Maureen Terry of Gorham
House Democratic Assistant Leader Kristen Cloutier of Lewiston
Honorable Anne Perry of Calais
Honorable James Dill of Old Town
Honorable Scott Landry of Farmington
House Republican Leader William Faulkingham of Winter Harbor*
House Republican Assistant Leader Amy Arata of New Gloucester
Honorable Sawin Millett of Waterford
Honorable John E. Descharme of Madison

Please do not hesitate to contact me should you have any questions regarding the rescinding of these appointments.

Sincerely,

S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 16

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE**

TO: Darek M. Grant
Secretary of the Senate

FROM: S/Rachel Talbot Ross
Speaker of the House

DATE: December 27, 2022

RE: Committee Appointments
131st Legislature

Pursuant to my authority under House Rule 201.1(I)(a), I have made the following appointments to the various Joint Standing Committees:

Agriculture, Conservation and Forestry

William D. Pluecker, Chair (I-Warren)
Allison Hepler (D-Woolwich)
Laurie Osher (D-Orono)
Rebecca L. Jauch (D-Topsham)
Kathy A. Shaw (D-Auburn)
Randall C. Hall (R-Wilton)*
Danny Edward Costain (R-Plymouth)
Dean A. Cray (R-Palmyra)
Timothy C. Guerrette (R-Caribou)
Caldwell Jackson (R-Oxford)

Appropriations and Financial Affairs

Melanie F. Sachs, Chair (D-Freeport)
Jessica L. Fay (D-Raymond)
Benjamin T. Collings (D-Portland)
Ann Higgins Matlack (D-St. George)
Rebecca J. Millett (D-Cape Elizabeth)
Drew M. Gattine (D-Westbrook)
H. Sawin Millett, Jr. (R-Waterford)*
John E. Ducharme III (R-Madison)
Mark John Blier (R-Buxton)
Nathan M. Carlow (R-Buxton)

Criminal Justice and Public Safety

Suzanne M. Salisbury, Chair (D-Westbrook)
Grayson B. Lookner (D-Portland)
Tavis Rock Hasenfus (D-Readfield)
Kristi Michele Mathieson (D-Kittery)
Michel A. Lajoie (D-Lewiston)
Nina Azella Milliken (D-Blue Hill)
Robert W. Nutting (R-Oakland)*
Daniel J. Newman (R-Belgrade)
Donald J. Ardell (R-Monticello)
Chad Richard Perkins (R-Dover-Foxcroft)

Education and Cultural Affairs

Michael F. Brennan, Chair (D-Portland)
Janice S. Dodge (D-Belfast)
Rebecca J. Millett (D-Cape Elizabeth)
Holly T. Sargent (D-York)
Kelly Noonan Murphy (D-Scarborough)
James Mark Worth (D-Ellsworth)
Heidi H. Sampson (R-Alfred)*
Sheila A. Lyman (R-Livermore Falls)
Edward J. Polewarczyk (R-Wiscasset)
Barbara A. Bagshaw (R-Windham)

Energy, Utilities and Technology

Stanley Paige Zeigler, Jr., Chair (D-Montville)
Christopher J. Kessler (D-South Portland)
Valli D. Geiger (D-Rockland)
James A. Boyle (D-Gorham)
Sophia B. Warren (D-Scarborough)
Walter Gerard Runte, Jr. (D-York)
Steven D. Foster (R-Dexter)*
Mark Michael Babin (R-Fort Fairfield)

Larry C. Dunphy (R-Embden)
Reagan L. Paul (R-Winterport)

Caleb Joshua Ness (R-Fryeburg)
Lucas John Lanigan (R-Sanford)

Environment and Natural Resources

Lori K. Gramlich, Chair (D-Old Orchard Beach)
Margaret M. O’Neil (D-Saco)
Victoria W. Doudera (D-Camden)
Arthur L. Bell (D-Yarmouth)
William R. Bridgeo (D-Augusta)
Daniel J. Hobbs (D-Wells)
Richard H. Campbell (R-Orrington)*
Tammy L. Schmersal-Burgess (R-Mexico)
Michael Soboleski (R-Phillips)
David Woodsome (R-Waterboro)

Health and Human Services

Michele Meyer, Chair (D-Eliot)
Colleen M. Madigan (D-Waterville)
Margaret Craven (D-Lewiston)
Samuel Lewis Zager (D-Portland)
Daniel Joseph Shagoury (D-Hallowell)
Anne P. Graham (D-North Yarmouth)
Kathy Irene Javner (R-Chester)*
Abigail W. Griffin (R-Levant)
Michael H. Lemelin (R-Chelsea)
Ann Fredericks (R-Sanford)

Health Coverage, Insurance and Financial Services

Anne C. Perry, Chair (D-Calais)
Poppy Arford (D-Brunswick)
Kristi Michele Mathieson (D-Kittery)
Anne-Marie Mastraccio (D-Sanford)
Jane P. Pringle (D-Windham)
Sally Jeane Cluchey (D-Bowdoinham)
Joshua Morris (R-Turner)*
Robert W. Nutting (R-Oakland)
Scott W. Cyrway (R-Albion)
Gregory Lewis Swallow (R-Houlton)

Inland Fisheries and Wildlife

H. Scott Landry, Jr., Chair (D-Farmington)
James F. Dill (D-Old Town)
Cheryl A. Golek (D-Harpswell)
Sally Jeane Cluchey (D-Bowdoinham)
Clinton E. Collamore, Sr. (D-Waldoboro)
Richard G. Mason (R-Lisbon)*
Stephen J. Wood (R-Greene)
Gary A. Drinkwater (R-Milford)
David Woodsome (R-Waterboro)
James E. Thorne (R-Carmel)

Innovation, Development, Economic Advancement and Business

Tiffany Roberts, Chair (D-South Berwick)
Raegan French LaRochelle (D-Augusta)
Bruce A. White (D-Waterville)
W. Edward Crockett (D-Portland)
Daniel Sayre (D-Kennebunk)
Amanda N. Collamore (R-Pittsfield)*
Mark Walker (R-Naples)
Katrina J. Smith (R-Palermo)

Judiciary

Matthew W. Moonen, Chair (D-Portland)
Lois Galgay Reckitt (D-South Portland)
Stephen W. Moriarty (D-Cumberland)
Erin R. Sheehan (D-Biddeford)
Adam R. Lee (D-Auburn)
Amy D. Kuhn (D-Falmouth)
Jennifer L. Poirier (R-Skowhegan)*
John Andrews (R-Paris)
David G. Haggan (R-Hampden)
Rachel Ann Henderson (R-Rumford)
Aaron M. Dana (the Passamaquoddy Tribe)

Labor and Housing

Amy J. Roeder, Chair (D-Bangor)
Traci Gere (D-Kennebunkport)
Valli D. Geiger (D-Rockland)
Ronald B. Russell (D-Verona Island)
Marc G. Malon II (D-Biddeford)
Charles A. Skold (D-Portland)
Richard T. Bradstreet (R-Vassalboro)*
Gary A. Drinkwater (R-Milford)
Joseph C. Galletta (R-Durham)
Michael Soboleski (R-Phillips)

Marine Resources

Allison Hepler, Chair (D-Woolwich)
H. Scott Landry, Jr. (D-Farmington)
Vicki W. Doudera (D-Camden)
Lydia V. Crafts (D-Newcastle)
James F. Dill (D-Old Town)
Holly Rae Eaton (D-Deer Isle)
James E. Thorne (R-Carmel)*
Tiffany Strout (R-Harrington)
Irene A. Gifford (R-Lincoln)
Kenneth Ralph Davis, Jr. (R-East Machias)

State and Local Government

Holly B. Stover, Chair (D-Boothbay)
Sean C. Paulhus (D-Bath)
Lynn H. Copeland (D-Saco)
Deqa Dhalac (D-South Portland)
Mana Abdi (D-Lewiston)
Randall Adam Greenwood (R-Wales)*
Jeffrey Sean Adams (R-Lebanon)
Kimberly J. Pomerleau (R-Standish)
Joseph F. Underwood (R-Presque Isle)
Walter N. Riseman (I-Harrison)

Taxation

Joseph C. Perry, Sr., Chair (D-Bangor)
W. Edward Crockett (D-Portland)
Ann Higgins Matlack (D-St. George)
Tavis Rock Hasenfus (D-Readfield)
Ambureen Rana (D-Bangor)
Meldon H. Carmichael (R-Greenbush)*
Thomas A. Lavigne (R-Berwick)
Tracy L. Quint (R-Hodgdon)

Laurel D. Libby (R-Auburn)
Shelley Rudnicki (R-Fairfield)

Transportation

Lynne A. Williams, Chair (D-Bar Harbor)
Kevin J. M. O'Connell (D-Brewer)
Bruce A. White (D-Waterville)
Lydia V. Crafts (D-Newcastle)
Daniel J. Ankeles (D-Brunswick)
Wayne R. Parry (R-Arundel)*
Roger Clarence Albert (R-Madawaska)
James Lee White (R-Guilford)
Austin L. Theriault (R-Fort Kent)
Richard G. Mason (R-Lisbon)

Veterans and Legal Affairs

Laura D. Supica, Chair (D-Bangor)
Morgan J. Rielly (D-Westbrook)
Benjamin T. Collings (D-Portland)
Marc G. Malon II (D-Biddeford)
Karen L. Montell (D-Gardiner)
John Andrews (R-Paris)*
David W. Boyer, Jr. (R-Poland)
Benjamin C. Hymes (R-Waldo)
Shelley Rudnicki (R-Fairfield)
Walter N. Riseman (I-Harrison)

Government Oversight Committee

Jessica L. Fay, Chair (D-Raymond)
Margaret M. O'Neil (D-Saco)
Anne-Marie Mastraccio (D-Sanford)
H. Sawin Millett (R-Waterford)*
Amy Bradstreet Arata (R-New Gloucester)
Mark John Blier (R-Buxton)

Joint Select Committee on Housing

Traci Gere, Chair (D-Kennebunkport)
Holly B. Stover (D-Boothbay)
Grayson B. Lookner (D-Portland)
Drew M. Gattine (D-Westbrook)
Ambureen Rana (D-Bangor)
Cheryl A. Golek (D-Harpswell)
Richard T. Bradstreet (R-Vassalboro)*
Joshua Morris (R-Turner)
Richard H. Campbell (R-Orrington)
Mark John Blier (R-Buxton)

*Ranking Republican Member

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 17

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE**

December 27, 2022

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant:

Pursuant to my authority under Joint Rule 354, I have appointed the following members to the Joint Select Committee on Joint Rules:

Joint Select Committee on Joint Rules

Maureen Fitzgerald Terry, Chair (D-Gorham)
Anne C. Perry (D-Calais)
Colleen M. Madigan (D-Waterville)
Amy Bradstreet Arata (R-New Gloucester)*
David Haggan (R-Hampden)

*Ranking Republican Member

Sincerely,

S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 18

**STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE**

January 4, 2023

To the President of the Senate in the One Hundred and Thirty-first Legislature:

I, SHENNA BELLOWS, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for Governor at the General Election held on the eighth day of November in the year Two Thousand and Twenty-two;

REPORT AS FOLLOWS; that Janet T. Mills, having received a plurality of the votes cast, appears to have been elected Governor of the State of Maine:

General Election – November 8, 2022
Governor

Sam Hunkler
Beals
Independent-Unenrolled

Androscoggin	884
Aroostook	515
Cumberland	2,462
Franklin	343
Hancock	566

Kennebec	1,140
Knox	385
Lincoln	349
Oxford	631
Penobscot	1,303
Piscataquis	158
Sagadahoc	379
Somerset	500
Waldo	400
Washington	553
York	1,994
State UOCAVA	19
Total	12,581

Paul R. LePage
Edgecomb
Republican

Androscoggin	23,220
Aroostook	16,530
Cumberland	47,201
Franklin	7,179
Hancock	12,527
Kennebec	28,368
Knox	8,430
Lincoln	8,744
Oxford	14,229
Penobscot	35,496
Piscataquis	4,960
Sagadahoc	8,049
Somerset	13,233
Waldo	9,099
Washington	8,160
York	41,662
State UOCAVA	217
Total	287,304

Janet T. Mills
Farmington
Democrat

Androscoggin	22,915
Aroostook	11,587
Cumberland	112,188
Franklin	7,406
Hancock	17,446
Kennebec	30,838
Knox	13,441
Lincoln	11,853
Oxford	12,875
Penobscot	31,844
Piscataquis	3,098
Sagadahoc	12,414
Somerset	9,083
Waldo	11,508
Washington	6,064
York	60,772
State UOCAVA	1,602
Total	376,934

I, SHENNA BELLOWS, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for Governor at the General Election, as reported to me on the returns from the cities, towns and plantations of the State.

S/Shenna Bellows
Secretary of State

READ and with accompanying papers **REFERRED** to the Committee on **GUBERNATORIAL VOTE**.

The Following Communication: S.C. 19

**CHILD WELFARE OMBUDSMAN
AUGUSTA, MAINE**

December 28, 2022

Mr. Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Re: 2022 Annual Report of the Child Welfare Ombudsman

Dear Secretary Grant,

Enclosed please find 45 copies of the 2022 Annual Report of the Child Welfare Ombudsman to be distributed to members of the Maine Senate and staff. The Child Welfare Ombudsman is required to report to the Maine Legislature each year pursuant to 22 M.R.S.A. § 4087-A.

Please let me know if you have any questions.

Respectfully,

S/Christine Alberi

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

SENATE PAPERS

Bill "An Act to Prohibit Open Burning Under a Red Flag Warning and Regulate Recreational Campfires"

S.P. 16 L.D. 24

Presented by Senator CURRY of Waldo.
Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

Bill "An Act to Provide Indigenous Peoples Free Access to State Parks"

S.P. 17 L.D. 25

Presented by Senator HICKMAN of Kennebec.
Cosponsored by Representative COLLINGS of Portland and
Senators: BALDACCI of Penobscot, CARNEY of Cumberland,
President JACKSON of Aroostook, MOORE of Washington,
Representatives: DILL of Old Town, HASENFUS of Readfield,
PLUECKER of Warren, Speaker TALBOT ROSS of Portland.

Bill "An Act to Require the Bureau of Parks and Lands to Maintain Public Restrooms at State Parks"

S.P. 49 L.D. 77

Presented by Senator LIBBY of Cumberland.

On motion by Senator **INGWERSEN** of York, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Off Record Remarks

Bill "An Act to Impede the Transfer of Firearms to Prohibited Persons"

S.P. 14 L.D. 22

Presented by Senator CARNEY of Cumberland.
Cosponsored by Representative SHEEHAN of Biddeford and
Senators: BEEBE-CENTER of Knox, LAWRENCE of York,
Representative: DOUDERA of Camden.

Bill "An Act to Amend the Maine Juvenile Code"

S.P. 31 L.D. 39

Presented by Senator BEEBE-CENTER of Knox.
Submitted by the Department of Corrections pursuant to Joint Rule 204.

Bill "An Act Regarding the Commissioner of Corrections' Role in Death Benefit Determinations and Regarding Training for Corrections Officers"

S.P. 34 L.D. 42

Presented by Senator LAFOUNTAIN of Kennebec.
Submitted by the Department of Corrections pursuant to Joint Rule 204.

Bill "An Act to Amend the Law Governing Licensing Actions of the Emergency Medical Services' Board"

S.P. 39 L.D. 47

Presented by Senator LAFOUNTAIN of Kennebec.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Expand Access to Career and Technical Education Opportunities for Middle School Students"

S.P. 25 L.D. 33

Presented by Senator RAFFERTY of York.
Cosponsored by Representative WOODSOME of Waterboro.
Submitted by the Department of Education pursuant to Joint Rule 204.

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

Sent down for concurrence.

Off Record Remarks

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

S.P. 35 L.D. 43

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative MORRIS of Turner and
Senators: HARRINGTON of York, STEWART of Aroostook,
Representatives: FOSTER of Dexter, LYMAN of Livermore Falls.

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 Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program"

S.P. 20 L.D. 28

Presented by Senator BRENNER of Cumberland.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

Bill "An Act to Reduce Air Emissions at Petroleum Storage Facilities"

S.P. 21 L.D. 29

Presented by Senator CARNEY of Cumberland.

Bill "An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board"

S.P. 46 L.D. 74

Presented by Senator CARNEY of Cumberland.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

On motion by Senator **BRENNER** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

At this point, a message was received from the House of Representatives borne by Representative TERRY of Gorham, informing the Senate that the House had concurred with the proposition that a Joint Convention of the two branches of the Legislature be held at the Augusta Civic Center at 6:00 in the evening for the purpose of administering to the Honorable Janet T. Mills, Governor-elect, the oaths required by the Constitution to qualify her to enter upon the discharge of her official duties.

Bill "An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements"

S.P. 19 L.D. 27

Presented by Senator POULIOT of Kennebec.
Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.

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

Presented by Senator MOORE of Washington.
Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Bill "An Act to Require Bottled Water Companies to Monitor for Perfluoroalkyl and Polyfluoroalkyl Substances"

S.P. 45 L.D. 73

Presented by Senator BENNETT of Oxford.

Bill "An Act to Establish Maximum Contaminant Levels Under the State's Drinking Water Rules to Prohibit Certain Perfluoroalkyl and Polyfluoroalkyl Substances"

S.P. 47 L.D. 75

Presented by Senator BENNETT of Oxford.

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 Make Corrections to the Maine Insurance Code"

S.P. 28 L.D. 36

Presented by Senator BRENNER of Cumberland.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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 Update the Maine State Grant Program" (EMERGENCY)

S.P. 24 L.D. 32

Presented by Senator DAUGHTRY of Cumberland.
Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.

Bill "An Act to Amend the Statutory Balance Limit on the Finance Authority of Maine's Loan Insurance Reserves"

S.P. 38 L.D. 46

Presented by Senator CURRY of Waldo.
Submitted by the Finance Authority of Maine pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act to Limit Public Access to or Dissemination of Electronic Citation Information"

S.P. 15 L.D. 23

Presented by Senator CARNEY of Cumberland.
Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Bill "An Act to Increase the Hourly Reimbursement Rate of the Maine Commission on Indigent Legal Services Lawyers to \$150 per Hour" (EMERGENCY)

S.P. 33 L.D. 41

Presented by Senator KEIM of Oxford.
Cosponsored by Representative MORIARTY of Cumberland.

Bill "An Act to Prevent Retaliatory Evictions"
S.P. 37 L.D. 45

Presented by Senator CARNEY of Cumberland.
Cosponsored by Senators: DUSON of Cumberland, HICKMAN of
Kennebec, TIPPING of Penobscot, Representatives: DHALAC of
South Portland, KESSLER of South Portland.

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

Sent down for concurrence.

Bill "An Act to Authorize the Deorganization of Drew Plantation"
(EMERGENCY)

S.P. 41 L.D. 49

Presented by Senator STEWART of Aroostook.
Submitted by the Office of the State Auditor pursuant to Joint
Rule 204.

On motion by Senator **NANGLE** of Cumberland, **REFERRED** to
the Committee on **STATE AND LOCAL GOVERNMENT** and
ordered printed.

Sent down for concurrence.

Bill "An Act to Amend the Laws Governing Property Tax
Stabilization for Senior Citizens to Eliminate the Requirement for
an Annual Application"

S.P. 29 L.D. 37

Presented by Senator POULIOT of Kennebec.

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

Sent down for concurrence.

Resolve, Designating Maine Turnpike Approach Road in South
Portland as Samantha Smith Way

S.P. 13 L.D. 21

Presented by Senator CARNEY of Cumberland.
Cosponsored by Representative DHALAC of South Portland and
Senators: HICKMAN of Kennebec, LAFOUNTAIN of Kennebec,
NANGLE of Cumberland, Representatives: BRENNAN of
Portland, KESSLER of South Portland, OSHER of Orono,
RECKITT of South Portland, ZAGER of Portland.

Bill "An Act to Increase the Statutory Fee for Defensive Driving
Courses"

S.P. 22 L.D. 30

Presented by Senator FARRIN of Somerset.
Submitted by the Department of Public Safety pursuant to Joint
Rule 204.

Bill "An Act to Allow the Commissioner of Transportation to
Reduce Speed Limits at Construction Sites with Input from
Municipalities and Utilities"

S.P. 23 L.D. 31

Presented by Senator FARRIN of Somerset.
Submitted by the Department of Transportation pursuant to Joint
Rule 204.

Resolve, to Rename a Bridge in the Town of Freeport the
Matthew MacMillan Memorial Bridge

S.P. 30 L.D. 38

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative MASON of Lisbon.

Resolve, to Rename the Bridge Between Bingham and Concord
Township on Route 16 the Jason Dore Memorial Bridge

S.P. 36 L.D. 44

Presented by Senator BLACK of Franklin.
Cosponsored by Representative DUNPHY of Embden and
Senator: FARRIN of Somerset, Representatives: CRAY of
Palmyra, HALL of Wilton, SOBOLESKI of Phillips.

Resolve, Directing the Department of Transportation to Study the
Width of Road Shoulders

S.P. 48 L.D. 76

Presented by Senator LIBBY of Cumberland.

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

Sent down for concurrence.

Bill "An Act to Provide Postage Prepaid Return Envelopes to
Voters Who Send Absentee Ballots by Mail"

S.P. 18 L.D. 26

Presented by Senator CARNEY of Cumberland.
Cosponsored by Representative KUHN of Falmouth and
Senators: BAILEY of York, BENNETT of Oxford, HICKMAN of
Kennebec, LAWRENCE of York, PIERCE of Cumberland,
ROTUNDO of Androscoggin, Representatives: POIRIER of
Skowhegan, SUPICA of Bangor.

Bill "An Act to Require a Person to Show Photographic Identification for the Purpose of Voting"
S.P. 26 L.D. 34

Presented by Senator POULLIOT of Kennebec.
Cosponsored by Representative MORRIS of Turner and Senator: TIMBERLAKE of Androscoggin.

Bill "An Act to Amend the Cannabis Laws"
S.P. 32 L.D. 40

Presented by Senator HICKMAN of Kennebec.

Bill "An Act to Clarify Provisions of the Cannabis Legalization Act Regarding Labels, Packaging and Testing"
S.P. 40 L.D. 48

Presented by Senator PIERCE of Cumberland.
Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

ORDERS

Joint Orders

On motion by Senator **BENNETT** of Oxford, the following Joint Order:
S.P. 11

ORDERED, the House concurring, that the Joint Rules be amended by striking out all of Joint Rule 202.

ORDERED, the House concurring, that the Joint Rules be amended by amending Joint Rule 205 to read:
Rule 205. Filing after Cloture.

Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator, a department, agency or commission after the appropriate cloture date must be transmitted to the Legislative Council. The council shall ascertain from the sponsor the facts supporting the request notwithstanding cloture. If a majority of the council approves, the legislation is eligible for introduction as other legislation that is in compliance with Rule ~~202~~ or 203 or 204.

ORDERED, the House concurring, that the Joint Rules be amended by striking out all of Joint Rule 207 and inserting the following:

Rule 207. Disclosure of Titles of Bills and Resolves Submitted by Governor.

The titles of requests for bills and resolves submitted by the Governor are considered public information upon filing. The Governor may direct that the title of a particular bill or resolve remain confidential until that bill or resolve is printed.

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

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.~~

The Joint Order was **READ**.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Joint Select Committee on **JOINT RULES**.

Sent down for concurrence.

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 44

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable Janet T. Mills and inform her that she has been duly elected Governor of the State of Maine for the political years 2023, 2024, 2025 and 2026.

READ and **PASSED**.

Sent down for concurrence.

In compliance with Joint Order (S.P. 44), the Chair appointed the following members to inform the Honorable Janet T. Mills that she has been duly elected Governor of the State of Maine for the political years 2023, 2024, 2025 and 2026:

Senator **VITELLI** of Sagadahoc
Senator **DAUGHTRY** of Cumberland
Senator **MOORE** of Washington

Off Record Remarks

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

Senate at Ease.

The Senate was called to order by the President.

Senator **TIMBERLAKE** of Androscoggin 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:

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act to Establish the Winter Energy Relief Payment Program to Aid Residents with High Heating Costs and to Finalize the COVID Pandemic Relief Payment Program" (EMERGENCY)

H.P. 5 L.D. 3

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-1)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-1) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **LIBBY** of Androscoggin, Senate Amendment "A" (S-1) **READ**.

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

Senator **LIBBY:** Thank you, Mr. President. Mr. President, colleagues of the Body, I rise today to present a simple amendment. Since the first reading of the previous version of this bill, which was LD 1, I have questioned whether or not it is entirely necessary for this Body to concede to the Executive Branch the current requirements set forth in the Maine Revised Statutes Title 38 Section 603-A, Subsection 2, on sulfur content in fuels. In plainspoken terms, Mr. President, the question of whether a supply chain interruption for fuel that was, for all intents and purposes a temporary phenomenon, should cause this Body to allow sulfur content to enter the state through Executive Branch action. Sure enough, testimony provided by Maine citizens at the public hearing implored this Body not to deviate from current law and allow this derivative fuel to enter the market. Having considered the reasons why we might acquiesce, rather than asking to strip the entire sulfur language from the bill, I now present to you an alternative sunset provision in this amendment with a date of May 1, 2024. It's expected that those with jurisdiction over this issue will observe the necessity of the clause and, as the expiration approaches, that they will present evidence, if it is needed, to extend beyond the date of May 1, 2024. So, members of the Senate, I ask you to join me in supporting a sunset provision for the purposes of allowing the Governor, through the Executive Branch authority, to suspend the provisions currently in law that set stringent standards on sulfur content. Thank you.

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

The Chair noted the absence of the Senator from Penobscot, Senator **BALDACCI**, 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, BLACK, BRAKEY, FARRIN, GUERIN, HARRINGTON, KEIM, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE**

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

EXCUSED: Senator: **BALDACCI**

13 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LIBBY** of Androscoggin to **ADOPT** Senate Amendment "A" (S-1) **FAILED**.

On motion by Senator **MOORE** of Washington, Senate Amendment "B" (S-2) **READ**.

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

Senator **MOORE:** Thank you, Mr. President. I initially did not support LD 1 because it had not been referred to committee nor did it have a public hearing, which is a proper procedure for the bill process. I was concerned about spending close to \$500 million without proper vetting and with 70 new legislators who barely knew where the restrooms are located. Now, LD 3 is moving forward. There was indeed the review and the public hearing. However, the moving straight into work session is not typical of a bill being moved forward. Is the bill perfect? No. However, what I asked for has been done. The major problem I'm hearing from constituents is the \$450 check to those with an income with less than \$100,000. If we truly want this to provide winter energy relief, I'm hearing huge support of a \$450 fuel voucher to all households. After all, everyone has been affected by the rise in prices regardless of income. Thus, my proposed amendment. This amendment changes the title to incorporate it to be the Winter Energy Relief Payment Program. It changes the name to be the Winter Energy Relief Fuel Voucher Program and, respectfully, it provides for one payment per eligible household, which is a household in which a resident of that household has filed a Maine income tax return as a full-year resident and includes the spouse of that individual and any persons who may be claimed as dependents by that individual. It removes the income limitation and it requires the State tax assessor to provide \$450 fuel vouchers to eligible households. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#4)

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

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

EXCUSED: Senator: BALDACCI

13 Senators having voted in the affirmative and 21 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **MOORE** of Washington to **ADOPT** Senate Amendment "B" (S-2) **FAILED**.

On motion by Senator **BRAKEY** of Androscoggin, Senate Amendment "C" (S-3) **READ**.

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

Senator **BRAKEY:** Thank you, Mr. President. I present this amendment and I'll explain very briefly what it does. This amendment is - changes Section B in which - of this legislation - in which it's currently proposed to send out \$450 checks, and I certainly respect the desire and I think people in this Chamber share that desire, to get relief out to Maine people in the best way possible. This proposed an alternative way to get relief out to Maine people by taking the funds that would go out in checks and, instead, having a sales tax holiday in the State of Maine until the - those funds expire, presumably sometime before tourism season so that it would be fulltime residents who see the benefit of not having to pay sales tax on goods in the state over the coming months. Some of the advantages of this versus sending out checks would be that we can - this could begin immediately on the date that it's proposed, which I believe would be the start of February. We don't have to wait for a centralized bureaucracy to manage the sending out of checks. We simply would tell businesses in the State of Maine you don't have to collect sales tax, and especially in an inflationary time when prices are going up, taking that 5.5% off of purchases that people make would certainly have an impact for full-time residents to bring down their living expenses. This is just one idea on how we could better deliver relief to Maine people in an immediate way and I will say on the - my concern with the \$450 check proposal, which this would be replacing, is one of my primary concerns is that this is, what, the third or fourth time that we have done this - and by we, I mean the government in general, I know the Federal Government had sent checks and now the State Government is continuing. We're establishing pattern here and I'm somewhat concerned about the pattern that we are establishing and question if we are, in fact, laying the foundation for a universal basic income system as people come to expect more and more, that they can just wait for the next round of government checks to be sent out. There's much to debate about a policy like that. I would hope that we, you know, if that is ever proposed, we'll debate that policy and not accidentally stumble into it by laying precedents that we're not meaning to establish. So, this is a way, through a sales tax holiday, we can get the relief out to Maine people immediately and, yes, so I put this forward for consideration. Thank you very much.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#5)

YEAS: Senators: BLACK, BRAKEY, FARRIN, HARRINGTON, KEIM, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

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

reported by the Secretary of State Bellows, is a true and accurate account.

Sincerely,

S/Senator Craig Hickman
Senate Chair

S/Representative Laura Supica
House Chair

READ and ORDERED PLACED ON FILE.

EXCUSED: Senator: BALDACCI

10 Senators having voted in the affirmative and 24 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator BRAKEY of Androscoggin to **ADOPT** Senate Amendment "C" (S-3) **FAILED**.

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

PASSED TO BE ENGROSSED AS AMENDED, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 21

In compliance with Joint Order (S.P. 44), the Chair appointed the following members to inform the Honorable Janet T. Mills that she has been duly elected Governor of the State of Maine for the political years 2023, 2024, 2025 and 2026:

**STATE OF MAINE
131ST LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

Senator **VITELLI** of Sagadahoc
Senator **DAUGHTRY** of Cumberland
Senator **MOORE** of Washington

January 4, 2023

The Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

The Senators were escorted to the Rotunda to deliver the message.

Dear Secretary Grant,

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

In compliance with Joint Order (S.P. #43), I am pleased to appoint the following members to the Gubernatorial Vote Committee:

COMMUNICATIONS

The Following Communication: S.C. 20

**STATE OF MAINE
131ST LEGISLATURE
JOINT SELECT COMMITTEE
ON GUBERNATORIAL VOTE**

Senator Craig Hickman of Kennebec, Chair
Senator Stacy Brenner of Cumberland
Senator Tim Nangle of Cumberland
Senator Joe Baldacci of Penobscot
Senator Jeff Timberlake of Androscoggin
Senator Jim Libby of Cumberland
Senator Russell Black of Franklin

If you have any questions, please do not hesitate to contact me.

January 4, 2023

Sincerely,

The Honorable Troy D. Jackson
President of the Senate
The Honorable Rachel Talbot Ross
Speaker of the House
State House
Augusta, Maine 04333

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

Dear President Jackson and Speaker Talbot Ross:

The Following Communication: S.C. 22

The Joint Select Committee of the One Hundred and Thirty-First Legislature on returns of votes for Governor given in the several cities, towns, and plantations of this State for the political years 2023, 2024, 2025 and 2026 has attended to its duty and asks leave to report that the tabulation of the return of votes cast for Governor at the General Election held on November 8, 2022, as

**STATE OF MAINE
131ST LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

January 4, 2023

The Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant,

In compliance with Joint Order (S.P. #44), I am pleased to appoint the following members to inform the Honorable Janet T. Mills that she has been duly elected Governor of the State of Maine for the political years 2023, 2024, 2025 and 2026:

Senator Eloise Vitelli of Sagadahoc
Senator Matthea Daughtry of Cumberland
Senator Marianne Moore of Washington

If you have any questions, please do not hesitate to contact me.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 23

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

January 4, 2023

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant:

Pursuant to Joint Order S.P. 43, the Speaker appointed the following Representatives to the Joint Select Committee on Gubernatorial Vote on the part of the House:

Representative Laura D. Supica of Bangor
Representative Morgan J. Rielly of Westbrook
Representative Benjamin T. Collings of Portland
Representative Marc G. Malon II of Biddeford
Representative Karen L. Montell of Gardiner
Representative John Andrews of Paris
Representative David W. Boyer, Jr. of Poland
Representative Benjamin C. Hymes of Waldo
Representative Shelley Rudnicki of Fairfield
Representative Walter N. Riseman of Harrison

Pursuant to Joint Order S.P. 44, the Speaker appointed the following Representatives on the part of the House to the Committee to wait upon the Honorable Janet T. Mills, and inform her that she has been duly elected Governor of the State of Maine for the political years 2023, 2024, 2025 and 2026:

Representative Holly B. Stover of Boothbay
Representative Sean C. Paulhus of Bath
Representative Lynn H. Copeland of Saco
Representative Deqa Dhalac of South Portland
Representative Mana Abdi of Lewiston
Representative Randall Adam Greenwood of Wales
Representative Jeffrey Sean Adams of Lebanon
Representative Kimberly J. Pomerleau of Standish
Representative Joseph F. Underwood of Presque Isle
Representative Walter N. Riseman of Harrison

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and ORDERED PLACED ON FILE.

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

PAPERS FROM THE HOUSE

**Pursuant to Statute
Department of Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 46 L.D. 71

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ and ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Turnpike Authority**

The **Maine Turnpike Authority**, pursuant to the Maine Revised Statutes, Title 23, section 1961, subsection 6 asked leave to report that the accompanying Bill "An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2024" H.P. 47 L.D. 72

Be **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED**, and the Bill **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **TRANSPORTATION** and ordered printed pursuant to Joint Rule 218, in concurrence.

Senate at Ease.

The Senate was called to order by the President.

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

ORDERS

Joint Order

On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:

S.P. 42

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 10, 2023, 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.

Off Record Remarks

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

PAPERS FROM THE HOUSE

House Papers

Bill "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

Bill "An Act to Provide Free Admission to State Parks and Historic Sites for the Spouses and Children of Veterans Holding Free Day Use Passes"

H.P. 31 L.D. 56

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

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

Bill "An Act to Update Provisions of the Department of Corrections Laws Regarding Operation and Administration of Jails, Women's Services and Juvenile Detention"

H.P. 8 L.D. 4

Bill "An Act to Require a 72-hour Waiting Period After the Sale of a Firearm"

H.P. 35 L.D. 60

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

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act to Amend the Law Governing the State Grant Program Administered by the Maine Historic Preservation Commission"

H.P. 19 L.D. 15

Bill "An Act to Provide Ongoing Funding for up to 2 Years of Community College for Certain Maine Students"

H.P. 22 L.D. 18

Bill "An Act to Authorize the National Institute of Funeral Service to Grant Associate Degrees" (EMERGENCY)

H.P. 23 L.D. 19

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

H.P. 26 L.D. 51

Bill "An Act to Allow Certain School Employees to Carry Firearms on School Property"

H.P. 27 L.D. 52

Bill "An Act to Ensure In-state Tuition for Postsecondary Students Who Are Registered to Vote in the State"

H.P. 39 L.D. 64

Bill "An Act to Increase the Number of Educational Professionals by Accepting Out-of-state Certification"

H.P. 42 L.D. 67

Bill "An Act to Ensure a High-quality Education for Students with Disabilities by Clarifying the Definition of 'State Agency Client' and Who Provides Special Education Programs and Services"

H.P. 49 L.D. 79

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 Improve Electrical Supply Cost Transparency"

H.P. 44 L.D. 69

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 Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws"

H.P. 13 L.D. 9

Bill "An Act to Amend the Laws Governing Invasive Aquatic Plants"

H.P. 14 L.D. 10

Come from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **BRENNER** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

Bill "An Act to Expand Access to Postsecondary Education for Low-income Parents"

H.P. 9 L.D. 5

Bill "An Act to Strengthen Temporary Protections for Children Living in Dwellings with Identified Lead Hazards"

H.P. 15 L.D. 11

Bill "An Act to Prevent Child Abuse and Neglect by Developing a System to Ensure Child and Family Well-being" (EMERGENCY)

H.P. 25 L.D. 50

Bill "An Act to Prohibit Inclusion of the COVID-19 Vaccine in the Universal Childhood Immunization Program"

H.P. 34 L.D. 59

Bill "An Act to Improve Family Economic Security Under the Temporary Assistance for Needy Families Program"

H.P. 50 L.D. 80

Bill "An Act to Address Recovery Residence Participation in the Municipal General Assistance Program"

H.P. 51 L.D. 81

Bill "An Act to Improve Access to Children's Behavioral Health Services"

H.P. 52 L.D. 82

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 Move the Headquarters for the Department of Inland Fisheries and Wildlife"

H.P. 30 L.D. 55

Bill "An Act to Amend Maine's Endangered and Threatened Species List"

H.P. 32 L.D. 57

Resolve, Directing the Commissioner of Inland Fisheries and Wildlife to Establish Seasons That Do Not Overlap for Hunting Bear over Bait and Hunting Bear with Dogs

H.P. 33 L.D. 58

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

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

Bill "An Act to Require That Printing Services Provided to the General Public by the University of Maine System Be Provided at Market Rates"

H.P. 40 L.D. 65

Comes from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion by Senator **CURRY** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed, in concurrence.

Bill "An Act to Further Protect Survivors of Economic Abuse"
H.P. 24 L.D. 20

RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine Regarding the Publication of Maine Indian Treaty Obligations

H.P. 48 L.D. 78

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

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

Bill "An Act to Amend the Laws Governing Severance Pay to Cover More Types of Employers and Include More Workers"
H.P. 16 L.D. 12

Bill "An Act to Define 'Mail' in the Employment Security Law to Include Electronic Notification"
H.P. 17 L.D. 13

Bill "An Act to Simplify an Assessment Notice Requirement Under Department of Labor Laws"
H.P. 18 L.D. 14

Bill "An Act to Ensure Accountability for Workplace Harassment and Assault by Removing Intentional Acts and Omissions from Workers' Compensation Exemptions"
H.P. 28 L.D. 53

Bill "An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances"
H.P. 29 L.D. 54

Bill "An Act to Eliminate the Cap on Retirement Benefits for State Employees and Teachers to Which a Cost-of-living Adjustment Is Made"
H.P. 45 L.D. 70

Come from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

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

Bill "An Act to Make Technical Changes to Maine's Marine Resources Laws"

H.P. 20 L.D. 16

Bill "An Act to Conserve Coastal Habitat by Restricting Rockweed Harvesting on Private Property"
H.P. 36 L.D. 61

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

On motion by Senator **RENY** of Lincoln, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 10 L.D. 6

Bill "An Act to Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY)

H.P. 11 L.D. 7

Bill "An Act to Prohibit the Taxation of Drinking Water"
H.P. 41 L.D. 66

Bill "An Act to Exempt Certain Nonprofit Organizations from the Sales and Use Tax and the Service Provider Tax"
H.P. 43 L.D. 68

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 Membership Requirements of the State Claims Commission"
H.P. 21 L.D. 17

Bill "An Act to Require Antipinch Sensors on School Bus Doors"
H.P. 37 L.D. 62

Bill "An Act to Clarify That Certain Imported Motor Vehicles Are Not Off-road Vehicles"
H.P. 38 L.D. 63

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

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

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

SENATE PAPERS

Bill "An Act to Strengthen Third-party Liability Requirements for the MaineCare Program"

S.P. 51 L.D. 84

Presented by Senator BALDACCI of Penobscot. Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

Resolve, Directing the Maine Turnpike Authority to Study Adding Exits off the Maine Turnpike to Aid Economic Development

S.P. 52 L.D. 85

Presented by Senator LIBBY of Cumberland. Cosponsored by Representative WOODSOME of Waterboro.

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

Sent down for concurrence.

Bill "An Act to Clarify State Policy Regarding the Use of Cannabis Paraphernalia in the Maine Medical Use of Cannabis Act" (EMERGENCY)

S.P. 50 L.D. 83

Presented by Senator HICKMAN of Kennebec. Cosponsored by Speaker TALBOT ROSS of Portland and Senator: President JACKSON of Aroostook.

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.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

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

ENACTORS

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

Emergency Measure

An Act to Establish the Winter Energy Relief Payment Program to Aid Residents with High Heating Costs and to Finalize the COVID Pandemic Relief Payment Program

H.P. 5 L.D. 3
(C "A" H-1)

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

Senator **BRAKEY:** Thank you, Mr. President. I have some thoughts to share on this legislation before we vote today but, first, I want to start on a positive note by saying thank you, Mr. President. I know on swearing-in day - and I hope that there's plenty more opportunities in the years to come to genuinely say thank you, and on swearing-in day, I rose to express concerns about that the policies now contained within LD 3 were being rushed through without a public hearing and the opportunity for transparency. Considering the lack of public input and legislative process involved in many major policies established over the last several years, many members of this Chamber believe that essential to establish that the Legislative Branch is restoring some degree of normal order in the state. That's why, Mr. President, I do want to say thank you for scheduling and personally conducting and chairing a public hearing on this bill. I think that was very important. The opportunity to have questions asked and answered, as well as to have input from concerned members of the public, gives me some reassurances that our roles in this separate branch of government will be more than just ceremonial these next two years. While I do wish there was more time for the - for work session and consideration of other ideas for delivering heating relief to the Maine people, I think we did attempt to have some of those conversations on the Floor today with Floor Amendments as best we were able. That said, to address the substance of the legislation, I do have some concerns that I do want to express before we vote today. I think it's important to recognize what exactly this bill represents. To quote the immortal wisdom of the late Harry Brown, 'The government is good at one thing; it knows how to break your legs, hand you a crutch, and say see, if it weren't for the government, you wouldn't be able to walk.' This bill is a crutch handed to the Maine people. Perhaps, in the present moment, a crutch is the

best we can offer but I wish there was some acknowledgment as to how the Maine people's legs were broken necessitating this crutch in the first place. There's been much talk around this legislation and the necessity of it due to the now-past COVID-19 pandemic. But it was not the virus that locked people in their homes, shut down businesses, disrupted the supply chains that deliver fuel to peoples' homes, and devalued the currency through monetary inflation, printing trillions of dollars out of thin air. It was the government's response to COVID that did this. It was the government's response to COVID that broke the legs of the Maine people and now we hand them a crutch. As far as crutches go, there are items in this bill I would gladly approve if they were standalone items. After the public hearing and conversations with representatives of the Maine Housing Authority, I am ready to approve most of Section A, including the \$50 million in proposed appropriations for direct heating relief, though I have concerns about very broad authorization for distributing ten million of these funds. If passed, I hope the Legislature can expect a report back on how these funds were utilized. I also have concerns about the proposed \$21 million for short-term emergency housing. My understanding is this provision includes state funding for paying hotels to house people, largely concentrated in the Portland area, picking up the tab after the Federal Government has dropped funding for this controversial program. Let me be clear; I don't want to see anyone kind of kicked out into the street, especially in this cold winter, but I do think it necessitates asking some questions about what the long-term plan is, exactly, here or if we're just kicking the can down the road. I remember during my four years chairing the Health and Human Services Committee from 2015 to '18, the City of Portland, in particular, was warned many times from people all across the state that many of the policies they had in place, and were publicly broadcasting, were financially unsustainable and particularly broadcasting the city as both a sanctuary city and welfare destination. While in 2015 there was news that broke about a third of people in the general assistance programs not being - not having or even pursuing a legal status in the country, and in 2019 I remember when the mayor at the time talked about bringing more people in to, you know, much to the chagrin of many of the city officials there who were dealing with the strains on the welfare budgets in the city. All these years later, looking at this \$21 million appropriation, I can't help but wonder to what degree is the rest of Maine being asked to bail out - bail out this region for predictable consequences of these policies and, if we authorize this appropriation, what plan is there to transition people out of hotels by April or should we expect this to be proposed as a permanent program put forward in the next budget? I don't know what to expect. I'd like to know if we are kicking the can down the road here. Is this just a stopgap measure that will lead to some as of yet undisclosed long-term plan? I haven't heard an answer on that.

On the matter of the \$450 checks, I have no objection to the principle of sending surplus funds back to the Maine people. In fact, I very much welcome that as a concept. If we have surplus funds, let's send it back to the Maine people who pay the taxes in this state. But I do question the mechanism of distribution, as I mentioned briefly during my comments earlier today. Between the State and Federal Government, how many rounds of checks have we sent out and how many more are yet to come? I can't help but look at this in the context of the recent past and wonder if we are laying the foundation for a universal basic income system as many are gradually conditioned to look to the government for

the next round of checks. I think we should be trying to help people stand on their own two feet and work towards independence, not encouraging people to be dependent on the State. And we should look to history for the dangers of falling into an inflationary spiral. Many past civilizations have fallen into this trap when governments, from Rome to the Weimar Republic, devalued their currencies through monetary expansion. The prices of everything rose and the people could no longer afford the goods and services they had come to expect. And how did many of these past governments cope with this? They printed more money out of thin air, sent it to the people after sending off a lot of checks to special interests first, leading to even higher prices, leading to additional demand to print and distribute more money, leading to even higher prices on top of that, and before you know it, it took a wheelbarrow of cash to buy a loaf of bread. I hope that we don't repeat that history in our country.

So, when we look to the present day, we have to ask: are we not falling into the same inflationary spiral? Why do we even have a state surplus? One of the great contributing reasons for the state surplus is the Federal Reserve Bank printed \$6 trillion out of thin air, devaluing the savings and retirements of the American people, handed it to Congress, who then sent some of it to states like Maine after making sure a lot of big corporate interests on the federal level got their cut, and now we have a surplus. But how does more fiat paper money make more heating oil appear in the marketplace for people to purchase? Or will flooding the economy with all these new funds simply create a bidding war for scarce resources, driving prices even higher? Ultimately, we have a serious issue on the supply side of the energy market from the supply chain disruptions that resulted from lockdown policies to restrictions on the development of domestic energy. We can paper over these problems for a time with easy fiat money, but we ignore and exacerbate energy supply challenges to the detriment of Maine people.

So, Mr. President, I respect the need to send Maine people a crutch. I would prefer we demand that the government stop breaking peoples' legs. I anticipate this legislation will likely pass today but, without any of the Floor Amendments adopted, I see too many problems to personally be comfortable adding my approval to this legislation. That said, I appreciate the opportunity to express my concerns and I'll be voting no on the motion but I do appreciate, Mr. President, you holding a public hearing on this bill and opportunity for public input. Thank you very much

Off Record Remarks

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

Senator **TIMBERLAKE:** Thank you, and I'll start off by saying Happy New Year, Mr. President, and Happy New Year to everybody in the Senate.

I will say thank you for holding a public hearing here on this bill. As most of you know, I served four years on Appropriations, I served four years in leadership, and through those eight years, I've been a pretty strong advocate for nursing homes, home healthcare workers, funding them at as much as we possibly could. It's very concerning to me here that this bill sets before us

and we didn't use any of the money to fund the things that we found, or we've always found as a group, very important. The public hearing concerned me because you did hold it, Mr. President, but in that public hearing, I got a couple three peoples' testimonies out of some of them that testified, and I'm going to get to my point on it. 'My name is Georgia West. I live in Caribou and I'm a self-advocate. I oppose LD 3. I've lived in this state for ten years and it's not fair to take money from the HCBS MaineCare fund that is necessary fund for the people that HCBS fund serves and who should have more to say about how the money is spent. ASAP has helped me with my rent and has been very helpful, which made money more available to spend on our living costs. We should find another avenue to pay for this heating expense.' Another one: 'My name is Stewart Hallett. I live in Mars Hill and I'm a self-advocate. I oppose LD 3. I think it's wrong for people to take money from the day programs. I think our programs should be shut down - would be shut down if we didn't have enough staff. It's important to help the people that need help heating their homes but we should find a different way to pay for it.' Now, I'm not saying in any of these that we're taking any money out of any of these accounts, because we're not. It's not something that I'm advocating. What I'm saying is we got \$158 million that's coming from the FBET money that's technically, I'll agree, is technically it is a surplus. But that money can be spent in better places than sending out \$450 checks to everybody in the state of Maine. I think there's people in the state of Maine that need heating assistance. I think we should find a way, I think we can do better. I think the public hearing, when the public hearing was over and the public hearing went immediately to a workshop session and none of these peoples' concerns were discussed that evening. That really concerned me because I watched the whole thing. It's something that we, as a legislative Body, have always prided ourselves on listening to the public and then going on. Usually, when you go to a workshop immediately after a public hearing, it's to kill a bill. You know? The majority of the times when you go 'okay, we're going to a workshop' it's because we agreed to kill a bill. But we didn't even discuss other options of ways that maybe we could fund the nursing homes in the state of Maine, because that's been something that's been very near and dear to my heart for eight years. We've used every bit of money that Republicans had when we had left over to fund nursing homes, home healthcare workers, and these are all things that this money could be used for. We could do a better job at that. I think some of this money could've gone to drug rehabilitation. We're setting the highest record of deaths in the state of Maine ever because we didn't - we're not - we're not funding that and helping those in mental health. I have two residents in my town that were good friends of mine that were killed two years ago because of mental health and we didn't - their programs weren't funded enough so they could have people there when they needed them. Ladies and gentlemen, Mr. President, this is very concerning to me. I know there's people out there that need help. You know, I think the thing that bothered me the most the other night was when they said, you know, my side of the aisle only wants to freeze people and people to die. How many people are we killing by not funding nursing homes, the mental health industry, and the rest of these programs, the brain injured, in the state of Maine? How many people are we stranding out there on there? Yeah, we funded them in the last biennial budget but we didn't fund them anywhere near at the limits they should've been. This is a problem to me. It's been a problem to me and now my phone's ringing in my ears

with my new hearing aids. I thought I turned it off. This has been a problem to me since day one and I only wish that we'd taken a minute and found a way to use some more of this money to help some more of these people that are in these programs that are being left out. And for that reason today, I'm not going to be supporting this because I think we can do better. We had the same ability to take that \$158 million and use part of it to disburse more to nursing homes and more to home healthcare and more to the brain injured and we could go down the whole list and do it. But there was one more letter that was read the other night at the public meeting and this is: 'To the Honorable and Esteemed,' this is from Megan Hoffman, 'Chairs and members. I'm Megan Hoffman and I'm against LD 3 as currently proposed. As a parent of a 35-year-old adult with intellectual and development disabilities and autism, I am deeply dismayed that critical funding for home community-based services are once again on the chopping block.' Now, let's be clear, they're not on the chopping block but they do need more funding. 'Further, this legislation constructed coliseum pitting underserved gladiators in the form of people with significant disabilities who have been left out of the funding to provide essential life services against those who are threatened with unheated shelters. This is unfair and an inhumane equation. Those of us who have family members have been existing on an unfulfilled promise of adequate home and community-based services were finally going to experience desperate needed improvements. Removal of \$35 million in state funds because they will be backfilled by federal dollars is consigning unserved and underserved people to barely treading water in the seas that our broken services for people with intellectual disabilities. The federal funds were earmarked to improve the service system that had been dismantled more than a decade ago. Dismantled more than a decade ago and has never recovered from that. My son Jake only sees four hours a week of the 36 hours he is eligible for and desperately needs. We are so hopeful that the addition of the self-directed services would make it possible for him, and all those unable to acquire community support, to finally receive flexible person-centered centers. However, my family and dozens of others have been stymied in our attempts to use the waiver option as the Fiscal Management Service provider does not respond to case managers. When the folks at the State were made aware of the situation, we learned that the Fiscal Management Services were the only providers in the nation will to take Maine's impossible low rate. Maine should not be proud of offering the services that they can't fund properly. I urge you to defeat this proposal. Your work is so difficult and I appreciate the minefields you travel. Please consider the alternative proposal from Senator Bennett and Grohoski.' And this comes out of Hampden, Maine.

Ladies and gentleman, Mr. President of the Senate, I think it's very concerning, when you listen to the people talk, that we didn't fund some more of this out of this \$158 million. Maybe we could've - maybe we would have to lower the checks to \$350 or something else or some other program, but we never had the discussion. We had the public hearing, we checked that box, okay. We checked it, we had the public hearing for you, but yet as soon as the public hearing was over, we went to a workshop to pass the bill. We didn't do what the people of the state of Maine, I think, expected us to do and that's have deliberation over the things that we heard. And so, Mr. President, with those remarks, I will sit down because I probably way overstayed my welcome standing here, but it is concerning to me and thank you very much.

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

Senator **LIBBY:** Thank you, Mr. President. Mr. President, great news, the two gentlemen that spoke before me have cuts my notes down significantly and I'm sure you'll appreciate that. But I would like to add just a few things and then I'm going to speak a little bit from the heart at the end of this. There are other options that I wish we were considering. One of them, that hasn't been spoken about, is there is a really interesting proposal in the town of Brunswick, Mr. President, and they have recently put together a plan to establish a fund to incentivize developers to come to the table and build low-income housing. And I see the low-income housing problem as not so much we should, you know, we need to help people and maybe pay for hotel costs and things like that, I understand all that. We can't just let people go out on the street, we have to take care of people, this is an emergency. I'm the first one to want to state that. But the underlying problem is the supply of housing stock and we're not doing anything here to address that. So, other - in addition to what's been said here, I wanted to make sure I added that.

So, the last is just from my heart and I just want you to know I'm going to violate one of my personal convictions today. The conviction is never tell anybody what you make for an income, Mr. President, and I'm about to violate that because my wife and I are a little bit concerned that State Government thinks that because we have five jobs between my wife and I and we finally made it over the \$200,000 threshold - we actually had a little celebration of wow, we made \$200,000 last year - that we should be responsible for paying for all of this. Well, maybe we should be and we had that conversation, yes, we're willing, we're willing, take our - have us pay more in tax dollars than 91% of the rest of Maine. Go ahead and have us do it. But the thing that I cannot digest is that we made just over \$200,000 and you're giving checks, you - sorry, you is wrong - we are giving checks to people, families, that make \$195,000. And how many checks have we given out over the past year and a half? I haven't seen any of those. And, again, it's okay, I'm willing to shoulder the load. I'm blessed to even be able to think about making that kind of money. But if you think the cutoff should be \$200,000 - everybody in Maine I'm speaking to, not people in this Chamber, necessarily - if you think it should be \$200,000 and that the person that make \$199,000 should qualify for these checks, I do not agree with that. It's a struggle for me to even understand where it came from in the first place. I understand that Republicans might've been involved in that decision back during the COVID check year, and that's fine. That doesn't mean I agree with it. It's absolutely wrong. We can't continue with this kind of policy. We have to start thinking about who should receive that help.

Now, in my district, if I had to guess and I had to draw a line, I would say okay, well, families that are receiving less than \$50 or \$60 on an individual basis, maybe \$100 or \$120. I go to their homes. I see what they make and I see what they can't afford, and I go to my town hall and they tell me that their General Assistance budget has quintupled, the town of Shapleigh told me that, paying mostly for heating bills - heating bill assistance but then also electricity. And so the need is there, the need is great, but we have not - this is a haphazard bill. We have not considered refining it in any way, and that's surprising because I served in this Body many years ago and we paid attention to

detail and both parties worked together on those sorts of things. And I have a great admiration for some of the leaders of those times. So, I would say that I think this bill will pass today and I'm kind of happy that it's going to pass because I actually know there are people that need this money. They need the help. Both issues are an emergency. So, that's good. And I'm going to sit here and probably wait and see, make sure there's enough votes and then maybe I'll vote no, but I've got to tell you, we've got other systems in place that temporarily can take care of those needs that we're discussing here until we get a well-crafted and refined bill that we can proudly send to the people of Maine. I don't think this is it. In fact, I know this isn't it. So, I appreciate the time that you've given me today and I guess I urge the members to vote no against this proposal. Thank you.

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

Senator **POULIOT:** Thank you, Mr. President. A couple weeks ago, I was leaving my office and stepped outside and there was a gentleman sitting on the corner and I kind of walked by, went to my truck, came back by, walked by him, and there was a box a few feet away so I picked it up off the ground. My office is in downtown Augusta and so frequently there's stuff left on the sidewalk, you know, that we - that we pick up because we just don't want trash running around everywhere. So, I grabbed this box and go inside, throw it away, and before I did, though, I looked at it and it said Brian and it had a Portland address. I'm like that's weird, why is there a box mailed to Portland in my front yard. And I went back outside and I walked up to this gentleman and I said, you know, 'What are you doing here?' and he's like, 'Well, I just got here. I was supposed to be staying at the Edward's House in Augusta but the Uber dropped me off here and the Edward's House won't take me until January 3rd,' which was yesterday. So, I'm sitting there like okay, that's a couple weeks away, like, what's your plan for tonight. So, he's one of the individuals that we're seeking to help, supposedly with this bill. So, I said to Brian, I was like well, 'What's your plan tonight?' and he's like 'I don't have a plan.' And I said well, 'Let's go to the warming center.' So, I said hop in my truck and we drive over to the warming center. It's like 4:30 in the afternoon, and I'm like they don't open until 7. He's like 'That's all right, I want to sit here because I want to make sure I get in.' They only have three staff at the warming center in Augusta. It's a low barrier facility where they don't ask any questions. They don't ask if you're a sex offender. They don't ask if you're struggling with substance use disorder, nothing. It's like here's a warm place, we have three staff, we're allowed for up to 30 people, you can come in. So, this is really helping a person that's homeless in a situation to be - to be warm. But I left there, I left that, I gave him my cellphone number, I said, 'Look, if they don't let you in, please call me, we'll make arrangements for tonight.' I never heard from him but I left that interaction feeling like totally a worthless human being, honestly. Because I'm like look, I'm in a position in state government to impact what happens to somebody like Brian when he's in a situation like this except it requires me getting all 185 other people that I work with to agree that this is a crisis, an emergency that we need to solve. So, last week, I was on a phone call with a number of advocates from the housing community because I texted all of them. I'm like look, I know all of you guys, let's break down our silos and start working on this crisis, like, really doing the work that we have to do in government

to actually solve the problem. So, we're all on a call and there's an advocate there from the Governor's office as well and he was explaining to these people who are doing yeoman's work on the front lines to help serve the people that we're all claiming to serve with this bill. He said, 'You know, this bill is needed to help keep people safe.' And when he said that, I couldn't help but think like how the heck is a \$900 check going to help keep a family making \$200,000 a year safe? It's not. I mean, the only thing that's going to keep them safe is a financial advisor. So, if we're being honest with ourselves, the reality is this bill doesn't actually solve the problem that the headlines purport it to solve because we're not going the extra mile, we're not doing the extra work to ensure that the warming center in Augusta, which is low barrier that does take sex offenders, needs to have people coming in there at all times but we also need another facility that doesn't take sex offenders so the mom with a single - single mom with a kid feels safe going there. You know what I mean? We don't have that. We're telling all the Maine people today, if we vote for this bill, that we're going to help keep you safe, and that's a lie, if we're being honest with ourselves.

So, I heard what the Commissioner said at the Appropriations public hearing, which immediately went into a work session, and, in my opinion, was nothing more than a dog and pony show. She said this is one-time money, so we need to use it as such. But how would it not be using the one-time money to build a new facility? I mean, we could build them here in Augusta or Portland or Bangor or in Meddybemps. You know? Build a facility for people to actually go to. Use the one-time money to build the facility that the private market won't build because there isn't enough money, financial return, to justify it. So when they go to the bank to build it, the bank's like 'Hey, this is fun, sounds like it would be nice, but it's not going to happen.' Instead, we go out and we use these resources, these one-time resources, to build these facilities so that when Brian is sitting on the sidewalk next year - which hopefully never happens, I hope he gets onto a continuum of care that helps him to recognize whatever it is he's struggling with - there's help and there's also a path forward, a path of true prosperity, not one of living on what's going to come next from somebody else. Really, by supporting this bill, we are supporting learned helplessness. And, instead, what I want to do is be an advocate for self-efficacy and, in doing so, that requires us to make difficult decisions, Mr. President. It requires us, when we are stewards of these resources, to ask ourselves what is truly going to help somebody like Brian. And I think if we're being honest with ourselves, Mr. President, this bill doesn't do anything close to that and I'll be voting no. Thank you.

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

Senator **DAUGHTRY:** Thank you, Mr. President. Ladies and Gentlemen of the Senate, I stand to rise to correct the record on a couple of things. The good Senator from Cumberland mentioned my hometown of Brunswick and I couldn't not stand and speak to that. It is true that my hometown community is doing some pretty incredible work on housing. We are looking at ways to incentivize developers not only for low-income housing but looking at what the term of sustainability means. It doesn't matter what you're earning, how do you have a place and a roof over your head in our community. And it's gone from the Town Council all over. What wasn't included in there, though, is the statement that we've been really dealing with as a community and struggling with how

to address when there's been a failure on the Legislature to step up to the plate. We have 77 families currently who are at risk of losing their housing support, who I have been in communication with since we failed to act here every single day about what not only we can do to help them but to help our community make sure that these folks are cared for. These are 77 people that I know, when I vote today, that I'm voting for them, to make sure that they are able to not only have a roof over their heads but be able to stay warm. We've had to have conversations with not only leaders like the amazing delegation in both the Senate and the House here and with our Town Council but with the different caseworkers who work with these families. And these are people whose backgrounds are all over the place. These are people who have been in Brunswick their whole life, there are other people who come here for jobs, and the fact of the matter is that they are counting on us to take these actions. I also want to remind folks that when we're talking about the different income levels, we're talking about keeping people warm. And when we started this conversation, like many great pieces of legislation that come through this building, it's a piece of compromise and it comes out of conversation. When we started this, we were looking originally, the Governor's proposal was an income limit of \$50,000. It got moved to \$75,000 and many people, you know, on both sides of the aisle, you know, had back and forth but then it got moved to be \$100,000. So, I just wanted to make sure that people remember that we started at a different income level and out of the work of having a public hearing and a process and a conversation, that's why we're here. I also just want to remind folks that additionally in Brunswick not only have we taken some actions but when it comes to housing, we have a local housing committee. And a lot of the conversations that my hometown is going to be having are the exact same ones that this Legislature is about to embark on with our Joint Select Housing Committee. This is not the end of the conversation. This is literally just a short-term band-aid to make sure that we can all get through what's going to be a pretty hard winter. It's a first step, it's not the end of the game. So, I really urge everyone's support on this. I'm voting today not only for all of us but for those families that I know are counting on me back home.

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

Senator **BENNETT:** Thank you, Mr. President. Fellow members of the Senate, happy New Year. I speak today with feelings of gratitude and feelings of regret. I am grateful that we had a public hearing on this bill. The Legislature must do more than simply ratify the conclusions of the Governor. Ours is not a parliamentary system where the Executive and Legislative Branches are conflated. Article III of Maine's Constitution lays out clearly and cleanly that legislative power may not be exercised by the Executive Branch. Even with a party controlling both branches, it is a dereliction of our constitutional duties to cede the transparency, the accountability, the good and valuable stakeholder governance that comes from doing our jobs as representatives of the people. Further, it is a dereliction to relegate our solemn powers of lawmaking to cloak discussions behind closed doors of party caucuses. The peoples' work demands daylight. So, I'm grateful to you, Mr. President, and the presiding officer of the other Body, for giving the public, as well as rank-and-file legislators, an opportunity to hear the rationale behind this bill, for the opportunity to ask questions, and to

comment and express their concerns. But I also have regret. Perfection will never be found in legislation, but I believe that public input and inquiry will get us closer to it. It's regrettable the public hearing was not held earlier, even before opening day. It's regrettable that a meaningful work session on this bill was not scheduled in a timely fashion so that we could have had a debate for the Emergency on opening day. Spending half a billion dollars of the public's money, particularly in this time of uncertainty and, yes, crisis for many Maine families, requires this. An emergency does not simply demand solarity of response; it demands effectiveness and focus. This bill, in my opinion, fails that latter test. The bill will write \$900 checks for couples making up to \$200,000 of income, spending our cupboards bare. This is a stark choice. This bill, effectively, is our Supplemental Budget for this year. In fact, when this bill passes, the surplus revenue left in the accounts will be \$592,000. \$592,000. Budgets reflect our priorities for attending to the needs of Maine people. Spending our surplus accounts dry leaves no money to deal with the other pressing issues such as our opioid epidemic, our failing nursing homes, the dire shortage of direct care workers for people who have been promised services by state government. And there's no money to fulfill our constitutional duty to provide legal services for indigent Mainers. Now, the Administration's response to this in the public hearing was that we should not spend one-time money on ongoing expenses. That it's preferable to write checks to help offset the higher expenses for energy and other necessities. The notion there is that our current inflation rates are a one-time event. Really? How is that no? And, more importantly, what about the daily emergencies that Maine families are facing because loved ones are in unsafe environments because of chronic underfunding of essential and, again, promised services to those with developmental disabilities, brain injuries, and mental health issues. Each day, each episode, is a one-time crisis for these Maine people. There is no light at the end of the tunnel. They are told they must await their turn, maybe, for a biennial budget to take effect months after this long, dark winter has passed. Maine people get this and this is why I've heard from many of the people I represent who believe that the emergency relief ought to be targeted to those in need. That is why I worked with the Senator from Hancock, Senator Grohoski, together to propose a different approach. In floating an alternative, we expressed our view that many of our neighbors are in urgent need of heating and housing relief and that it's our duties as legislators to both help and act responsibly with state funds. As she put it, and she put it well, the relief checks are too small for those in need and too large for others. LD 3 has impacts, far-ranging impacts, and spending the cupboard bare beyond the energy emergency many Mainers are facing, this bill means that this Legislature is taking away our ability to better serve all the Maine people. So, I have gratitude and I have regret. I have gratitude that we had the public hearing, that we gave air and light to the issues of real concern, but I regret that LD 3 could be and should be better. I regret that we failed to let our transparency inclusion that's the hallmark of the Legislative Branch work optimally. Now, with all that, it is before us now, today, for final enactment on a binary vote; yes or no. There are people who need this help. There are people with energy crises, there are people with housing crises. It's going to be a long, cold, and dark winter. So, another point of regret, despite the immense flaws in this bill, I will be voting yes. Thank you, Mr. President.

Off Record Remarks

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

Senator **KEIM:** Thank you, Mr. President. Happy New Year, everyone. It's unfortunate to rise after the Junior Senator from Oxford who speaks so eloquently. I rise today to just briefly, hopefully, be a broken record in the Senate until we address issues that are essential duty and that is to say that, you know, my opposition to LD 3 has been spoken to by other colleagues but I have to reiterate what I feel is an essential duty of government that we are completely ignoring as we spend our account dry and leave nothing to take on what is a constitutional obligation. There are many issues, there are crises facing Maine people right now. But all of them rank somewhere in someone's level of priority, depending on the crisis that they're facing at the moment. But an essential duty we are ignoring, which is the only one I believe right now facing us that's constitutional, and that is our system of justice. We are leaving no money for public defense and it seems, I think, that people figure this doesn't touch their lives but, essentially, our communities and the way that we live depends on a robust system of justice. There are people that are either going to be in jail without representation and maybe should not be there, or there are going to be people that should be in jail that are not because there is no representation, so we legally cannot have them there. We - our communities will disintegrate without justice. Our lives disintegrate. It is the essential duty of government to provide public defense and to make sure that we have a robust justice system that works for everyone. And with spending all of the money with LD 3, we leave nothing to address a really dire situation in our state and I stand just to remind everyone of that again and I hope, like I said, to never stop saying that until we make headway in that area because it's a crisis right now. Thank you.

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

Senator **LAWRENCE:** Thank you, Mr. President. Men and women of the Senate, you know, I find that you can always find excuses for doing nothing. You can say it's not structured this way, I wanted it this way. Part of the legislative process is finding compromise. We could've done this a month ago, we could've accomplished this by working together as a committee of the whole to get it done. Mainers have been waiting and I want to make one point; government did not break the legs of Mainers. Government allowed the fossil fuel industry to break the legs of Mainers. We allowed the coal industry, the oil industry, and the natural gas industry to put us in this position. And we had a chance with some surplus funds to get them some relief. Now is not the time for excuses. The State of Maine should've acted between 2010 and 2018 to move us away from reliance on fossil fuels but we didn't. Now we have to do something, now we have to take this surplus fund and help Mainers and it's not time to find excuses for not doing it. Thank you.

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

Senator **STEWART**: Thank you very much, Mr. President. Ladies and Gentlemen of the Senate, I've got some remarks I want to make but I do just want to point out that, conveniently, the timeframe that was just referenced in regards to lower energy costs was also - also includes a timeframe when we actually tried to move towards hydro and other types of renewable energies that were, in fact, cheaper. And I totally agree with the good Senator from York and, unfortunately, those desires were blocked by some other folks that were also serving at the same time, and I'm not going to down that rabbit hole today, but I do want to make a few comments and some of them you will recall from the committee that was held. And I first want to start by saying thank you to the Senate President and the Speaker for convening that Body. It was incredibly important, as evident by the hundreds of pieces of testimony and individuals who attended and shared their concerns. I didn't hear a lot of folks in there that said this bill is perfect. In fact, I can't really remember any. I did hear a lot that had input, that had legitimate concerns with some provisions of the bill. I heard a lot of folks that supported some, not all of the bill. But that's the point. The point is transparency in government. Now, to be clear, we could've done this a long time ago. In fact, we could've had a special session in the previous Legislature, the Governor could have called us in in between the campaign cycle - but oh, wait, there was a campaign going on and that was problematic. In fact, I recall, vividly, many requests from a commission that I worked with up north around homelessness to do just that and, instead, politics won the day then. To that point about housing and some of the comments that were made around what can or should've happened or what can and should happen now. A few months ago, several months ago, we knew that we were going to have a housing issue when the ERA program ended. In fact, in Aroostook County, when that program was about to end, I served on the board of the Aroostook County Action Program and we knew that that deadline was coming. It wasn't a surprise to anybody, much to, you know, the chagrin of some of those that might like to say that it got sprung on us or that out of nowhere, suddenly all these people are going to be in the cold, which is not the case, we've known about that for months. And, in fact, in Aroostook County, we decided to take action at the local level. In fact, our board that - actually, both Senate President Jackson and I serve on, on ACAP, decided to convene a taskforce and I actually chaired that entity. And we pulled together stakeholders months ago to start that process of finding alternatives. It wasn't easy. It took a lot of time, it took a lot of energy, a lot of frustration, I can promise you that much. But eventually we found a solution that would work for the folks that we were worried about and the folks in our community. And we did so because every time that we asked the State for help, specifically the Chief Executive, we didn't get anywhere. Nobody was coming to save us. We had to do it ourselves. Thankfully, we were able to pull together a model that actually worked. In fact, it's being replicated in other parts of the state as we speak. I commend those efforts as well and I think that that's the right way for us to get through the winter. There aren't going to be a lot of houses that just spring up over the next few months but we still need a solution for those people. It is still a problem, it is still a crisis, and now, finally, we're acting. I really can't underscore this frustration around a lack of a plan enough. This is a really big problem and we've known about it for a long time and we didn't do anything. We left it up to the communities. We left it up to other stakeholders back home in your own towns, in your own

communities, in your own districts, to go figure it out on their own. That's what we did as a state government, which we are all individual pieces of. I still haven't heard what that plan is. I still haven't heard what the plan is for these folks once the money runs out again. And in this bill, it is going to run out again. I do not want us to be in April, or even nearing April, with us even entertaining another approach like what is included in this bill. My colleagues and I understand the urgency here. We understand the problem. We could disagree about causes all we like but the reality is there is a problem and, finally, state government is going to act. This amount of transparency that was injected into this process, injected into this bill, was incredibly critical because it shined a light on so many areas where we are failing as a state. Not just in housing, not just in energy costs - and I look forward to working with my friends across the aisle to lower energy costs in Maine because that has got to happen - but also in terms of those who we have made promises to; those with intellectual and developmental disabilities, those with traumatic brain injuries, those in nursing homes, all of whom we have made promises to and have failed to keep. We can argue about whether this is a robbing of any sort of funds or an injection with a de-appropriation or whatever you want to call it, the point is my colleagues and I will be holding the Administration's feet accountable in the next negotiation and the next conversation because it has to happen. The money's here now and we're choosing to do something different with it because of this crisis, because of the nature of the circumstance we're in, but that cannot be the end of that conversation, as you heard some of my colleagues who are very passionate about those issues share with us today. Republicans have fought for those who are in most need for many, many years. We will continue to do so. Because we are supporting this bill, or some of us are going to be supporting this bill, does not mean that we are turning our backs on you in any way and we will continue to hold the Administration's feet accountable and this Legislature's feet accountable going forward to make sure that those folks are prioritized. That said, today I will be sticking with my committee vote. I think, you know, as has been said many times on the Floor - a few times on the Floor today, this bill needs to pass. We're at that point, it needs to pass. There's allegedly going to be another negotiation that begins as early as next week on the next things. We'll move on to those and, again, we'll be prioritizing those who are concerned about the impact on this bill because we have to do better as a state. Thank you, Mr. President.

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

Senator **DAUGHTRY**: Thank you, Mr. President. Ladies and Gentlemen of the Senate, I rise for two reasons. First off, I want to say I look forward to working with the good Senator from Aroostook on many of the solutions that he raised. I think we have an amazing opportunity within this Legislature to make a meaningful impact not only on housing and heating issues but many of the issues that were also raised from legal representation to fighting back against the fossil fuel industry. I do want to rise because I was getting some comments that I forgot to mention since my hometown of Brunswick came up that the Town Council actually unanimously voted to send a letter to the Legislature in support of LD 3. And I just want to paraphrase and read really quick one of the paragraphs because I think it's pertinent for a vote today. And I'm quoting from Jim Mason, who is the chair of

the Brunswick Town Council. 'Mainers across the state and many of our friends and neighbors in Brunswick are facing crushing costs of heating their homes. Many are also facing the consequences of the housing crisis with costs raising beyond their reach. Existing programs are inadequate,' - and this is the problem with reading off of your phone when it rotates - 'are inadequate to address the enormous needs we are seeing. One of these programs, the federal funded Emergency Rental Assistance Program, as you know, will not be funded past the end of December. LD 3 is an emergency bill that if enacted would provide immediate, desperately-needed relief to thousands of Mainers not only here. Clearly, by any definition, the current heating and housing crisis presented during the coldest months of the year is an emergency, demanding immediate action. The funding proposed in LD 3 would provide a measure of relief that the heating crisis demands. Our friends and neighbors need help now. We urge you to support the enactment of LD 3.' Thank you.

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senators having voted in the negative, and 24 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

At this point the Senate retired to the Augusta Civic Center where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.

Without a quorum present, the Senate was **ADJOURNED**, pursuant to the Joint Order, until the Call of the President of the Senate and the Speaker of the House.