

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Thirtieth Legislature
State of Maine

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First Special Session
beginning April 28, 2021

beginning at Page 385

Resolve, To Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Homes
S.P. 374 L.D. 1112
(C "A" S-226)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**, in concurrence.

Resolve, To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities

H.P. 912 L.D. 1246
(C "A" H-475)

On motion by Senator **DAUGHTRY** of Cumberland, placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/2/21) matter:

SENATE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the Popular Election of Maine Constitutional Officers

S.P. 288 L.D. 874

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-108)** (8 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - June 2, 2021 by Senator **BALDACCI** of Penobscot

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

(In Senate, June 2, 2021, Reports **READ**.)

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

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

Senator **BALDACCI:** I just want to speak briefly on this item because it has to do with amending the Constitution. When Maine first became a state in 1820, we adopted a decidedly Jeffersonian constitution that limited the Executive power and enlarged the sphere of the Legislature. It was also in those days that Legislatures elected the U.S. Senate. But in 1919 that was changed by the U.S. Constitution. It is now 2021 and it is time to let people decide all of their own leaders and to allow for the popular election of our Constitutional Officers. These are public offices, not positions in a political party, and, regardless of which party is in control, the popular election of these officers does not favor any party over the other. It merely favors that the public will choose and that the people are the deciders. Forty-three states elect their own Attorney General. Thirty-six states elect their own Secretary of State. Thirty-five states elect their own Treasurer. Encouraging a more wide open, competitive political environment instead of one that is more insular and concentrated is not only in keeping with the best traditions of our country but will strengthen our system and actually enhance these offices' ability to directly communicate with the public and be held accountable to the public and to the Legislature. Voting for this amendment to the U.S. Constitution is a vote to allow the people of Maine, your constituents, to make those decisions. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#330)

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BLACK, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, CYRWAY, DAUGHTRY, DAVIS, FARRIN, GUERIN, HICKMAN, LAWRENCE, MAXMIN, MIRAMANT, MOORE, POULIOT, RAFFERTY, ROSEN, STEWART, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BREEN, DESCHAMBAULT, DIAMOND, DILL, LIBBY, LUCHINI, SANBORN

EXCUSED: Senator: KEIM

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-108) **READ** and **ADOPTED**.

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

On motion by Senator **BALDACCI** of Penobscot, Senate Amendment "B" (S-250) **READ**.

On motion by Senator **POULIOT** of Kennebec, 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 (#331)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DIAMOND, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, DESCHAMBAULT, DILL, FARRIN, GUERIN, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senator: KEIM

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ADOPT** Senate Amendment "B" (S-250) **PREVAILED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-108) AND SENATE AMENDMENT "B" (S-250).

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/8/21) matter:

SENATE REPORT - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Address the Windfall Elimination Provision"

S.P. 148 L.D. 341

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-203)**

Tabled - June 8, 2021 by Senator **HICKMAN** of Kennebec

Pending - **ACCEPTANCE OF REPORT**

(In Senate, June 8, 2021, Report **READ**.)

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-203) **READ**.

On motion by Senator **STEWART** of Aroostook, Senate Amendment "A" (S-251) to Committee Amendment "A" (S-203) **READ** and **ADOPTED**.

Committee Amendment "A" (S-203) as Amended by Senate Amendment "A" (S-251) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-203) AS AMENDED BY SENATE AMENDMENT "A" (S-251)** thereto.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/9/21) matter:

SENATE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Laws Governing Unemployment Compensation"

S.P. 507 L.D. 1564

Report **"A" - Ought to Pass as Amended by Committee Amendment "A" (S-223)** (7 members)

Report **"B" - Ought to Pass as Amended by Committee Amendment "B" (S-224)** (4 members)

Report **"C" - Ought to Pass as Amended by Committee Amendment "C" (S-225)** (1 member)

Tabled - June 9, 2021 by Senator **HICKMAN** of Kennebec

Pending - **ACCEPTANCE OF ANY REPORT**

(In Senate, June 9, 2021, Reports **READ**.)

Senator **HICKMAN** of Kennebec moved the Senate **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-223)**.

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

THE PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. I believe I would need to wait until after the roll call.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, unemployment benefits are paid with the contributions from Maine's employers who know better than anyone the importance of a strong and happy workforce. As all of us in this Chamber know very well, we have