

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Thirtieth Legislature
State of Maine

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beginning at Page 385

Sackler family on how to make billions killing Americans on opioids.

As we sadly know, hundreds of Mainers die each year from opioid dependence and drug overdose. In fact, Maine is on track to surpass a record 500 overdose deaths in 2020. This is the second straight year, state record year. In late 2019, Maine Attorney General Aaron Frey joined 47 states, 5 U.S. territories, and the District of Columbia to sue McKinsey & Company. Earlier this year, the Attorney General announced McKinsey has agreed to pay \$573 million and turn over documents that incriminate its former pharma clients. The Attorney General's Office said 'McKinsey contributed to the opioid crisis by promoting marketing schemes and consulting services to opioid manufacturers, including Oxycontin maker Purdue Pharma, for over a decade. The complaint, filed with the settlement, details how McKinsey advised Purdue on how to maximize profits from its opioid products, including targeting high-volume opioid prescribers, using specific messaging to get physicians to prescribe more Oxycontin to more patients, and circumventing pharmacy restrictions in order to deliver high-dose prescriptions.'

According to the Bangor Daily News, 'When states began to sue Purdue Pharma's directors for their implementation of McKinsey's marketing schemes, McKinsey partners began emailing each other about deleting documents and emails related to their work for Purdue.' McKinsey has about 2,000 partners worldwide. They each make up to \$1.3 million per year. These are the people to whom Maine DOL has paid \$6.44 million in a no-bid contract.

If you think our Labor Department is McKinsey's only easy mark for peddling their exorbitant advice for CARES Act funding, for better or worse, Maine is not alone. According to the Wall Street Journal, New York Governor, Andrew Cuomo, awarded McKinsey a \$9.9 million contract last March to advise the state on issues related to COVID-19, the illness caused by the new coronavirus. That included 18 weeks of 'leadership counseling' at \$42,500 a week. McKinsey also did work for Massachusetts, some of which appeared to involve little more than forwarding other's materials along, one state office to another. Researchers at Harvard University prepared reports for the state's health department, tracking population movements. Consultants at McKinsey used the reports, verbatim, in material for the Governor, according to a person familiar with the work.'

This Legislature and the people of Maine deserve to know about no-bid contracts as soon as possible, particularly in times when the Executive Branch is granted extraordinary powers. We deserve to know who we are doing business with and why. The people of Maine deserve transparency and accountability. Please vote against the pending motion so we can pass this bill. I request the yeas and nays, Mr. President.

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

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#180)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, LIBBY, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, HICKMAN, KEIM, LIBBY, MAXMIN, MIRAMANT, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

EXCUSED: Senators: LAWRENCE

17 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BALDACCI** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **FAILED**.

On motion by Senator **BALDACCI** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE** of the Minority **OUGHT TO PASS** Report.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Constitutional Officers To Be Elected by Statewide Election

S.P. 285 L.D. 733

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

Signed:

Senators:
BALDACCI of Penobscot
CLAXTON of Androscoggin
ROSEN of Hancock

Representatives:
MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
DOWNES of Bucksport
HEAD of Bethel
PAULHUS of Bath
RISEMAN of Harrison
TUELL of East Machias

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-109)**.

Signed:

Representative:
GREENWOOD of Wales

Reports **READ**.

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

Senator **BALDACCI:** Thank you, Mr. President. I would note that 5-82 and 5-83 are identical bills and the vote of the committee Ought Not to Pass on 5-82 is no reflection on the bill. It's just that we chose 5-83 as the vehicle to use and I can speak more on the merits on 5-83 but I just wanted others to know the reason for our decision. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** And, Mr. President, I think that 5-82 would have been a better bill because it was mine. But thank you, Senator Baldacci.

On motion by Senator **BALDACCI** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Divided Report

The Majority of 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-108)**.

Signed:

Senators:

- BALDACCI of Penobscot
- CLAXTON of Androscoggin
- ROSEN of Hancock

Representatives:

- DOWNES of Bucksport
- GREENWOOD of Wales
- HEAD of Bethel
- RISEMAN of Harrison
- TUELL of East Machias

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

Signed:

Representatives:

- MATLACK of St. George
- BRYANT of Windham
- COPELAND of Saco
- DOORE of Augusta
- PAULHUS of Bath

Reports **READ**.

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Narrowly Tailor Emergency Powers of the Governor and Other Public Officials"

S.P. 307 L.D. 955

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

Signed:

Senators:

- BALDACCI of Penobscot
- CLAXTON of Androscoggin

Representatives:

- MATLACK of St. George
- BRYANT of Windham
- COPELAND of Saco
- DOORE of Augusta
- PAULHUS of Bath
- RISEMAN of Harrison

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-122)**.

Signed:

Senator:

- ROSEN of Hancock

Representatives:

- DOWNES of Bucksport
- GREENWOOD of Wales
- HEAD of Bethel
- TUELL of East Machias

Reports **READ**.

Senator **BALDACCI** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.