

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

In Senate Chamber
Tuesday
February 12, 2019

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

Prayer by Pastor Jonathan Lang, Emmanuel Assembly of God in Livermore Falls.

PASTOR LANG: Let's pray. Our gracious Heavenly Father, we give You thanks today because this is the day that You have made and we will rejoice and be glad in it. We pray and ask You today for wisdom, that great gift of right judgment. I also pray today for the courage and conviction to do what is right. We also know from Your word what You require of us, Lord, to do justly. I pray, Lord, that we would love righteousness because righteousness exalts a nation. I also pray today, Heavenly Father, that we would love mercy, that we would think and reflect on those that need the most help in our society and look on them with compassion. We also pray today, Heavenly Father, that we would walk in humility with You and with everyone around us. I pray today, Lord, that our speech will be filled with grace, that You would return civility back to our civilization. I also pray today, Heavenly Father, that You would put Your special blessing upon everyone represented here. The mantle of leadership and authority is a heavy one that bears the burden and a stress and a toll on many lives. I pray today for the families of all our elected officials; the Executive Branch, the Legislative Branch, the Judicial Branch, Lord. I pray today for their families, for their marriages, for the blessing of their lives. We pray for the blessing and prosperity of our state and nation because if it is prosperous, Lord, then we will prosper as well. I also pray, Heavenly Father, that we would pursue truth and in the pursuit of it find peace. We ask all these things in Your name. Amen.

Pledge of Allegiance led by Senator Stacey K. Guerin of Penobscot County.

Reading of the Journal of Monday, February 11, 2019.

Doctor of the day, Nicole McCann, M.D. of South Portland.

Off Record Remarks

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide Funding to Municipalities Severely Affected by Pest Infestations"

H.P. 464 L.D. 643

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.

Resolve, To Establish the Task Force To Study Opportunities for Improving Home and Community-based Services

H.P. 474 L.D. 653

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 AND HUMAN SERVICES** and ordered printed, in **NON-CONCURRENCE**

Sent down for concurrence.

Bill "An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish and To Exempt Them from Vehicle Registration Fees"

H.P. 484 L.D. 663

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

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

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

Sent down for concurrence.

Bill "An Act To Protect Pregnant Workers"

H.P. 487 L.D. 666

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

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.

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

Bill "An Act To Allow Municipalities To Send Separate Tax Bills for Municipal and County and School Taxes"
H.P. 476 L.D. 655

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

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

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

COMMUNICATIONS

The Following Communication: S.C. 130

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

February 11, 2019

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 have temporarily appointed Representative Ryan Fecteau of Biddeford to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, replacing former Representative Jennifer DeChant of Bath, effective immediately.

Please do not hesitate to contact me should you have any questions regarding this temporary appointment.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 129

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

February 11, 2019

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 have appointed Representative Teresa Pierce of Falmouth to the Joint Standing Committee on Government Oversight, replacing former Representative Jennifer DeChant of Bath, effective immediately.

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

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 131

**STATE OF MAINE
129TH LEGISLATURE
AUGUSTA, MAINE**

February 5, 2019

Chief Justice Leigh I. Saufley
Maine Supreme Judicial Court
205 Newberry Street, Room 139
Portland, Maine 04101

Dear Chief Justice Saufley:

We are pleased to invite you to address a Joint Session of the 129th Maine Legislature on Tuesday, February 26 at 11:00 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Troy D. Jackson
President of the Senate

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 132

**STATE OF MAINE
SUPREME JUDICIAL COURT
PORTLAND, MAINE**

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

The Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Jackson and Speaker Gideon:

I am pleased to accept your invitation to address a Joint Session of the 129th Maine Legislature on Tuesday, February 26, 2019, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in inviting me to address the cause of justice in Maine.

I look forward to seeing you on February 26, 2019.

Sincerely,

S/Leigh I. Saufley
Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 128

**STATE OF MAINE
ONE HUNDRED AND TWENTY NINTH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL
RESOURCES**

February 8, 2019

Honorable Troy Dale Jackson, Senate President
Honorable Sara Gideon, Speaker of the House
129th Maine State Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Fay of Raymond, to report the following bill Leave to Withdraw:

L.D. 582 An Act To Increase Vegetative Buffers in the Shoreland Zone

Sincerely,

S/Sen. Brownie Carson
Senate Chair

S/Rep. Ralph L. Tucker
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 133

**STATE OF MAINE
ONE HUNDRED AND TWENTY NINTH LEGISLATURE
COMMITTEE ON JUDICIARY**

February 8, 2019

Honorable Troy Dale Jackson, Senate President
Honorable Sara Gideon, Speaker of the House
129th Maine State Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Fecteau of Biddeford, to report the following bill Leave to Withdraw:

L.D. 60 An Act To Require the Disclosure of the Names of Members of a Limited Liability Company

Sincerely,

S/Sen. Michael E. Carpenter
Senate Chair

S/Rep. Donna Bailey
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 127

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

February 5, 2019

Honorable Troy Dale Jackson, President of the Senate
Honorable Sara Gideon, Speaker of the House
129th Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 113 An Act To Exclude Antique Tractors from the Laws Governing Motor Vehicle Racing (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. Susan Deschambault Senate Chair S/Rep. Charlotte May Warren House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 134

STATE OF MAINE OFFICE OF THE STATE AUDITOR AUGUSTA, MAINE

February 4, 2019

Honorable Troy D. Jackson President of the Senate

Honorable Sara Gideon Speaker of the House of Representatives

Honorable Janet T. Mills Governor of Maine

I am pleased to submit the State of Maine Management Letter related to our audit of the State's Comprehensive Annual Financial Report for the year ended June 30, 2018. In the course of conducting this audit, we became aware of matters that offer opportunities for our government to improve its operations. Recommendations regarding these matters accompany this Management Letter as Management Letter Comments. A separate Management Letter will be issued this spring following the conclusion of the Single Audit for the year ended June 30, 2018.

Please feel free to contact me with questions you may have. Like you, we are committed to improving our State government for the benefit of our citizens. Healthy discussion of the problems found and solutions considered are part of a dialogue that aims at improvement. I welcome your thoughts and inquiries about these matters.

Respectfully submitted,

S/Pola A. Buckley, CPA, CISA State Auditor

READ and with accompanying papers ORDERED PLACED ON FILE.

SENATE PAPERS

Bill "An Act Relating to Animals in Pulling Events" S.P. 226 L.D. 782

Presented by Senator CARPENTER of Aroostook. Cosponsored by Representative McCREA of Fort Fairfield and Senators: DILL of Penobscot, ROSEN of Hancock, Representatives: DOORE of Augusta, HICKMAN of Winthrop, JOHANSEN of Monticello, MAREAN of Hollis.

Bill "An Act To Reduce Hunger and Promote Maine Agriculture" S.P. 230 L.D. 786

Presented by President JACKSON of Aroostook. Cosponsored by Representative HICKMAN of Winthrop and Senators: BLACK of Franklin, BREEN of Cumberland, DILL of Penobscot, Representatives: FECTEAU of Biddeford, HALL of Wilton, HIGGINS of Dover-Foxcroft, SKOLFIELD of Weld, WADSWORTH of Hiram.

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

Sent down for concurrence.

Resolve, Directing the Board of Pesticides Control To Educate the Public on the Proper Use of Pesticides and To Promote Integrated Pest Management

S.P. 229 L.D. 785

Presented by Senator BLACK of Franklin. Cosponsored by Representative DUNPHY of Old Town and Senators: DAVIS of Piscataquis, TIMBERLAKE of Androscoggin, Representatives: HALL of Wilton, KINNEY of Knox, PLUECKER of Warren, SKOLFIELD of Weld.

Committee on AGRICULTURE, CONSERVATION AND FORESTRY suggested and ordered printed.

On motion by Senator DILL of Penobscot, TABLED until Later in Today's Session, pending REFERENCE.

Bill "An Act To Appropriate General Fund Money for Basic Government Functions"

S.P. 233 L.D. 789

Presented by Senator BREEN of Cumberland. Cosponsored by Representative GATTINE of Westbrook and Senator: SANBORN, L. of Cumberland.

Bill "An Act To Amend the Laws Governing the Issuance of Bonds"

S.P. 236 L.D. 792

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative FECTION of Biddeford,
Representative EVANGELOS of Friendship and Senators:
CHIPMAN of Cumberland, LIBBY of Androscoggin,
Representatives: BEEBE-CENTER of Rockland, HANINGTON of
Lincoln, MAREAN of Hollis, RYKERSON of Kittery.

Bill "An Act To Authorize a General Fund Bond Issue To
Recapitalize the Municipal Investment Trust Fund"

S.P. 239 L.D. 794

Presented by Senator DESCHAMBAULT of York.
Cosponsored by Representative BICKFORD of Auburn and
Senators: CLAXTON of Androscoggin, HERBIG of Waldo, LIBBY
of Androscoggin, MOORE of Washington, Representatives:
BRYANT of Windham, DOORE of Augusta, WARREN of
Hallowell.

On motion by Senator **BREEN** of Cumberland, **REFERRED** to the
Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**
and ordered printed.

Sent down for concurrence.

Bill "An Act To Prevent Internet Theft"

S.P. 213 L.D. 700

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative HANLEY of Pittston and
Senators: CYRWAY of Kennebec, DESCHAMBAULT of York,
MIRAMANT of Knox, ROSEN of Hancock, Representatives:
HANDY of Lewiston, LANDRY of Farmington, MAXMIN of
Nobleboro.

Bill "An Act To Improve the Definition of 'Strangulation' in the
Aggravated Assault Laws"

S.P. 223 L.D. 779

Presented by Senator CLAXTON of Androscoggin.
Cosponsored by Senators: DESCHAMBAULT of York, MILLETT
of Cumberland, MOORE of Washington.

Bill "An Act To Authorize the Use of Handheld Narcotics
Analyzers"

S.P. 232 L.D. 788

Presented by Senator KEIM of Oxford.
Cosponsored by Representative STEWART of Presque Isle and
Senators: CARPENTER of Aroostook, DESCHAMBAULT of York,
MOORE of Washington, ROSEN of Hancock.

On motion by Senator **DESCHAMBAULT** of York, **REFERRED** to
the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**
and ordered printed.

Sent down for concurrence.

Bill "An Act To Modernize the National School Lunch Program
and the School Breakfast Program" (EMERGENCY)

S.P. 214 L.D. 701

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative KORNFELD of Bangor and
Senators: BREEN of Cumberland, MILLETT of Cumberland,
MOORE of Washington, ROSEN of Hancock, Representatives:
DODGE of Belfast, HICKMAN of Winthrop, MORALES of South
Portland, PERRY of Calais.

Bill "An Act To Help Maine Students Succeed"

S.P. 216 L.D. 703

Presented by Senator MILLETT of Cumberland.

Bill "An Act To Provide School Districts with Full State Funding for
Students with High-cost Special Education Needs"

S.P. 235 L.D. 791

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and
Senators: BELLOWS of Kennebec, CHIPMAN of Cumberland,
LIBBY of Androscoggin, MILLETT of Cumberland,
Representatives: BEEBE-CENTER of Rockland, DODGE of
Belfast, RYKERSON of Kittery.

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 Eliminate the Cap on the Number of Accounts or
Meters Designated for Net Energy Billing"

S.P. 234 L.D. 790

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and
Senators: BELLOWS of Kennebec, CHIPMAN of Cumberland,
DILL of Penobscot, LIBBY of Androscoggin, Representatives:
BEEBE-CENTER of Rockland, FECTION of Biddeford,
RYKERSON of Kittery.

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

Sent down for concurrence.

Resolve, Directing the Department of Health and Human Services To Conduct a Review of Rules Governing In-home Personal Care Assistance Services

S.P. 210 L.D. 697

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative PEOPLES of Westbrook and Senators: CARPENTER of Aroostook, WOODSOME of York, Representatives: BAILEY of Saco, DOORE of Augusta, HICKMAN of Winthrop, MATLACK of St. George, RECKITT of South Portland, VEROW of Brewer.

Resolve, To Provide for Outreach Programs To Assist Women at Risk of Giving Birth to Substance-exposed Infants

S.P. 212 L.D. 699

Presented by Senator CARSON of Cumberland.
Cosponsored by Senators: CLAXTON of Androscoggin, MOORE of Washington, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland, Representatives: McCREIGHT of Harpswell, MEYER of Eliot, PERRY of Calais, TEPLER of Topsham.

Bill "An Act To Reduce the Incidence of Obesity and Chronic Disease in the State"

S.P. 219 L.D. 706

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, SANBORN, L. of Cumberland, Representatives: CRAVEN of Lewiston, HYMANSON of York, MADIGAN of Waterville, PERRY of Calais.

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

Sent down for concurrence.

Bill "An Act Regarding the Process for Obtaining Prior Authorization for Health Insurance Purposes"

S.P. 218 L.D. 705

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative HYMANSON of York and Senators: CARPENTER of Aroostook, CLAXTON of Androscoggin, MOORE of Washington, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland, Representatives: JORGENSEN of Portland, MEYER of Eliot, PERRY of Calais.

On motion by Senator **H. SANBORN** of Cumberland, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Expand Maine's Moose Lottery To Benefit Wounded Service Members and Veterans"

S.P. 221 L.D. 708

Presented by President JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake.

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 Authorize Maine Courts To Award Attorney's Fees and Costs to Citizens Who Prevail in Civil Litigation against the Executive Branch"

S.P. 211 L.D. 698

Presented by Senator CARSON of Cumberland.
Cosponsored by Senators: BELLOWS of Kennebec, CARPENTER of Aroostook, SANBORN, H. of Cumberland, Representatives: BAILEY of Saco, BEEBE-CENTER of Rockland, HYMANSON of York, MAXMIN of Nobleboro, TALBOT ROSS of Portland.

Bill "An Act To Increase Judicial Compensation"

S.P. 225 L.D. 781

Presented by Senator CARPENTER of Aroostook.
Cosponsored by Representative BAILEY of Saco.

Bill "An Act To Support Victims of Child Sexual Abuse"

S.P. 231 L.D. 787

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Senators: CARPENTER of Aroostook, ROSEN of Hancock.

Bill "An Act To Improve Accountability of Opioid Manufacturers"

S.P. 237 L.D. 793

Presented by President JACKSON of Aroostook.
Cosponsored by Representative MADIGAN of Waterville and Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, LIBBY of Androscoggin, VITELLI of Sagadahoc, Representatives: BAILEY of Saco, HYMANSON of York.

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

Sent down for concurrence.

Bill "An Act To Amend the Laws Governing Eligibility for Unemployment Benefits"

S.P. 228 L.D. 784

Presented by Senator DAVIS of Piscataquis.
Cosponsored by Representative STETKIS of Canaan and Senators: BLACK of Franklin, DOW of Lincoln, HAMPER of Oxford, POULIOT of Kennebec, TIMBERLAKE of Androscoggin, Representatives: CURTIS of Madison, MILLETT of Waterford, SKOLFIELD of Weld.

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 Protect Public Employees from Identity Theft"

S.P. 209 L.D. 696

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative DAUGHTRY of Brunswick and Senators: DOW of Lincoln, MIRAMANT of Knox, WOODSOME of York, Representatives: BEEBE-CENTER of Rockland, FECTEAU of Biddeford, INGWERSEN of Arundel, McCREA of Fort Fairfield, TUCKER of Brunswick.

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

Sent down for concurrence.

Bill "An Act To Clarify the Laws Regarding Driver's License Suspensions"

S.P. 217 L.D. 704

Presented by Senator HAMPER of Oxford.
Cosponsored by Representative ARATA of New Gloucester.

Bill "An Act To Require the Clearing of Vegetation along Roads"
S.P. 220 L.D. 707

Presented by President JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake.

Bill "An Act To Create the Fund for Municipalities To Improve Pedestrian Safety"

S.P. 222 L.D. 778

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative BRYANT of Windham and Senators: CHIPMAN of Cumberland, DIAMOND of Cumberland, FARRIN of Somerset, MIRAMANT of Knox, Representatives: AUSTIN of Skowhegan, CLOUTIER of Lewiston, SHEATS of Auburn.

Resolve, To Require an Independent Analysis of the Department of Transportation's I-395/Route 9 Connector Project (EMERGENCY)

S.P. 227 L.D. 783

Presented by Senator ROSEN of Hancock.
Cosponsored by Senators: CARPENTER of Aroostook, DOW of Lincoln, FARRIN of Somerset, Representatives: STANLEY of Medway, VEROW of Brewer.

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

Sent down for concurrence.

Bill "An Act Regarding the Pricing of Spirits"

S.P. 215 L.D. 702

Presented by Senator LUCHINI of Hancock.
Cosponsored by Representative HANDY of Lewiston and Senators: President JACKSON of Aroostook, LIBBY of Androscoggin, TIMBERLAKE of Androscoggin.

Bill "An Act To Change Municipal Campaign Contribution Limits"
S.P. 224 L.D. 780

Presented by Senator CHIPMAN of Cumberland.
Cosponsored by Representative ACKLEY of Monmouth and Senators: CYRWAY of Kennebec, LIBBY of Androscoggin, Representatives: COOPER of Yarmouth, HANINGTON of Lincoln, HICKMAN of Winthrop, HUBBELL of Bar Harbor, McCREIGHT of Harpswell.

Bill "An Act To Clarify the Laws Governing Taste Testing and Retail Sales of Liquor at Farmers' Markets"

S.P. 240 L.D. 805

Presented by Senator DESCHAMBAULT of York.

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

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (2/5/19) matter:

JOINT RESOLUTION - Recognizing February 6, 2019 as
National Girls and Women in Sports Day
S.P. 196

Tabled - February 5, 2019 by Senator **BREEN** of Cumberland

Pending - **ADOPTION**

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

Senator **BREEN:** Thank you, Mr. President. Mr. President, men and women of the Senate, it's really my pleasure and honor to present this Joint Resolution recognizing February 6th as National Girls and Women in Sports Day, and you'll see in a few minutes we have some very distinguished guests here to help us celebrate that today. I was so pleased to put in this Joint Resolution, to be asked, because, as a high school and college athlete myself, I have benefited enormously from sports programs throughout my whole life. Some of the things that playing sports, for me, prepared me and helped me do - helped me learn was preparation, self-discipline, sacrifice - certainly in college where I had to balance my sports obligations with my employment obligations and my academic obligations - teamwork, starting at the bottom of the heap and earning a place on the starting line-up, how to win and how to lose with grace and dignity, and, just as importantly, how to show up. I know that there are a lot of athletes today who have very, very involved parents who make sure that they get to every game and every practice. I have great admiration for those parents. Those were not my parents. I have terrific parents, but I was one of six kids and if you wanted to do something you got yourself there and that's the way I grew up. It's not because my mother played any sports. My mother does not have an athletic bone in her body. It's because I learned all of this for one very, very simple reason; Title 9. Title 9 was landmark federal legislation that passed in 1972 when I was 7 years old. That law turned the tide, making sure that any educational institution that offered federal funding for boys to participate in sports also made that sure that girls had the very same opportunity. So when that law was passed when I was 7 years old I had the enormous benefit of having teachers, community members, all sorts of folks step forward and start coaching girls in ways they hadn't ever been coached before. Along with the law came funding and that's what we continue to have today. It was the community, it was government, it was legislation that made this opportunity available to me and so many of my peers and the folks that are here today. I love terrific parents but it's what government does that makes things available to everyone in the community, not just parents. So with that, I thank you, Mr. President, and I believe you're going to read the names of our guests today. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Melissa DeRan who is the Bates College Women's Volleyball coach; Ali Dougal, Bowdoin College women's soccer; Adam Goldbert, Vice President of Business Development, Maine Mariners; Ellery Gould, Bowdoin College Assistant Women's Soccer Coach; Sheila Brennan Nee, Director of Maine

Sports Commission; Parise Rossignol, University of Maine Women's Black Bears basketball, a Van Buren native; Seth Woodcock, Senior Associate Athletic Director for Development, University of Maine; Amy Vachon, University of Maine Black Bears Women's Basketball Coach; and Sara Vanderwood, Verrill Dana Government Affairs Consultant and sled dog racer. Would they all please rise and accept the greetings of the Maine State Senate.

ORDERS

Joint Order

Expression of Legislative Sentiment recognizing:

The City of Auburn, which is celebrating its Sesquicentennial on February 22, 2019. We extend our congratulations and best wishes;

SLS 76

Sponsored by Senator CLAXTON of Androscoggin.
Cosponsored by Representatives: BICKFORD of Auburn,
MELARAGNO of Auburn, SHEATS of Auburn.

The Joint Order was **READ**.

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

Senator **CLAXTON:** Thank you, Mr. President and men and women of the Chamber. I just want to invite you to help celebrate Auburn's 150th birthday. It's a year-long celebration, but on February 22nd there'll be 25 to 30 cakes scattered throughout the town, the city, at various establishments. If you'd like a piece stop by. You can find out where they are, just speak to me. Auburn was part of - settled on land that the Abenaki Nation sold to the settlers in 1714 in a Treaty of Portsmouth. It was initially known as Bakertown and it then it was known as Poland and then it's Minot, but in 1842 it became Auburn. I'd like to feature that Auburn property evaluations have gone up \$100 million in the last five years, as part of our contribution to the renewal on either side of the Androscoggin, and invite you all to help us celebrate the 150th birthday. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator H. SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Laws Governing Multiple-party Accounts with Financial Institutions" (EMERGENCY)
S.P. 54 L.D. 242

Reported that the same **Ought to Pass**.

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Enhance Resource Management of Submerged Lands beneath Impounded Waters"
H.P. 528 L.D. 723

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food
H.P. 583 L.D. 795

Bill "An Act To Reestablish the Department of Agriculture, Food and Rural Resources and the Department of Conservation" (EMERGENCY)
H.P. 584 L.D. 796

Come 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 Return Surplus Money to Maine Taxpayers"
H.P. 546 L.D. 741

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

On motion by Senator **BREEN** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy"
H.P. 540 L.D. 735

Bill "An Act To Promote the Safe Use and Sale of Firearms"
H.P. 552 L.D. 747

Bill "An Act To Ensure Funding Sources for County Jails"
H.P. 560 L.D. 755

Bill "An Act To Ensure the Availability of In-person Visitation in County Jails"
H.P. 572 L.D. 767

Bill "An Act To Recruit and Retain Corrections Support Staff"
H.P. 590 L.D. 802

Bill "An Act To Ensure Programming for Long-term Incarcerations at County Jails"
H.P. 592 L.D. 804

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

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

Resolve, To Establish a Commission To Study and Recommend a Minimum Age for Participation in Tackle Football (EMERGENCY)
H.P. 516 L.D. 711

Bill "An Act To Fully Fund After-school and Preschool Programs in the School Funding Formula, Increase the Economically Disadvantaged Student Factor in the School Funding Formula and Increase the School Construction Debt Service Limit"
H.P. 517 L.D. 712

Bill "An Act To Prohibit Public Charter Schools from Expending Funds for Advertising"

H.P. 519 L.D. 714

Bill "An Act To Encourage Public Participation in School Board Meetings"

H.P. 526 L.D. 721

Bill "An Act Concerning Funding of Alternative Organizational Structures"

H.P. 532 L.D. 727

Bill "An Act Regarding the Probationary Period for Teachers"

H.P. 534 L.D. 729

Bill "An Act To Protect Students during Elections Held at Their Schools"

H.P. 541 L.D. 736

Bill "An Act To Allow Junior Reserve Officers' Training Corps Instructors To Instruct without State Certification"

H.P. 555 L.D. 750

Bill "An Act To Prohibit the University of Maine System, the Maine Community College System and the Maine Maritime Academy from Considering the Criminal Records of Applicants"

H.P. 565 L.D. 760

Bill "An Act To Provide for a Later Starting Time for High Schools"

H.P. 575 L.D. 770

Bill "An Act Regarding Secondary School Education Concerning Sexual Activity and Sexual Assault"

H.P. 578 L.D. 773

Bill "An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements"

H.P. 586 L.D. 798

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 Create Local Options in E-9-1-1 Protocol Mandates"

H.P. 548 L.D. 743

Bill "An Act To Ensure the Regional Greenhouse Gas Initiative Trust Fund Continues To Promote Energy Efficiency and Benefit Maine Ratepayers"

H.P. 559 L.D. 754

Come 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.

Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses

H.P. 515 L.D. 710

Bill "An Act To Protect Maine's Beaches and Shoreline"

H.P. 579 L.D. 774

Bill "An Act To Limit Greenhouse Gas Pollution and Effectively Use Maine's Natural Resources"

H.P. 585 L.D. 797

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

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

Bill "An Act To Provide Comprehensive Mental Health Treatment Reform"

H.P. 522 L.D. 717

Bill "An Act To Amend the Maine Background Check Center Act To Provide Employers Flexibility To Use Approved Alternate Vendors" (EMERGENCY)

H.P. 529 L.D. 724

Resolve, Directing the Commissioner of Health and Human Services To Convene a Study Group To Review the Crisis Response System in the State

H.P. 543 L.D. 738

Bill "An Act To Support the Northern New England Poison Center"

H.P. 550 L.D. 745

Bill "An Act To Reduce Food Insecurity and Promote Economic Growth"

H.P. 557 L.D. 752

Bill "An Act To Clarify and Affirm Medicaid Eligibility for Incarcerated Individuals"

H.P. 566 L.D. 761

Bill "An Act To Ensure the Availability of Community Integration Services" (EMERGENCY)

H.P. 568 L.D. 763

Resolve, To Revise Asset Limits for Social Service Programs

H.P. 570 L.D. 765

Bill "An Act To Expand Community Support Services for Certain Adult Members of the MaineCare Program"

H.P. 580 L.D. 775

Bill "An Act To Create 4 Regional Mental Health Receiving Centers"

H.P. 591 L.D. 803

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 Strengthen Maine's Endangered Species Laws"

H.P. 518 L.D. 713

Bill "An Act To Fairly Compensate Registration Stations for Bear, Deer, Moose and Turkey Registrations"

H.P. 533 L.D. 728

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.

Resolve, To Examine How To Retain Reservation Booking Commissions in the State

H.P. 547 L.D. 742

Resolve, To Establish the Commission To Research the Economic Disparities of Racial and Ethnic Populations (EMERGENCY)

H.P. 573 L.D. 768

Resolve, To Direct the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Credentialing Skilled Individuals with Foreign Credentials

H.P. 574 L.D. 769

Bill "An Act Regarding the Cancellation of Subscription Services"

H.P. 576 L.D. 771

Bill "An Act To Encourage Continued Learning"

H.P. 577 L.D. 772

Bill "An Act To Increase Faculty in Nursing Education Programs"

H.P. 587 L.D. 799

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

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

Bill "An Act To Provide Relief to Survivors of Economic Abuse"

H.P. 553 L.D. 748

Bill "An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act"

H.P. 564 L.D. 759

Bill "An Act Regarding the Penobscot Nation's and Passamaquoddy Tribe's Authority To Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010 and the Federal Violence Against Women Reauthorization Act of 2013"

H.P. 571 L.D. 766

Bill "An Act Regarding Post-judgment Motion by a Person Seeking To Satisfy the Prerequisites for Obtaining Special Restrictions on the Dissemination and Use of Criminal History Record Information for Certain Criminal Convictions"

H.P. 581 L.D. 776

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

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

Bill "An Act To Promote Keeping Workers in Maine"

H.P. 538 L.D. 733

Resolve, To Expedite the Processing of Applications for Certification under the Federal Work Opportunity Tax Credit

H.P. 539 L.D. 734

Bill "An Act To Help Small Businesses by Establishing an Alternate Minimum Wage"

H.P. 544 L.D. 739

Bill "An Act To Improve the Maine Workers' Compensation Act of 1992"

H.P. 561 L.D. 756

Bill "An Act To Improve Labor Laws for Maine Workers"

H.P. 562 L.D. 757

Bill "An Act To Clarify Work Search Requirements for Workers' Compensation"

H.P. 563 L.D. 758

Come 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.

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Convey the Interests in Certain Real Property Located in East Millinocket

H.P. 549 L.D. 744

Bill "An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments"

H.P. 551 L.D. 746

Bill "An Act To Increase the Transparency of the 'Maine Open Checkbook' Website"

H.P. 554 L.D. 749

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

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

Bill "An Act To Exempt Certain Meals Provided to Food Service Employees from the Sales and Use Tax"

H.P. 514 L.D. 709

Bill "An Act To Provide an Income Tax Credit To Encourage Small Business Hiring"

H.P. 530 L.D. 725

Bill "An Act To Make Sales to Area Agencies on Aging Tax-exempt"

H.P. 531 L.D. 726

Bill "An Act To Amend the Maine Tax Laws"

H.P. 536 L.D. 731

Bill "An Act To Provide a Sales Tax Exemption for Nonprofit Career and Technical Student Organizations"

H.P. 537 L.D. 732

Bill "An Act To Reinstate the State Property Tax Deferral Program for Maine's Senior Homeowners"

H.P. 556 L.D. 751

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 Increase Railroad Freight Safety"

H.P. 521 L.D. 716

Bill "An Act To Include Bucksport and the Penobscot River Basin in the Department of Transportation's Cargo Port Strategy"
H.P. 545 L.D. 740

Come 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 Amend the Adult Use Marijuana Law"

H.P. 524 L.D. 719

Bill "An Act Regarding Maine's Adult Use Marijuana Law"

H.P. 525 L.D. 720

Bill "An Act To Require Presidential and Vice-Presidential Candidates To Disclose Their Federal Income Tax Returns"

H.P. 527 L.D. 722

Bill "An Act To Update Alcohol Taste-testing Requirements"

H.P. 542 L.D. 737

Bill "An Act To Allow Voters To Choose Ongoing Absentee Voter Status"

H.P. 558 L.D. 753

Come 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.

Bill "An Act To Change the Allocation Formula for Revenue from Slot Machines"

H.P. 520 L.D. 715

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

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

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

Off Record Remarks

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, February 14, 2019 at 10:00 in the morning in honor of Senator Erin D. Herbig of Waldo County.