



Senate of Maine

One Hundred and Thirty-First Legislature
First Regular Session

Advance Journal and Calendar

3rd Legislative Day

In Senate Chamber, Tuesday, January 10, 2023.

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

Prayer by Rabbi Erica Asch of Temple Beth El in Augusta.

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

Reading of the Journal of Wednesday, January 4, 2023.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

PAPERS FROM THE HOUSE

Joint Orders

(1-1) The following Joint Order:

H.P. 7

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 312 to read:

Rule 312. Fiscal Notes.

Every bill or resolve that affects state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than "Leave to Withdraw," "Ought Not to Pass" or "Referral to Another Committee" must include a fiscal note prepared by the Office of Fiscal and Program Review. ~~For a bill or resolve not yet reported out and upon request of a majority of the committee, the Office of Fiscal and Program Review shall, after notice by the committee to the sponsor of the bill or resolve, meet with the committee at a work session to present its analysis and provide copies of the written public materials relied upon by the office to prepare that fiscal note.~~ The fiscal note must be complete, available to the public and attached to any bill before the committee votes on it and the bill is reported out of committee. The fiscal note must accompany the committee report before it is reported out of committee. Any amendment introduced that would affect the fiscal impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

Comes from the House, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.

(1-2) The following Joint Order:

H.P. 53

ORDERED, the Senate concurring, that the Joint Rules be amended by amending Joint Rule 213, first paragraph to read:

All expressions of legislative sentiment must conform to guidelines issued by the President of the Senate and the Speaker of the House and must be presented in a manner standardized by the Revisor of Statutes. Approval of the President of the Senate and the Speaker of the House is not needed for joint resolutions.

ORDERED, the Senate concurring, that the Joint Rules be amended by striking out all of Joint Rule 214.

Comes from the House, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.

COMMUNICATIONS

(2-1) The Following Communication:

H.P. 6

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

December 16, 2022

Honorable Rachel Talbot Ross
Speaker of the House
131st Legislature

Honorable Troy D. Jackson
President of the Senate
131st Legislature

Dear Madam Speaker and Mr. President:

On December 16, 2022, 1 bill was received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on December 16, 2022, as follows:

Appropriations and Financial Affairs

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) (Sponsored by Speaker TALBOT ROSS of Portland) (Cosponsored by President JACKSON of Aroostook)

Sincerely,

S/Robert B. Hunt
Clerk of the House

S/Darek M. Grant
Secretary of the Senate

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

(2-2) The Following Communication:

S.C. 25

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

January 5, 2023

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

Dear Secretary Grant,

Pursuant to our authority under Title 12, MRSA, Chapter 419, §4652, we are pleased to appoint Allison Hepler of Woolwich to the Atlantic State Marine Fisheries Commission.

Furthermore, we are appointing Senator Cameron Reny of Lincoln as a permanent proxy member of the commission, who may also attend meetings of the commission. Additionally, Senator Reny may vote in the event of Representative Hepler's absence.

Please let us know if you have any questions.

Sincerely,

S/Troy D. Jackson
President of the Senate

S/Rachel Talbot Ross
Speaker of the House

(2-3) The Following Communication:

S.C. 24

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

December 30, 2022

The Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, ME 04333-0003

Dear President Jackson,

Pursuant to 5 MRSA § 12009, I am submitting the Report of Board and Commission Appointments or Reappointments to you for the calendar year 2023. Additionally, I am providing a report that lists appointments or reappointments which have not been made from previous years through December 31, 2022. This report also indicates vacancies which exist on a board or commission that needs a new appointment. If you would like a breakdown of only your appointments, we would be pleased to provide this to you as well.

If you have any questions concerning these reports or need additional information, please contact me or Cathy Beaudoin, Director of the Division of Corporations, UCC and Commissions at 207-624-7748.

Sincerely,

S/Shenna Bellows
Secretary of State

SENATE PAPERS

(3-1) Bill "An Act to Protect Minors from Exploitation by Adults for Violation of Privacy"
S.P. 54 L.D. 115

Presented by Senator BAILEY of York.

Cosponsored by Senators: DUSON of Cumberland, RENY of Lincoln, Representatives:
GRAMLICH of Old Orchard Beach, JAUCH of Topsham, LaROCHELLE of Augusta,
LOOKNER of Portland.

(3-2) Bill "An Act to Allow Detention of Juveniles for Certain Acts"
S.P. 77 L.D. 148

Presented by Senator LAFOUNTAIN of Kennebec.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

(3-3) Bill "An Act to Eliminate the Educational Purposes Exception to the Prohibition on the
Dissemination of Obscene Matter to Minors"

S.P. 62 L.D. 123

Presented by Senator LIBBY of Cumberland.

Cosponsored by Representative POMERLEAU of Standish.

(3-4) Resolve, to Direct the University of Maine System to Study the Feasibility of Establishing
a Public Allopathic Medical School in Penobscot County

S.P. 68 L.D. 129

Presented by Senator BALDACCI of Penobscot.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

(3-5) Bill "An Act to Authorize the Efficiency Maine Trust to Establish a Program to Support the Uptake of Medium-duty and Heavy-duty Zero-emission Vehicles by Maine Businesses and to Establish a Medium-duty and Heavy-duty Zero-emission Vehicle-to-grid Pilot Project"

S.P. 61 L.D. 122

Presented by Senator INGWERSEN of York.

Cosponsored by Representative ZEIGLER of Montville and Senator: GROHOSKI of Hancock, Representatives: MALON of Biddeford, PLUECKER of Warren, SAYRE of Kennebunk.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

(3-6) Bill "An Act to Eliminate Television Recycling Fees for Charitable Entities"

S.P. 66 L.D. 127

Presented by Senator STEWART of Aroostook.

(3-7) Bill "An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers"

S.P. 73 L.D. 134

Presented by President JACKSON of Aroostook.

Cosponsored by Representative GRAMLICH of Old Orchard Beach and Senator: BRENNER of Cumberland, Representative: BOYLE of Gorham.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

(3-8) Bill "An Act to Prohibit the Use of Electronic Benefits Transfer System Cards for Cash Withdrawals"

S.P. 56 L.D. 117

Presented by Senator BRAKEY of Androscoggin.

Cosponsored by Representative GRIFFIN of Levant and Senators: BENNETT of Oxford, GUERIN of Penobscot, HARRINGTON of York, KEIM of Oxford, POULIOT of Kennebec, STEWART of Aroostook, Representatives: BOYER of Poland, LIBBY of Auburn.

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

(3-9) Bill "An Act to Make Technical Amendments to Banking Laws"

S.P. 53 L.D. 114

Presented by Senator BAILEY of York.

Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

(3-10) Bill "An Act to Expand Health Insurance Coverage to Certain State Employees"

S.P. 60 L.D. 121

Presented by Senator HICKMAN of Kennebec.

Cosponsored by Speaker TALBOT ROSS of Portland and Senators: BAILEY of York, BRAKEY of Androscoggin, President JACKSON of Aroostook, NANGLE of Cumberland, Representatives: DHALAC of South Portland, PAULHUS of Bath, PERRY of Calais, STOVER of Boothbay.

(3-11) Bill "An Act to Require Health Insurance Carriers to Provide Coverage for Blood Testing for Perfluoroalkyl and Polyfluoroalkyl Substances"

S.P. 71 L.D. 132

Presented by Senator BRENNER of Cumberland.

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

(3-12) Bill "An Act to Improve the Fairness of Adaptive Management Study Moose Hunt Permits by Exempting Those Permittees from the 4-year Limitation on Receiving Another Permit"

S.P. 65 L.D. 126

Presented by Senator POULIOT of Kennebec.

Cosponsored by Senator: BLACK of Franklin, Representatives: THORNE of Carmel, WOODSOME of Waterboro.

(3-13) Bill "An Act to Clarify and Correct Inland Fisheries and Wildlife Laws"

S.P. 70 L.D. 131

Presented by Senator BLACK of Franklin.

Submitted by the Department of Inland Fisheries and Wildlife pursuant to Joint Rule 204.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

(3-14) Bill "An Act to Clarify Assessment of Fines for Tattoo Artists, Body Piercers, Electrologists and Micropigmentation Practitioners and to Change Requirements for the Approval of Public Pool and Spa Plans"

S.P. 75 L.D. 146

Presented by Senator BALDACCI of Penobscot.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

(3-15) Bill "An Act to Ensure Continuity of Care for Pretrial Defendants"

S.P. 57 L.D. 118

Presented by Senator CARNEY of Cumberland.

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.

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

(3-16) Bill "An Act to Establish a Minimum Wage for All Health Care Workers Including All Support Staff"

S.P. 55 L.D. 116

Presented by Senator BALDACCI of Penobscot.

Cosponsored by Senators: RAFFERTY of York, TIPPING of Penobscot, Representatives: O'CONNELL of Brewer, ROEDER of Bangor.

(3-17) Bill "An Act Regarding the Committee Structure of the State Workforce Board"

S.P. 59 L.D. 120

Presented by Senator DAUGHTRY of Cumberland.

Cosponsored by Representative ROEDER of Bangor and Representative: GERE of Kennebunkport.

Submitted by the Department of Labor pursuant to Joint Rule 204.

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

(3-18) Bill "An Act to Clarify the Boundary Between Waldo and Knox Counties in Penobscot Bay"

S.P. 58 L.D. 119

Presented by Senator CURRY of Waldo.

Cosponsored by Representative MATLACK of St. George and Representative: ZEIGLER of Montville.

(3-19) Bill "An Act to Include a Representative of Newspaper and Other Press Interests on the Archives Advisory Board"

S.P. 72 L.D. 133

Presented by Senator CARNEY of Cumberland.

Cosponsored by Representative POIRIER of Skowhegan and Senators: BALDACCI of Penobscot, NANGLE of Cumberland, Representatives: COPELAND of Saco, STOVER of Boothbay.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

(3-20) Bill "An Act to Eliminate Senior Citizen Property Tax Stabilization and Expand the Homestead Property Tax Exemption"

S.P. 69 L.D. 130

Presented by Senator BENNETT of Oxford.

(3-21) Bill "An Act to Amend the Definition of 'Homestead' Under the Homestead Property Tax Exemption Laws"

S.P. 78 L.D. 149

Presented by Senator BAILEY of York.

Cosponsored by Representative TERRY of Gorham and Senators: BALDACCI of Penobscot, RAFFERTY of York.

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

(3-22) Bill "An Act to Ensure the Maintenance of Circular Intersections on State and State Aid Highways"

S.P. 63 L.D. 124

Presented by Senator LIBBY of Cumberland.

(3-23) Bill "An Act to Allow Driver Education Instructors to Administer Driver's License Road Tests"

S.P. 64 L.D. 125

Presented by Senator POULIOT of Kennebec.

(3-24) Bill "An Act to Increase the Limit on Sets of Special Veterans Registration Plates from 3 Sets to 4 Sets"

S.P. 67 L.D. 128

Presented by Senator BALDACCI of Penobscot.

(3-25) Bill "An Act to Require Manure Bags for Horse-drawn Vehicles"

S.P. 74 L.D. 135

Presented by Senator STEWART of Aroostook.

Cosponsored by Representative UNDERWOOD of Presque Isle and Senator: BLACK of Franklin, Representatives: ARDELL of Monticello, BABIN of Fort Fairfield, GUERRETTE of Caribou.

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

(3-26) Bill "An Act to Increase the Amount of Money Allowed to Be Raised for a Charitable Purpose by Certain Raffles"

S.P. 76 L.D. 147

Presented by Senator LAFOUNTAIN of Kennebec.

Cosponsored by Senator: President JACKSON of Aroostook.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Greg Whitaker, of Mapleton, who has been inducted into the Presque Isle High School Athletic Hall of Fame. We extend our congratulations and best wishes;

SLS 41

Sponsored by President JACKSON of Aroostook.

Cosponsored by Representative: ARDELL of Monticello.

(4-2) John Cox, Jr., of Jonesboro, who has been named Maine State Grange Granger of the Year. We extend our congratulations and best wishes;

SLS 42

Sponsored by Senator MOORE of Washington.

Cosponsored by Representative: STROUT of Harrington.

(4-3) Phil Roberts, of Marshfield, who has been named Maine State Grange Firefighter of the Year. We extend our congratulations and best wishes;

SLS 43

Sponsored by Senator MOORE of Washington.

Cosponsored by Representative: DAVIS of East Machias.

(4-4) Victoria Wahlig, of Falmouth, who has won the 2022 Congressional App Challenge for Maine's First District with her app, "Seal of Approval," which teaches recreational boaters how to be eco-friendly while out on the water. The Congressional App Challenge is a nationwide competition created in 2013 by leaders in the United States House of Representatives and at the Internet Education Foundation who sought to foster an appreciation for computer science and STEM. We extend our congratulations and best wishes;

SLS 44

Sponsored by Senator PIERCE of Cumberland.

Cosponsored by Representatives: CROCKETT of Portland, KUHN of Falmouth.

(4-5) Landon Schmuck, of Raymond, a member of Troop No. 805, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

SLS 45

Sponsored by Senator NANGLE of Cumberland.
Cosponsored by Representative: FAY of Raymond.

(4-6) Cameron Dempster, of Windham, a member of Troop No. 805, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

SLS 46

Sponsored by Senator NANGLE of Cumberland.
Cosponsored by Representatives: BAGSHAW of Windham, PRINGLE of Windham.

(4-7) Melanie Junkins, of Masardis, who is celebrating her 90th birthday on January 18, 2023. We extend our congratulations and best wishes;

SLS 47

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

(4-8) James Toman, of Gardiner, on his retirement as Chief of the Gardiner Police Department after 32 years of service. Beginning his career as an officer in 1990, he was promoted to sergeant in 1999 and chief in 2003. During his tenure as chief, he implemented the Good Day Gardiner program, the ALICE program for school safety and the Rape Aggression Defense program. He was honored in 2016 with an Outstanding Service Award from Healthy Communities of the Capital Area and was recognized by the City of Gardiner for his contributions to saving a teenager caught in the undercurrent of the Kennebec River. We extend our congratulations and best wishes;

SLS 48

Sponsored by Senator HICKMAN of Kennebec.
Cosponsored by Representative: MONTELL of Gardiner.

(4-9) Malachi Cummings, of Presque Isle, a senior at Presque Isle High School and a player on the boys basketball team, who recently scored his 1,000th career point. We extend our congratulations and best wishes;

SLS 49

Sponsored by Senator STEWART of Aroostook.
Cosponsored by Representative: UNDERWOOD of Presque Isle.

(4-10) Natalie Emmerson, of Woolwich, who has been named a delegate to the United States Senate Youth Program. Natalie is one of only two delegates from Maine and the first Morse High School student to be admitted into the program in over thirty years. The United States Senate Youth Program was developed to provide a unique educational experience for outstanding high school students interested in pursuing careers in public service. We extend our congratulations and best wishes;

SLS 55

Sponsored by Senator VITELLI of Sagadahoc.
Cosponsored by Representative: HEPLER of Woolwich.

Joint Resolutions

Joint Resolutions in Memoriam:

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

(4-11) Josephine C. Peterson, of South Portland. Ms. Peterson's working career began at 14 years of age at Maine General Hospital. She also worked at the Globe Laundry and J. Weston Walch Publishing Company. In retirement, she worked part-time for Westbrook Schools as a cafeteria worker. Ms. Peterson will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

SLS 50

Sponsored by Senator CARNEY of Cumberland.
Cosponsored by Representatives: DHALAC of South Portland, KESSLER of South Portland, RECKITT of South Portland.

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

(4-12) Nelson "Dexter" Ondra Baum, of South Portland. Mr. Baum was a veteran of the United States Air Force, serving from 1954 to 1972. He also worked for a time with the National Aeronautics and Space Administration and with several engineering companies. Mr. Baum will be long remembered and sadly missed by his family and friends;

SLS 51

Sponsored by Senator CARNEY of Cumberland.
Cosponsored by Representatives: DHALAC of South Portland, KESSLER of South Portland, RECKITT of South Portland.

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

(4-13) Constance Gloria Morehead, of Buxton. Mrs. Morehead's life revolved around her family, church and faith. For almost 50 years, she ministered to women through Bible studies, counseling and seminars. Mrs. Morehead will be long remembered and sadly missed by her husband of over 61 years, Frank, her family and friends and all those whose lives she touched;

SLS 52

Sponsored by Senator BAILEY of York.

Cosponsored by Representatives: BLIER of Buxton, CARLOW of Buxton.

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

(4-14) Diane Sims, of South Portland. Mrs. Sims worked for the United States Attorney's office in Portland, as well as AFEES, before starting her career with the United States Postal Service. Retiring in 2012, she worked at the Post Office on Forest Avenue, where she was very involved with the union and developed many long-term friendships. Mrs. Sims will be long remembered and sadly missed by her husband of 54 years, Charles, her family and friends and all those whose lives she touched;

SLS 53

Sponsored by Senator CARNEY of Cumberland.

Cosponsored by Representatives: DHALAC of South Portland, KESSLER of South Portland, RECKITT of South Portland.

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

(4-15) Gerald Atwood Clark, of Presque Isle. Mr. Clark was a veteran of the United States Army. He served the City of Presque Isle as Tax Assessor for many years before becoming City Manager, retiring in 1991. He owned and operated Clark Realty Company, served on the board of Aroostook County Savings and Loan and was a member of the Presque Isle Kiwanis club and the Aroostook County Flyers club. Mr. Clark will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 54

Sponsored by Senator STEWART of Aroostook.

Cosponsored by Representative: UNDERWOOD of Presque Isle.

ORDERS OF THE DAY

Unfinished Business

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

1.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Lois Skillings, of Brunswick
SLS 31

Tabled - January 4, 2023 by Senator **DAUGHTRY** of Cumberland

Pending - **PASSAGE**

2.

Tabled and Later Assigned

JOINT RESOLUTION - Memorializing Allen Laird Miller, of Arrowsic
SLS 7

Tabled - January 4, 2023 by Senator **DAUGHTRY** of Cumberland

Pending - **ADOPTION**
