

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

In Senate Chamber
Tuesday
January 15, 2019

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

Prayer by Bishop Robert Deeley, Roman Catholic Diocese of Portland.

BISHOP DEELEY: Thank you, Mr. President. Good and gracious God, You call us to make our way through this life with You and You challenge us to walk in harmony and peace with each other. As we engage with the world and its challenges, You bless us with our intellect and free-will to establish institutions to guide our human affairs and confirm the possibility of freedom, justice, and prosperity for the common good. We ask You to bless and strengthen all who strive to improve society and foster a caring respect for every human life. In Your goodness, bless the members of this Senate of the State of Maine. May all their deliberations and discussions be inspired by the vision of Your loving kindness and saving grace. May everything they do begin then with Your inspiration and continue with Your saving help. Let their work always find its origin in You and through You reach completion. May the work conducted here today bear rich fruit for all citizens of this great state and work to fulfill our dreams for a better world and a civilization of love and may all we do be for Your greater glory. Amen.

Pledge of Allegiance led by Senator G. William Diamond of Cumberland County.

Reading of the Journal of Wednesday, January 9, 2019.

Doctor of the day, Sydney Sewall, M.D. of Hallowell.

Off Record Remarks

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Mike Giberson and Neil Andersen, both of Gardiner, who are retiring after 30 years of owning and operating the landmark A1 Diner, a historic Worcester Lunch Car Company diner first opened in Gardiner in 1946. Leaders in Gardiner's downtown revitalization, Mr. Giberson and Mr. Andersen were featured on Food Network's Diners, Drive-ins and Dives in 2007. We extend our congratulations and best wishes;

SLS 18

Sponsored by Senator BELLOWS of Kennebec.
Cosponsored by Representatives: HARNETT of Gardiner, WARREN of Hallowell.

READ.

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

Senator **BELLOWS:** Thank you, Mr. President. I invite all of you to check out the A1 Diner in Gardiner if you haven't already. This is a true historic landmark and truly for Mike Giberson and Neil Andersen, for them for over 30 years, it was a labor of love. They participated, when they started out, downtown Gardiner was struggling and times were sometimes tough at the diner. They were both active members of the Main Street Community in Gardiner, helping to revitalize the downtown and creating a destination for people, not just all over the state but all over the country, to come and enjoy. I have a very fond memory of one particularly special lunch with my young nephew at the A1 Diner and other many fond memories of meeting with constituents for coffee or a sandwich or pie or dinner. So come on down to the A1 Diner and I would just like to recognize Mike Giberson and Neil Andersen and it's particularly special that upon their retirement they're handing the reins over to one of their employees who's worked with them for well over a decade, Aaron Harris; that they are assuring that the A1 Diner will remain for the next generation a remarkable community gathering place in downtown Gardiner. Thank you.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the Chamber Mike Giberson and Neil Andersen, both of Gardiner, who own the A1 Diner. Would they please rise and accept the greetings of the Senate.

Muriel Mosher, of Augusta, who is retiring as President of Maine Manufacturing Extension Partnership after over 20 years of public service. We extend our congratulations and best wishes;

SLS 25

Sponsored by Senator POULIOT of Kennebec.
Cosponsored by Representatives: BRADSTREET of Vassalboro, DOORE of Augusta, FECTEAU of Augusta.

READ.

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

Senator **VITELLI:** Thank you, Mr. President. Muriel Mosher is being recognized today on her retirement as President of the Maine Manufacturing Extension Partnership after 20 years of service. She's done an excellent job in that capacity and I would add my congratulations to her and my thanks for her years of service. But I would also like to say that I've known Muriel, who hails from Madawaska, in her role in Augusta over many years prior to her service with the MMEP. Muriel has served first on the Advisory Council of what was then called the Displaced Homemakers Program and she currently serves on the Advisory Council of what is now called New Ventures Maine. In all the years that I've known Muriel, she has shown herself to be open, generous, kind, and a strong advocate for the ideas and the issues and the people that she believes in. She has served this state well and I know that, even though she's retiring, she will continue to play a role in helping to make Maine a better place for all of us. Thank you, Mr. President.

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

Senator **POULIOT:** Good morning, ladies and gentlemen of the Senate. I'm pleased that Muriel Mosher is able to join us today. As you've heard from Senator Vitelli, Muriel recently retired from the Maine Manufacturing Extension Partnership after being with the organization for 20 years and being appointed as President of the Maine Manufacturing Extension Partnership in 2012. Under her leadership the Maine program has become recognized as one of the best run MEP centers in the country. Her hard work helps secure funding that's been essential for assisting Maine's small manufacturers. She's also served on the board of several state and economic and workforce development organizations. I just have to add that as a resident of Winthrop Street right here in Augusta, just a couple of blocks down the road, Muriel's - the MEP building that Muriel works in is also a historic property. The house that my wife and I live in was built in 1851. I'm not sure the year that the MEP building was built but they, as an organization, have done an outstanding job with maintaining the historic integrity of that building. It's a beautiful facility that they have and, as a neighbor, I certainly appreciate all that hard work. I'd like to thank her for all that she has done for the manufacturing community in Maine and economic development across our state and I hope she enjoys retirement and some time off but stays involved as economic development is as important now as it has been ever. Thank you, ladies and gentlemen of the Senate.

PASSED.

Sent down for concurrence.

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

THE PRESIDENT: I would like to very much recognize in the back of the Chamber Muriel Mosher, a Aroostook County native, which makes me very happy also. Muriel, would you please rise and accept the greetings of the Maine Senate.

The Lewiston High School Mock Trial Team, of Lewiston, which earned the top spot in the 2018-2019 Maine High School Mock Trial and will represent the State at the national competition in Georgia. Members of the team are Shawn Chabot, Elena Clothier, Olivia Deschenes, Bryce Dufour, Abigail Dundore, Calvin Dundore, Nasser Guelleh, Erin Lachance, Hunter Landry, Andrew Letourneau, Katherine Morin, Rachel Ouellette, Samuel Payne, Kyra Physis, Sara Robert, Robert Shepard and Hunter Steele; lawyer coaches Paul Dionne, Ron Lebel and Amy Dietrich; and teacher coach Michelle Crowley. We extend our congratulations and best wishes;

SLS 26

Sponsored by Senator LIBBY of Androscoggin. Cosponsored by Representatives: BROOKS of Lewiston, CLOUTIER of Lewiston, CRAVEN of Lewiston, HANDY of Lewiston.

READ.

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

Senator **LIBBY:** Thank you, Mr. President, and men and women of the Senate. I'm very honored to be hosting today the Maine State Mock Trial champions from Lewiston High School. They have joined us, they are in the back of the Chamber, here today. Mr. President, men and women of the Senate, this is the first time that Lewiston High has won the Mock Trial State Title, a completion that is held in front of a Justice from the Maine Supreme Judicial Court and lawyers at a Cumberland County courtroom. In mock trial competitions high school students take the roles of prosecutors, witnesses, and defense lawyers in real courtrooms. Students from Lewiston and Cape Elizabeth, just a few weeks ago, filled the roles of lawyers making opening statements, conducting direct examinations and cross examinations, and presenting closing arguments. Lewiston High School has had a mock trial team for 25 years, started by my friend Joan Macri who taught debate and was the aspirations leader before she retired very recently. Lewiston, I'm very happy to say, prevailed over Cape Elizabeth, which had held the State Title for the previous five years, and I know both Senator Millett from Cumberland and myself congratulate this outstanding Lewiston team. Mr. President, I think it's important to recognize some of the amazing things that amazing people from Lewiston are doing in the state every day. Lewiston, as you know, is a community that has, at some times, an unfair reputation. But, in my experience, it is a community on the rise, a community that is constantly rebuilding itself. Lewiston public schools, as an example, even though we do have our challenges, we send kids to elite colleges every single year. In fact, just last week there was about 65 lawmakers, some from this Chamber and some from the House, who visited Lewiston as part of the MDF tour. The accolades, the compliments, the expression of appreciation from those folks is still coming in. Lewiston is doing amazing

things in our downtown, in our community, and for our people, and the young people who are here today as part of the mock trial championship team are yet another example of that. So please join me in wishing them well at their national competition in Georgia in May. We, of course, want them to bring home the national title but we also want them to know we are exceptionally proud that they are representing the great state of Maine on behalf of all of us. So thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize the Lewiston High School Mock Trial Team of Lewiston. Would they please rise and accept the congratulations of the Maine State Senate.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (1/2/19) matter:

JOINT ORDER - Expression of Legislative Sentiment
 Recognizing Phillip McCarthy, of Bath, who is retiring as a Senior Legislative Analyst in the Office of Policy and Legal Analysis after 22 years of service at the Legislature and 15 years of service in student affairs' positions at several colleges and universities across the country. Dr. McCarthy staffed the Joint Standing Committee on Education and Cultural Affairs his entire career at the Legislature, and we are grateful for his service. We extend to him our congratulations and best wishes on his retirement;

SLS 8

Tabled - January 2, 2019 by Senator **LIBBY** of Androscoggin

Pending - **PASSAGE**

READ.

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, six years ago I arrived at the State House extremely wet behind the ear, a freshman legislator, assigned to Chair the Committee on Education and Cultural Affairs, feeling like a deer in headlights, and wondering what had I gotten myself into. Then I began hearing how it would be all okay because Dr. Phil was the analyst. Many refer to Dr. McCarthy with that moniker but as I began to work with him it never felt right to associate such a consummate professional and one of the smartest minds in education in the State of Maine and nationally with a former television entertainer and here's why. Dr. McCarthy holds a Bachelor of Art from Colby and Administrative Science and MS in Education from the University of Southern California and a Ph.D. in Educational Leadership and Policies Studies. Dr. McCarthy joined the Maine Legislature's non-partisan office of Policy and Legal Analysis in 1996 as a Legislative Analyst and was promoted to the position of Senior Legislative Analyst in

2012. He provided policy analysis for the Joint Standing Committee on Education and Cultural Affairs for 22 years. His contributions to the work of the Legislature includes providing his highly professional and dedicated service to our committee but he also staffed numerous task forces and commissions. The Commission to Study the Funding and Distribution of Teletypewriters and Other Telecommunications Equipment for People with Disabilities; Committee to Review the Governance Structure of the Governor Baxter School for the Deaf; the Task Force on Educational Programming at Juvenile Correctional Facilities; Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students; the Commission to Study Providing Educators with More Authority to Remove Violent Students from Education Settings; the Commission on Fatherhood Issues; the Special Education Committee to Study the Financing of Kindergarten Through Grade Twelve Public Education; the Task Force on the Maine Learning Technology Endowment; the Commission to Study the Scope and Quality of Citizenship Education; the Legislative Youth Advisory Council; Commission to Study Public Health; Commission to Study Strategies to Increase Postsecondary Access, Retention, and Completion for Low-Wage, Low-Skilled Adults. Mind you, there are still six more task forces that I could list, and maybe I will. Study of Laws in Other States That Permit the Dissemination of Confidential Information. He did wrap up on the Task Force on Maine's 21st Century Economy and Workforce; and the Task Force to Identify Special Education Cost Drivers and Innovative Approaches to Services. Phil has served with distinction, representing Maine's non-partisan legislative staff on committees at the National Conference of State Legislatures, including as a member of the Assembly on State Issues as the Education Committee Staff Vice-Chair and as a member of the Legislative Educational Staff Network Steering Committee, during which he was awarded the 2006 LESN Recognition Award, and most recently as a member of the International Education Study Group, whose findings upon I rely on greatly. I went through all of that so you could share with me a deep understanding of how impressive an individual we have before us. His service to our children, our schools, the State House, and our State is immense and his expertise immeasurable. It was on his shoulders that I scaled the steep learning curve of education policy and legislative process. I can never thank Dr. McCarthy enough for his constant availability, calm demeanor, readiness to assist, and encyclopedic knowledge of all things education. I wish Dr. McCarthy and his family all the best as they move onto the wondrous adventures and opportunities of retirement. Thank you, Mr. President.

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

Senator **POULIOT:** Thank you, Mr. President. I'll be brief. Senator Millett has really touched upon all of the great reasons why Phil McCarthy will be missed but when I was a freshman legislator assigned to the Education Committee I really weighed heavily on Phil for so many things and I still think he has one of the most epic moustaches, by the way. Maybe someday I'll catch up to you, Phil. But, you know, we all know from doing our work here how important folks are with our committees in terms of helping us navigate the waters of doing this job effectively and I really did learn a lot from you, Phil, and I'll always appreciate the time that you took to really help guide me the right way with a

number of different pieces of legislation and, as you know, I've been really passionate about financial literacy and you really helped me figure out a way to get that dovetailed into, you know, the standards here in our State in a way that I think, you know, Maine kids will benefit from for a long time. So, again, for all that you've done for the education world in this state and other policy areas, enjoy your retirement and we're going to miss you but, hopefully, you won't be too far away. Thanks.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Dr. Phillip McCarthy and his family. Would Dr. McCarthy and his family please rise and accept the congratulations of the Maine State Senate.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Improve Health Care Data Analysis"
H.P. 31 L.D. 30

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

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

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Return the Normal Cost of Teacher Retirement to the State"

H.P. 52 L.D. 55

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

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

On motion by Senator **BELLOWS** of Kennebec, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Provide for Nonpartisan Elections for the Office of District Attorney"

H.P. 43 L.D. 42

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

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT.**

On motion by Senator **LUCHINI** of Hancock, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 26

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 7, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 5, section 12004-I, subsection 52-C, I am rescinding my appointment of Representative Don Marean, and appointing Representative Patrick Corey of Windham to serve as a member of the Maine House of Representatives on the Marijuana Advisory Commission.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 27

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 7, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 3, MRSA, Ch. 10, §227, I am pleased to recommend the following individuals for appointment to the Maine-Canadian Legislative Advisory Commission:

- Representative Erik Jorgensen of Portland for seat 1
- Representative John L. Martin of Eagle Lake for seat 2
- Representative Kathleen Dillingham of Oxford for seat 3
- Representative Victoria Foley of Biddeford for seat 4

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 30

**OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE**

January 9, 2019

The Honorable Troy Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

RE: Reappointment of the Honorable John O'Neil – Maine Superior Court

Dear President Jackson:

This is to inform you that I am today nominating The Honorable John O'Neil, Jr. of Kennebunk for reappointment as a Justice to the Maine Superior Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 31

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 14, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 22, MRSA, Subtitle 22, Part 4, Ch. 401, §1726.2, I am pleased to appoint the following individuals to the Maine Palliative Care and Quality of Life Interdisciplinary Advisory Council, effective immediately:

Kirsten Skorpen, LMSW, of Woolwich to seat 8 as a licensed social worker with experience working with persons with serious illnesses and their family members

Kevin Lewis, President & CEO of Community Health Options in Lewiston, to seat 9 as a representative of health insurers

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 32

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 14, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 1, MRSA, Ch. 13, Subchapter 1, §411.2-B, I am pleased to appoint the following individuals to the Right to Know Advisory Committee, effective immediately:

Representative Thomas Harnett of Gardiner to seat 2 as a member of the Maine House of Representatives

Mr. Taylor Asen of Portland to seat 14 as a public representative

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 33

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 20-A, MRSA, Part 5, Ch. 426, §12304.2-A, I am pleased to appoint the following legislators to the Advisory Committee on Dental Education, effective immediately:

Representative Anne-Marie Mastraccio of Sanford to seat 5
Representative Susan Austin of Gray to seat 6

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 34

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Public Law 2017, Chapter 25, I am pleased to appoint Representative Christopher Babbidge of Kennebunk to serve as the Speaker's designee on the Maine Bicentennial Commission, effective immediately.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 35

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 7, MRSA, Part 1, Ch. 5, §125.2-G, I am pleased to appoint Representative Craig Hickman of Winthrop to seat 15 on the Board of Agriculture, effective immediately.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 36

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant

Pursuant to my authority under Title 5, MRSA, Part 30, Ch. 621, §24001.3-B, I am pleased to appoint the following legislators to the Maine Children's Growth Council, effective immediately:

Representative Richard Farnsworth of Portland to seat 3
Representative H. Sawin Millett of Waterford to seat 4

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 37

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

Pursuant to my authority under Title 5, MRSA, Part 23, Ch. 501, §19202.2-B, I am pleased to appoint Representative Deane Rykerson of Kittery to seat 21 on the Maine HIV Advisory Committee, effective immediately.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 28

**MAINE VENTURE FUND
P.O. BOX 63
NEWPORT, MAINE**

January 8, 2019

Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the attached "Report to Legislature for 2018" on behalf of the quasi-independent state entity, Small Enterprise Growth Board, due February 1, 2019.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Terri Wark
Office Operations Manager

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 29

**MAINE HUMAN RIGHTS COMMISSION
51 STATE HOUSE STATION
AUGUSTA, MAINE**

January 10, 2019

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

Dear President Jackson:

Pursuant to 5 M.R.S. §12023, please consider this the letter of transmittal for the required report from the Maine Human Rights Commission due by February 1, 2019.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Amy M. Sneirson
Executive Director

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

SENATE PAPERS

Bill "An Act To Ensure Access to Justice for Victims of Sexual Assault"

S.P. 20 L.D. 67

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative MOONEN of Portland and Senators: CARPENTER of Aroostook, DESCHAMBAULT of York, ROSEN of Hancock, Representatives: CARNEY of Cape Elizabeth, GRAMLICH of Old Orchard Beach, RECKITT of South Portland, TIPPING of Orono, WARREN of Hallowell.

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

On motion by Senator **DESCHAMBAULT** of York, **TABLED** until Later in Today's Session, pending **REFERENCE.**

Bill "An Act To Ensure the Integrity of For-profit Colleges"
S.P. 30 L.D. 103

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Representative HEPLER of Woolwich and Senators: GRATWICK of Penobscot, LIBBY of Androscoggin, MOORE of Washington, Representatives: EVANGELOS of Friendship, PLUECKER of Warren.

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

Sent down for concurrence.

Bill "An Act To Improve the Record Keeping of the Public Utilities Commission"

S.P. 21 L.D. 68

Presented by Senator CARSON of Cumberland.
Cosponsored by Senators: MIRAMANT of Knox, WOODSOME of York, Representative: BERRY of Bowdoinham.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Prohibit Hospitals from Discussing Alternative Payment Options with Hospitalized Patients"

S.P. 19 L.D. 66

Presented by Senator LAWRENCE of York.
Cosponsored by Representative MEYER of Eliot.

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

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES.**

Sent down for concurrence.

Bill "An Act To Reform Maine's Fish and Wildlife Management System"

S.P. 27 L.D. 74

Presented by Senator POULIOT of Kennebec. (BY REQUEST)

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

Sent down for concurrence.

Bill "An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System"
S.P. 22 L.D. 69

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative DAUGHTRY of Brunswick and Senators: President JACKSON of Aroostook, LUCHINI of Hancock, MOORE of Washington, POULIOT of Kennebec, Representatives: ACKLEY of Monmouth, CUDDY of Winterport, FECTEAU of Biddeford, HYMANSON of York.

Bill "An Act To Protect Earned Pay"

S.P. 28 L.D. 75

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: BELLOWS of Kennebec, President JACKSON of
Aroostook, LAWRENCE of York, Representatives: CARNEY of
Cape Elizabeth, CUDDY of Winterport, DOORE of Augusta,
RYKERSON of Kittery, SYLVESTER of Portland.

On motion by Senator **BELLOWS** of Kennebec, **REFERRED** to
the Committee on **LABOR AND HOUSING** and ordered printed.

Sent down for concurrence.

Bill "An Act To Support the Trades through a Tax Credit for
Apprenticeship Programs"

S.P. 23 L.D. 70

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative TIPPING of Orono and
Senators: CHIPMAN of Cumberland, LUCHINI of Hancock,
POULIOT of Kennebec, SANBORN, H. of Cumberland,
Representatives: ACKLEY of Monmouth, BICKFORD of Auburn,
CUDDY of Winterport, FECTEAU of Biddeford.

Bill "An Act To Reinstate the Income Tax Deduction for
Contributions to College Savings Accounts"

S.P. 24 L.D. 71

Presented by Senator GUERIN of Penobscot.
Cosponsored by Senators: BELLOWS of Kennebec, CHIPMAN of
Cumberland, POULIOT of Kennebec, Representative: GRIFFIN
of Levant.

Bill "An Act To Provide an Income Tax Exemption for Military Pay
without Regard to Where the Military Service Was Performed"

S.P. 25 L.D. 72

Presented by Senator DILL of Penobscot. (BY REQUEST)
Cosponsored by Representative TIPPING of Orono and
Senators: BREEN of Cumberland, DAVIS of Piscataquis.

Bill "An Act To Provide an Income Tax Credit for Certain Student
Loan Repayments"

S.P. 26 L.D. 73

Presented by Senator POULIOT of Kennebec.
Cosponsored by Representative TIPPING of Orono and
Senators: CHIPMAN of Cumberland, HERBIG of Waldo,
SANBORN, H. of Cumberland.

Bill "An Act To Expand the Earned Income Tax Credit in Maine"

S.P. 31 L.D. 104

Presented by Senator VITELLI of Sagadahoc.
Cosponsored by Representative TEPLER of Topsham and
Senators: BREEN of Cumberland, CHIPMAN of Cumberland,
LIBBY of Androscoggin, SANBORN, H. of Cumberland,
Representatives: EVANGELOS of Friendship, PLUECKER of
Warren, STEWART of Presque Isle.

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

Sent down for concurrence.

Bill "An Act To Strengthen the Integrity of the Legislature by
Extending the Waiting Period before Legislators May Engage in
Any Amount of Compensated Lobbying"

S.P. 29 L.D. 76

Presented by Senator CHENETTE of York.
Cosponsored by Representative McCREIGHT of Harpswell and
Senators: CHIPMAN of Cumberland, MIRAMANT of Knox,
Representatives: BAILEY of Saco, COLLINGS of Portland.

On motion by Senator **LUCHINI** of Hancock, **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.

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (1/9/19) matter:

RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Dedicate All Sales Taxes from All Vehicle Sales and
Vehicle-related Sales to the Highway Fund for Roads and Bridge
Capital Improvements

H.P. 44 L.D. 43

Tabled - January 9, 2019 by Senator **CHIPMAN** of Cumberland

Pending - **REFERENCE**

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

(In House, **REFERRED** to the Committee on **TAXATION** and ordered printed.)

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

Senate at Ease.

The Senate was called to order by the President.

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

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:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Reestablish the Pesticide Notification Registry"
H.P. 87 L.D. 101

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

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

Bill "An Act To Make Post-conviction Possession of Animals a Criminal Offense"

H.P. 61 L.D. 64

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

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

Bill "An Act To Improve Responsiveness of Elected School Boards to the Public"

H.P. 60 L.D. 63

Bill "An Act To Amend Teacher Evaluation Requirements"
H.P. 78 L.D. 92

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Eliminate Gross Metering" (EMERGENCY)
H.P. 77 L.D. 91

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act To Improve the Maine Bottle Redemption Process"
H.P. 58 L.D. 61

Bill "An Act To Increase the Bottle Redemption Deposit"
H.P. 73 L.D. 87

Bill "An Act To Amend the Laws Governing Bottle Redemption To Counterbalance for Redemption Centers the Increase in Minimum Wage"
H.P. 79 L.D. 93

Bill "An Act To Improve the Manufacturing of Plastic Bottles and Bottle Caps"
H.P. 88 L.D. 102

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

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

Bill "An Act To Facilitate Access to the MaineCare Family Planning Benefit"

H.P. 64 L.D. 78

Bill "An Act To Create the Department of Substance Use Disorder Services"

H.P. 66 L.D. 80

Resolve, Directing the Department of Health and Human Services To Allow Spouses To Provide Home and Community-based Services to Eligible MaineCare Members

H.P. 70 L.D. 84

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Protect Shooting Ranges"

H.P. 65 L.D. 79

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

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

Bill "An Act To Require the Truthful Display of Gasoline Prices"

H.P. 74 L.D. 88

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

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

Bill "An Act To Require the Disclosure of the Names of Members of a Limited Liability Company"

H.P. 57 L.D. 60

Bill "An Act To Determine the Necessity for a Public Guardian or Conservator Bond"

H.P. 68 L.D. 82

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

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

Bill "An Act To Clarify Maine Law Regarding the Tips of Service Employees"

H.P. 67 L.D. 81

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Extend the Terms of Legislators to 4 Years

H.P. 55 L.D. 58

Bill "An Act To Establish a Recall Process for Elected Officials in Plantations" (EMERGENCY)

H.P. 56 L.D. 59

Bill "An Act To Amend the Law Governing the Membership of the Town of York Planning Board and the Town of York Appeals Board"

H.P. 76 L.D. 90

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Enhance the Senior Volunteer Benefit Program"

H.P. 59 L.D. 62

Bill "An Act To Allow Municipalities To Impose a Seasonal or Year-round Local Option Sales Tax"

H.P. 62 L.D. 65

Bill "An Act To Increase the Homestead Property Tax Exemption to \$50,000 for Persons 75 Years of Age and Older"

H.P. 63 L.D. 77

Bill "An Act To Establish a Sales Tax Exemption and an Income Tax Deduction for the Purchase of Firearm Safety Devices"

H.P. 71 L.D. 85

Bill "An Act To Provide That Persons Who Produce Maple Syrup and Honey Commercially Are Eligible for the Sales Tax Refund and Exemption for Commercial Agricultural Production" (EMERGENCY)

H.P. 72 L.D. 86

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

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

Bill "An Act To Amend the Law Regarding Resale by a Motor Vehicle Dealer To Permit the Dealer To Use a Copy of a Certificate of Title"

H.P. 69 L.D. 83

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

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

Bill "An Act To Clarify Residency Requirements for Legislative Candidates"

H.P. 81 L.D. 95

Comes from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

On motion by Senator **LUCHINI** of Hancock, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 38: Suicide Awareness and Prevention in Maine Public Schools, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 83 L.D. 97

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 122: Grant Application and Award Procedure: Fund for the Efficient Delivery of Educational Services, a Major Substantive Rule of the Department of Education (EMERGENCY) H.P. 84 L.D. 98

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Health and Human Services**

The **Department of Health and Human Services**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 85 L.D. 99

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 86 L.D. 100

Be **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

Off Record Remarks

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

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, January 19, 2019 at 10:00 in the morning.