

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

In Senate Chamber
Thursday
March 21, 2019

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

Prayer by Pastor Justin Thacker, Praise Assembly of God in Rumford.

PASTOR THACKER: Thank you. Let us pray. Father God, we just thank You for this day that you've given us today. This is the day that You have made and we will rejoice and be glad in it. Lord, I do pray for the men and women of this Chamber that You have called to lead the wonderful state of Maine. Lord, I pray for President Jackson, that You give him wisdom and direction as he oversees the Senate. Lord God, I also pray for my Senator, Senator Keim, as well as her 34 other colleagues who are here. Lord, I pray for good health upon each person, for their family. I pray for wisdom and direction. Lord, I pray that You protect us. Put Your angel's charge over us here in the Senate, Lord, and I pray that Your will be done on earth as it is in heaven. Direct us, guide us, and I pray that You bring peace to our mind, comfort to our soul, and strength to our body today. May there be unity in this house, we pray. In Jesus' name. Amen.

National Anthem Performed by Reid Johnson of South Berwick.

Pledge of Allegiance led by Senator Justin M. Chenette of York County.

Reading of the Journal of Tuesday, March 19, 2019.

Doctor of the day, William D. Clark, M.D. of Brunswick.

Off Record Remarks

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

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

House

Bill "An Act To Prohibit Questions Regarding Criminal History on Certain State Employment Applications"
H.P. 133 L.D. 170

READ A SECOND TIME and PASSED TO BE ENGROSSED, in concurrence.

House As Amended

Bill "An Act To Establish a Recall Process for Elected Officials in Plantations" (EMERGENCY)
H.P. 56 L.D. 59
(C "A" H-8)

Bill "An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks, Camping Areas and Beaches"
H.P. 132 L.D. 169
(C "A" H-13)

Bill "An Act To Fund the School Revolving Renovation Fund"
H.P. 313 L.D. 404
(C "A" H-9)

Bill "An Act To Provide Meals to Homebound Individuals"
H.P. 357 L.D. 472
(C "A" H-12)

Bill "An Act To Clarify That Food and Food Products Containing Hemp-derived Cannabidiol Produced and Sold within the State Are Not Adulterated and To Match the State's Definition of 'Hemp' to the Definition in Federal Law" (EMERGENCY)
H.P. 459 L.D. 630
(C "A" H-10)

READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED, in concurrence.

Senate

Bill "An Act To Amend the Charter of the Town of Madison's Department of Electric Works"
S.P. 207 L.D. 694

READ A SECOND TIME and PASSED TO BE ENGROSSED.

Sent down for concurrence.

Senate As Amended

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

S.P. 21 L.D. 68
(C "A" S-12)

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

S.P. 23 L.D. 70
(C "A" S-10)

Bill "An Act To Protect Earned Pay"

S.P. 28 L.D. 75
(C "A" S-11)

Bill "An Act To Reduce Childhood Exposure to Harmful Ultraviolet Radiation by Allowing Students To Use Sunscreen in Schools"

S.P. 119 L.D. 441
(C "A" S-14)

Bill "An Act To Strengthen the Qualifications for County Sheriffs"

S.P. 134 L.D. 456
(C "A" S-13)

READ A SECOND TIME and PASSED TO BE ENGROSSED AS AMENDED.

Sent down for concurrence.

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:

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

The Spruce Mountain High School Envirothon Team, of Jay, which won the Aquatic Ecology Competition and placed sixth overall at the 2018 National Conservation Foundation North American Envirothon Competition. Members of the team include Jordan Daigle, Rylee Delaney, John Brenner, Hunter Quirrion, Orion Schwab and Brian Riley and advisor Rob Taylor. We extend our congratulations and best wishes;

SLS 141

Sponsored by Senator KEIM of Oxford.
Cosponsored by Senator: BLACK of Franklin, Representative: RILEY of Jay.

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Black.

Senator **BLACK:** Thank you, Mr. President. Men and women of the Senate, Mr. President, I rise today to recognize the accomplishments of the Spruce Mountain High School Envirothon Team. They won first place in the Aquatic Ecology Competition and sixth place overall in the 2018 National Conservation Foundation of the North America Envirothon Competition in Idaho State University last July. Envirothon is the North America's largest environmental science competition, included 50 teams from across the United States and Canada and two teams from China. Mr. President, I am so proud of these kids. They have worked incredibly hard and represented their community and school proudly. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Jordan Daigle, Rylee Delaney, John Brenner, Hunter Quirrion, Orion Schwab and Brian Riley and advisor Rob Taylor. They are all of the Spruce Mountain High School and they are the guests today of the Senator from Franklin, Senator Black. Would they please rise and accept the greetings of the Maine State Senate.

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:
S.P. 424

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, March 26, 2019 at 10:00 in the Morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:
S.O. 14

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 10:45 this morning in the Hall of the House for the purpose of extending to Major General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.

READ and PASSED.

The Chair appointed the Senator from Sagadahoc, Senator **VITELLI**, to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Sagadahoc, Senator **VITELLI**, reported that she had delivered the message with which she was charged.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Account for Market Change in the Adult Use Marijuana Excise Tax"

H.P. 799 L.D. 1076

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

In Senate, March 7, 2019, on motion by Senator **LUCHINI** of Hancock, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **TAXATION**.

On motion by Senator **LUCHINI** of Hancock, the Senate **RECEDED** and **CONCURRED**.

House Paper

Bill "An Act To Create the Science and Policy Advisory Council on the Impact of Climate Change on Maine's Marine Species"

H.P. 926 L.D. 1284

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

Comes from the House, **REFERRED** to the Committee on **MARINE RESOURCES**.

On motion by Senator **BREEN** of Cumberland, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Off Record Remarks

Joint Resolution

Joint Resolution in Memoriam:

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

Gary Joseph Sacco, of Poland, Chief of the Oxford Fire and Rescue Department, who died shortly after honoring one of his fallen brother firefighters. Chief Sacco became involved with various fire and rescue departments after high school, being passionate about firefighting, and later became Fire Chief for the Town of New Gloucester and also represented the Poland Fire Department before joining Oxford's department. He was a past member of the Metropolitan Fire Chiefs and a current member of the Italian Heritage Center in Portland, Maine Fire Chiefs' Association, International Association of Fire Chiefs and Coastal Mutual Aid, and he was an instructor with the Maine Fire Service Institute. Chief Sacco will be long remembered and sadly missed by his family, friends and fellow firefighters;

HLS 138

Comes from the House **READ** and **ADOPTED**.

The Joint Resolution was **READ**.

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

Senator **CLAXTON:** Thank you, Mr. President. Permission to address the Chamber. Men and women of the Chamber, I want to recognize that Gary Joseph Sacco committed an incredible portion of his life to firefighting and firefighters and it is typical of the man that he died while honoring another firefighter. He deserves the respect that all of our firefighters and civil service people deserve and I feel that this memoriam should be spoken to. He's a resident of Poland. He was the Oxford Chief at the time that he died and he was the New Gloucester firefighting Chief before that. So he has had a long and distinguished career which you can encapsulate in one memoriam, but he deserves recognition and I'm proud to have spoken to it.

The Joint Resolution was **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 202

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON AGRICULTURE CONSERVATION AND
FORESTRY**

March 19, 2019

The Honorable Troy Dale Jackson
President of the Senate of Maine
129th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Agriculture Conservation and Forestry has had under consideration the nomination of Gwendolyn Hilton of Starks, for appointment to the Maine Land Use Planning Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	1	Dill, J. of Penobscot
	Representatives	8	Hickman, C. of Winthrop, Hall, R. of East Dixfield, Kinney, M. of Knox, Kryzak, T. Acton, Maxmin, C. of Nobleboro, O'Neil, M. of Saco, Pluecker, B. of Warren, Skolfield, T. of Weld
NAYS		0	
ABSENT		4	Sen. Black, R. of Franklin, Sen. Diamond, B. of Cumberland, Rep. McCrea, D. of Fort Fairfield, Rep. Roberts-Lovell, T. of South Berwick

Nine members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Gwendolyn Hilton of Starks, for appointment to the Maine Land Use Planning Commission be confirmed.

Signed,

S/Jim Dill
Senate Chair

S/Craig V. Hickman
House Chair

READ and ORDERED PLACED ON FILE.

At this point a message was received from the House of Representatives, borne by Representative FECTEAU of Biddeford, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to Major General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.

The Chair noted the absence of the Senator from York, Senator **DESCHAMBAULT**, the Senator from Oxford, Senator **KEIM**, and the Senator from Androscoggin, Senator **LIBBY**, and further excused the same Senators from today's Roll Call votes.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 129th Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#26)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, GUERIN, HAMPER, HERBIG, LAWRENCE, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: DESCHAMBAULT, KEIM, LIBBY

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Gwendolyn Hilton** of Starks for appointment to the Maine Land Use Planning Commission was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 203

**STATE OF MAINE
ONE HUNDRED AND TWENTY NINTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

March 18, 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. Pierce of Falmouth, to report the following bill Leave to Withdraw:

L.D. 503 An Act To Provide Additional Funding for the
Maine Bicentennial Commission

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

Sincerely,

S/Sen. Rebecca Millett
Senate Chair

S/Rep. Victoria P. Kornfield
House Chair

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

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 Sen. Herbig of
Waldo, to report the following bill Leave to Withdraw:

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

Sincerely,

S/Sen. Shenna Bellows
Senate Chair

S/Rep. Mike A. Sylvester
House Chair

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

The Following Communication: S.C. 207

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

March 19, 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. Sylvester of
Portland, to report the following bill Leave to Withdraw:

L.D. 567 An Act To Create a Universal Basic Income

Sincerely,

S/Sen. Shenna Bellows
Senate Chair

S/Rep. Mike A. Sylvester
House Chair

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

The Following Communication: S.C. 204

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON AGRICULTURE CONSERVATION AND
FORESTRY**

March 18, 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 Agriculture Conservation and
Forestry has voted unanimously to report the following bill(s) out
"Ought Not to Pass":

L.D. 556 An Act To Protect Animals in Unattended
Vehicles

L.D. 620 An Act Regarding Licensing of Land-based
Aquaculture Facilities

L.D. 782 An Act Relating to Animals in Pulling Events

This is notification of the Committee's action.

The Following Communication: S.C. 208

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

March 19, 2019

Sincerely,

March 13, 2019

S/Sen. Jim Dill
Senate Chair

S/Rep. Craig V. Hickman
House Chair

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

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

Dear President Jackson and Speaker Gideon:

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

The Following Communication: S.C. 205

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 12, 2019

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

L.D. 448 An Act Repealing Tax Lien Foreclosure Requirements

This is notification of the Committee's action.

Sincerely,

S/Sen. Ben Chipman
Senate Chair

S/Rep. Ryan Tipping
House Chair

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

Dear President Jackson and Speaker Gideon:

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

Senate at Ease.

The Senate was called to order by the President.

- L.D. 129 An Act To Protect a Child from Misuse of Identity
- L.D. 222 An Act To Prohibit Child Care Providers from Requiring Payment during Vacation Closures
- L.D. 238 An Act To Increase the Minimum Area of Usable Space per Child Required in the Outdoor Area of a Child Care Center
- L.D. 363 An Act To Protect Residents of Assisted Living Facilities

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Enhance Fish and Wildlife Laws" (EMERGENCY) H.P. 941 L.D. 1298

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**

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

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, in concurrence.

This is notification of the Committee's action.

Sincerely,

S/Sen. Geoff Gratwick
Senate Chair

S/Rep. Patty Hymanson
House Chair

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

The Following Communication: S.C. 206

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

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

SENATE PAPERS

Bill "An Act To Allow for the Recovery and Redistribution of Food in Public Schools"

S.P. 419 L.D. 1351

Presented by Senator GUERIN of Penobscot.
Cosponsored by Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, MOORE of Washington, Representatives: GRIFFIN of Levant, JAVNER of Chester, O'CONNOR of Berwick, PERRY of Calais, TALBOT ROSS of Portland.

Bill "An Act To Address Violent Behavior in the Classroom"

S.P. 425 L.D. 1370

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative McCREA of Fort Fairfield and Senators: CARPENTER of Aroostook, CARSON of Cumberland, DIAMOND of Cumberland, DILL of Penobscot, SANBORN, H. of Cumberland, VITELLI of Sagadahoc, Representatives: INGWERSEN of Arundel, KORNFIELD of Bangor.

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 Ensure Nondiscriminatory Treatment of Public, Educational and Governmental Access Channels by Cable System Operators"

S.P. 426 L.D. 1371

Presented by Senator WOODSOME of York.
Cosponsored by Representatives: BERRY of Bowdoinham, PIERCE of Falmouth, Representative O'CONNOR of Berwick and Senators: CHENETTE of York, DIAMOND of Cumberland, GUERIN of Penobscot, HERBIG of Waldo, LIBBY of Androscoggin, Representative: ORDWAY of Standish.

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

Sent down for concurrence.

Bill "An Act To Improve Rural Health Care"

S.P. 418 L.D. 1350

Presented by President JACKSON of Aroostook.
Cosponsored by Representative PERRY of Calais and Senators: CARPENTER of Aroostook, DAVIS of Piscataquis, LUCHINI of Hancock, Representatives: HIGGINS of Dover-Foxcroft, HUBBELL of Bar Harbor, MADIGAN of Waterville, MAXMIN of Nobleboro, STEARNS of Guilford.

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

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

Bill "An Act To Establish Transparency in Primary Health Care Spending"

S.P. 421 L.D. 1353

Presented by Senator SANBORN, L. of Cumberland.
Cosponsored by Representative JORGENSEN of Portland and Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, SANBORN, H. of Cumberland, Representatives: DUNPHY of Old Town, HUBBELL of Bar Harbor, 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 Provide for Consistency Regarding Persons Authorized To Conduct Examinations for Involuntary Hospitalization and Guardianship"

S.P. 420 L.D. 1352

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative FARNSWORTH of Portland and Senators: BLACK of Franklin, CLAXTON of Androscoggin, DILL of Penobscot, SANBORN, L. of Cumberland, Representative: MORALES of South Portland.

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

Sent down for concurrence.

Bill "An Act To Eliminate the Penalties for State and Teacher Retirees Who Return to Employment"

S.P. 422 L.D. 1354

Presented by Senator DESCHAMBAULT of York. Cosponsored by Representative WARREN of Hallowell and Senators: CHENETTE of York, LIBBY of Androscoggin, VITELLI of Sagadahoc, Representatives: DOORE of Augusta, INGWERSEN of Arundel.

Bill "An Act To Expand the 1998 Special Retirement Plan To Include Civilian Employees Who Work for the Department of Public Safety Crime Lab and Computer Crimes Unit"

S.P. 423 L.D. 1355

Presented by Senator DIAMOND of Cumberland. Cosponsored by Representative: DOORE of Augusta.

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

Sent down for concurrence.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Parker Deprey, of Caribou, who was named the William C. Warner Most Valuable Player of the Class B North Basketball Tournament. We extend our congratulations and best wishes; SLS 132

Sponsored by President JACKSON of Aroostook. Cosponsored by Representative: DeVEAU of Caribou.

The Joint Order was **READ**.

On motion by Senator VITELLI of Sagadahoc, **TABLED** until Later in Today's Session, pending **PASSAGE**.

The Caribou High School Boys Basketball Team, which won the Class B State Championship, the team's first state championship in 50 years. We extend our congratulations and best wishes; SLS 133

Sponsored by President JACKSON of Aroostook. Cosponsored by Representative: DeVEAU of Caribou.

The Joint Order was **READ**.

On motion by Senator VITELLI of Sagadahoc, **TABLED** until Later in Today's Session, pending **PASSAGE**.

Joint Resolution

On motion by Senator MOORE of Washington (Cosponsored by Representative GRIFFIN of Levant and Senators: BREEN of Cumberland, CLAXTON of Androscoggin, GRATWICK of Penobscot, MILLETT of Cumberland, VITELLI of Sagadahoc, Representatives: HYMANSON of York, MEYER of Eliot, STOVER of Boothbay), the following Joint Resolution:

S.P. 427

**JOINT RESOLUTION
RECOGNIZING APRIL 2019 AS CHILD ABUSE
AND NEGLECT PREVENTION MONTH**

WHEREAS, child abuse and neglect is a community problem, and finding solutions depends on recognizing that the effects of child abuse and neglect are felt by whole communities and need to be addressed by the entire community; and **WHEREAS**, effective child abuse and neglect prevention programs succeed because of partnerships created among social service agencies, schools, religious organizations, businesses and law enforcement agencies; and **WHEREAS**, youth-serving prevention programs offer positive alternatives for young people and encourage them to develop strong ties to their communities; and **WHEREAS**, all citizens should become more aware of child abuse and neglect and its prevention and become involved in the raising of children in a safe, nurturing environment; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize April 2019 as Child Abuse and Neglect Prevention Month, to recognize that we all have a role to play in healthy child development and a duty to help others recognize that role and to celebrate the positive things our communities do to promote healthy child development and help prevent child abuse and neglect; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Children's Trust.

The Joint Resolution was **READ**.

On motion by Senator MOORE of Washington, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ADOPT**.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding the Use of Interchangeable Biological Products"

H.P. 480 L.D. 659

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding Responsibility for the Overpayment of Claims"

H.P. 215 L.D. 291

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-17)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-17)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-17) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit"

H.P. 113 L.D. 131

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-16)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-16)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-16) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Off Record Remarks

The President requested the Sergeant-At-Arms escort the Senator from Sagadahoc, Senator **VITELLI**, to the rostrum where she assumed the duties as President Pro Tem.

The President took a seat on the Floor.

The Senate was called to order by President Pro Tem **ELOISE A. VITELLI** of Sagadahoc County.

ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Today Assigned matter:

JOINT ORDER - recognizing Parker Deprey, of Caribou, who was named the William C. Warner Most Valuable Player of the Class B North Basketball Tournament.

SLS 132

Tabled - March 21, 2019 by Senator **VITELLI** of Sagadahoc

Pending - **PASSAGE**

The Joint Order was **READ**.

JOINT ORDER - recognizing the Caribou High School Boys Basketball Team, which won the Class B State Championship, the team's first state championship in 50 years.

SLS 133

Tabled - March 21, 2019 by Senator **VITELLI** of Sagadahoc

Pending - **PASSAGE**

The Joint Order was **READ**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Madame President Pro Tem. Ladies and gentlemen of the Senate, it is my honor to welcome the boys' basketball Class B State Champions, the Caribou Vikings, to the State House. The Caribou boys' basketball team had an extraordinary season this year. They approached each game with heart, vigor, and determination, and it certainly paid off. They ended this season after, from what I understand, many

people didn't think was going to be as great a season as it ended up being. They ended with a 19-3 record before going on to clinch the State Championship trophy in double overtime against Cape Elizabeth, and I see the good Senator from Cumberland has actually left the Chamber so we'll make sure we catch back up on that. So these young men ended a 50 year drought for Caribou basketball with this State Championship. To put that into a little bit more context, I'm actually 50 years old so somewhere around, I think, when I was six months was the last time I think the shot that they say was heard around Maine was the last time Caribou actually won the State Championship. A tremendous feat. You know, growing up in Aroostook County basketball, much like most of the state, it almost is a religion. People get so excited to, you know, attend and I can remember, myself, not being a very great basketball player there at all, but playing Cape Elizabeth was like 'holy cow, what type of beating are we going to get today?' because they always were such a great team. But it really is extraordinary that it's actually been 50 years since the last State Championship. I was particularly moved when I read the story about Austin Findlen and his grandfather, who quite possibly was the team's number one fan and how the team came together after his passing. To me this story really highlights what this team was about. They work with each other, they play for each other, and they always have each other's backs. I can promise you, men, that you have not only made Mr. Findlen proud but you have made all of us in Aroostook County proud. I'd like to especially acknowledge Coach Kyle Corrigan who brought out the best in each player. He really created a family amongst his team that led them to an impressive victory. I'd also like to acknowledge Parker Deptrey, who was named the William C. Warner Most Valuable Player of the tournament. I really want to extend the congratulations of the entire Senate to the Caribou Boy's High School Basketball Team on their extraordinary season and personally thank them for bringing the State Championship Trophy back home to Aroostook County and giving people in Aroostook County one more thing to be extremely proud of. Thank you, all of you.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Thank you, Madame President Pro Tem, and I don't mind being referred to today as the elder Senator from Aroostook County because I'm not 50 years of age and I rise, to the surprise of no member of the Chamber, because I have a small story to tell about the last time Caribou won the State Championship. It was one of those moments where if you witnessed it, or lived through it, you can remember exactly where you were. I was in Pat's Pizza at Orono, at the University of Maine, when I saw a young man named Mike Thurston. This was before the day of the three-point shot, shot from just before half court to defeat Westbrook for the State Championship in 1969, my senior year at the University of Maine. Coming from Houlton, we usually have our way with Caribou. You know, we usually take care of them. Caribou Vikings have always been among our fiercest rivals. I don't think we did as well against them this year as have done in previous years, but it's just a real compliment to the team. They had to overcome a good deal of adversity and in order to win the State Championship they had to travel many, many hours to Southern Maine to defeat a very good team from Cumberland County, as Senator Jackson said, in double over-

time. I just wanted to stand and offer my congratulations to the Caribou folks as well. We'll get you next year, okay guys?

The Joint Orders were **PASSED**.

Sent down for concurrence.

THE PRESIDENT PRO TEM: The Chair is very pleased to recognize in the back of the Chamber the Class B State Championship players and coaches of the Caribou High School Basketball Team. They are the guests today of the Senator from Aroostook, President Jackson. Would they please rise and accept the greetings of the Senate.

Senate at Ease.

The Senate was called to order by President Pro Tem **ELOISE A. VITELLI** of Sagadahoc County.

THE PRESIDENT PRO TEM: The Chair is pleased to recognize in the rear of the Chamber Todd, Connor, and Molly Simcox. The Simcox family are owners of award winning Todd's Salsa. Would they please rise and accept the greetings of the Senate. The Chair recognizes the Senator from Penobscot, Senator Guerin.

Senator **GUERIN:** Thank you, Madame President Pro Tem. I am happy to speak on behalf of the Simcox family today. They live in my district but I got to know them at trade shows, and so I saw how hardworking their family was on promoting their family salsa business. Just recently they won a number of national awards at a salsa competition in Louisiana. So you think a company from Maine winning in Louisiana is a pretty good testament to the quality of their salsa and a successful Maine business.

Off Record Remarks

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

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.

Off Record Remarks

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Concerning the Composition of the Criminal Law Advisory Commission"
H.P. 116 L.D. 134

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

Signed:

Senators:
DESCHAMBAULT of York
ROSEN of Hancock

Representatives:
WARREN of Hallowell
BEEBE-CENTER of Rockland
COOPER of Yarmouth
COREY of Windham
COSTAIN of Plymouth
RECKITT of South Portland
MORALES of South Portland
SHARPE of Durham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:
CARPENTER of Aroostook

Representatives:
JOHANSEN of Monticello
PICKETT of Dixfield

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **VITELLI** of Sagadahoc, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend Teacher Evaluation Requirements"
H.P. 78 L.D. 92

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-18)**.

Signed:

Senators:
MILLETT of Cumberland
CARSON of Cumberland

Representatives:
KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
PECTEAU of Augusta
INGWERSEN of Arundel
McCREA of Fort Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-19)**.

Signed:

Senator:
POULIOT of Kennebec

Representatives:
DRINKWATER of Milford
RUDNICKI of Fairfield
SAMPSON of Alfred

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18)**.

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18)** Report, in concurrence.

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

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, just briefly, walk you through this amendment that's before you today. Simply, it removes the mandate that student assessments must be used in the current system. If local steering committees in the district find that the current system to be working for that district the system doesn't need to be changed. Again, this bill does not remove the requirement for schools to have robust teacher evaluation systems. Those are still required. Many school districts were reluctant to use student growth measures when it was required, when it was put into place, a number of years ago. Among the pitfalls of the current system are that competent teachers find the student learning objectives, or the SLOs, which require a baseline pre-instruction assessment followed by a post-instruction assessment to be both very time consuming and of little or no actual value to inform better instruction. Very competent teachers whose classes may include a disproportionately high number of either low achieving students or students identified to receive special services find themselves often confronting the reality with

their evaluation effected negatively when student assessments are used as part of their evaluation. I have to add that recently it has become somewhat fashionable for students to simply refuse to take tests, especially standardized tests, with or without parent permission or to intentionally perform very poorly on a given assessment, thus also creating an unfair representation of teacher effectiveness under the current evaluation system. Based on this, I would ask that you follow my light. Thank you, Mr. President.

The Chair noted the absence of the Senator from Aroostook, Senator **CARPENTER**, the Senator from Cumberland, Senator **CHIPMAN**, the Senator from Knox, Senator **MIRAMANT**, and the Senator from Androscoggin, Senator **CLAXTON**, and further excused the same Senators from today's Roll Call votes.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" (H-18) Report, in concurrence. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#27)

YEAS: Senators: BELLOWS, BREEN, CARSON, CHENETTE, DIAMOND, DILL, GRATWICK, HERBIG, LAWRENCE, LUCHINI, MILLETT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BLACK, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, GUERIN, HAMPER, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME,

EXCUSED: Senators: CARPENTER, CHIPMAN, CLAXTON, DESCHAMBAULT, KEIM, LIBBY, MIRAMANT

15 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 7 Senator being excused, the motion by Senator **MILLETT** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-18)** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-18) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require the State To Fund Teacher Retirement"

H.P. 336 L.D. 427

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-20)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford
FECTEAU of Augusta
RUDNICKI of Fairfield
SAMPSON of Alfred

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-20)**.

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

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

Senator **POULIOT:** Thank you, Mr. President. Mr. President, men and women of the Senate, the biennial budget proposal put forward by the Chief Executive does not include the more than \$25 million annual cost that it would take for the State to fund this initiative. We, speaking for myself, certainly support any efforts we can make to reduce the local property tax. However, this will not help that effort. There are other initiatives that have been put forward this session which are going to drive up property taxes at

the local level, such as increasing the teacher salaries to \$40,000, and the local districts are the ones that negotiate these contracts. So they're the ones that have say in how these teacher retirement benefits are being paid. It shouldn't be the State's responsibility to pick up the cost for that. If we were to move the responsibility of negotiating salaries and benefits to the State level it would be appropriate for the State to pick up this cost. However, short of that, I don't think that this is a prudent move at this time. Thank you, men and women of the Senate.

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

Senator **MILLETT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, until 2013 teacher retirement costs were paid by the State. Teachers are part of the State retirement system. Retirement benefits are determined at the State level and municipalities have almost no impact on teacher retirement costs. Then in 2013 the State shifted the costs of retirement for working teachers onto school districts simply as a cost-saving measure for the State. Making school districts responsible for teacher retirement costs was a shift of responsibility, pure and simple, and it put an additional burden on property taxpayers. It put school and municipal officials in the position of having to choose between cutting necessary educational services or raising property taxes. In many communities some of each happened and both students and taxpayers suffered. It is time to put the cost of teacher retirement back where it belongs, with the State. Thank you very much.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#28)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DIAMOND, DILL, GRATWICK, HERBIG, LAWRENCE, LUCHINI, MILLETT, MIRAMANT, MOORE, SANBORN H, SANBORN L, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BLACK, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, GUERIN, HAMPER, POULIOT, ROSEN, TIMBERLAKE,

EXCUSED: Senators: DESCHAMBAULT, KEIM, LIBBY

21 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 3 Senators being excused, the motion by Senator **MILLETT** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-20) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **MARINE RESOURCES** on Bill "An Act To Simplify Apprenticeship Requirements for Student and Apprentice Lobster and Crab Fishing License Holders" H.P. 238 L.D. 314

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

Signed:

Senators:
MIRAMANT of Knox
VITELLI of Sagadahoc

Representatives:
McCREIGHT of Harpswell
ALLEY of Beals
BLUME of York
HEPLER of Woolwich
McDONALD of Stonington

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-14)**.

Signed:

Senator:
DOW of Lincoln

Representatives:
FAULKINGHAM of Winter Harbor
HUTCHINS of Penobscot
JAVNER of Chester
TUELL of East Machias

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **MIRAMANT** of Knox, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Change the Name of Columbus Day to Indigenous Peoples Day"
H.P. 142 L.D. 179

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

Signed:

Senator:
CLAXTON of Androscoggin

Representatives:
MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
PEBORTH of Blue Hill
RISEMAN of Harrison
VEROW of Brewer

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

Signed:

Senators:
DAVIS of Piscataquis
DESCHAMBAULT of York

Representatives:
HEAD of Bethel
KINNEY of Knox
TUELL of East Machias

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**

Reports **READ.**

Senator **CLAXTON** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **VITELLI** of Sagadahoc, **TABLED** until Later in Today's Session, pending the motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act"
H.P. 209 L.D. 285

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

Signed:

Senator:
CLAXTON of Androscoggin

Representatives:
MARTIN of Sinclair
BRYANT of Windham
EVANGELOS of Friendship
PEBORTH of Blue Hill
RISEMAN of Harrison
VEROW of Brewer

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

Signed:

Senator:
DAVIS of Piscataquis

Representatives:
HEAD of Bethel
KINNEY of Knox
TUELL of East Machias

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED.**

Reports **READ.**

On motion by Senator **CLAXTON** of Androscoggin, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE.**

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Add Instruction in Personal Finance to the Statewide System of Learning Results"
S.P. 47 L.D. 160

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

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-16)**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford
FECTEAU of Augusta
RUDNICKI of Fairfield
SAMPSON of Alfred

Reports **READ**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Secure the Future of the Frances Perkins Homestead"

S.P. 58 L.D. 246

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-15)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

DRINKWATER of Milford
FECTEAU of Augusta
RUDNICKI of Fairfield
SAMPSON of Alfred

Reports **READ**.

On motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-15) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

An Act To Extend the Duration of Temporary Licenses for Sale and Consumption of Liquor

H.P. 98 L.D. 116
(C "A" H-5)

This being an Emergency Measure and having received the affirmative vote of 30 Members of the Senate, with no Senator having voted in the negative, and 30 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Acts

An Act To Protect Shooting Ranges

H.P. 65 L.D. 79

An Act To Allow Flexibility in the Deposit Labeling of Metal Returnable Beverage Containers

H.P. 263 L.D. 338

PAPERS FROM THE HOUSE

An Act To Amend the Brunswick Sewer District Charter
H.P. 272 L.D. 346

An Act To Fund Services for Blind and Visually Impaired Persons
at the Maine State Library

H.P. 291 L.D. 382
(C "A" H-7)

An Act To Protect Vulnerable Adults from Financial Exploitation
H.P. 410 L.D. 566

PASSED TO BE ENACTED and, having been signed by the President, were presented by the Secretary to the Governor for approval.

An Act To Eliminate Gross Metering

H.P. 77 L.D. 91
(S "A" S-4)

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Lawrence.

Senator **LAWRENCE:** Thank you, Mr. President. I hope you'll vote in favor of Enactment and I request a roll call.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#29)

YEAS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, GUERIN, HAMPER, HERBIG, LAWRENCE, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: None

EXCUSED: Senators: DESCHAMBAULT, KEIM, LIBBY

32 Senators having voted in the affirmative and no Senator having voted in the negative, with 3 Senator being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

House Papers

Bill "An Act To Authorize a General Fund Bond Issue To Establish a Maine County Correctional Facilities Revolving Construction and Improvement Fund"

H.P. 961 L.D. 1333

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 Revise the Good Time Laws To Improve Public Safety"

H.P. 974 L.D. 1346

Bill "An Act To Prevent Law Enforcement Officers from Using Their Authority To Extract Sexual Favors"

H.P. 996 L.D. 1375

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

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

Bill "An Act To Protect Teachers from Unfair Evaluations"

H.P. 966 L.D. 1338

Bill "An Act To Provide Flexibility for Efficient and Effective Management of School Management and Leadership Centers"

H.P. 969 L.D. 1341

Bill "An Act To Improve Health Education and Physical Education in Schools"

H.P. 971 L.D. 1343

Bill "An Act To Improve Nutrition in Maine Schools"

H.P. 972 L.D. 1344

Bill "An Act To Promote High-quality After-school Programs in Public Schools"

H.P. 975 L.D. 1347

Bill "An Act To Create an Additional Pathway To Certify Industrial Arts Teachers To Foster Career and Technical Subjects in Maine Schools"

H.P. 991 L.D. 1369

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 Regarding Energy Transmission Corridors"
(EMERGENCY) H.P. 985 L.D. 1363

Bill "An Act Regarding Net Neutrality and Internet Policy"
H.P. 986 L.D. 1364

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, Directing the Governor To Renominate Penobscot Bay for Inclusion in the United States Environmental Protection Agency National Estuary Program H.P. 964 L.D. 1336

Bill "An Act To Further the Public Interest in All Maine Waters"
H.P. 980 L.D. 1358

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 Save Lives by Establishing a Homeless Opioid Users Service Engagement Program within the Department of Health and Human Services" H.P. 965 L.D. 1337

Resolve, To Expand Eligibility for Presumptive Eligibility Determinations by Hospitals H.P. 982 L.D. 1360

Resolve, To Reduce MaineCare Spending through Targeted Nutrition Interventions H.P. 994 L.D. 1373

Bill "An Act To Amend the Maine Medical Use of Marijuana Act"
H.P. 995 L.D. 1374

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 Create a Licensing Board and Licensure Requirements for Intentional Peer Support Specialists"
H.P. 977 L.D. 1349

Bill "An Act Regarding Health Care Providers and Patient Trust"
H.P. 983 L.D. 1361

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

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

Bill "An Act To Rename the Maine International Trade Center the Maine Trade Center and To Establish within the Center International and Domestic Export Branches"
H.P. 962 L.D. 1334

Bill "An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute"
H.P. 970 L.D. 1342

Bill "An Act To Require Postsecondary Institutions To Meet the Expected Family Contribution without Additional Loan Burdens for Students"
H.P. 990 L.D. 1368

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 Require Information Regarding Implied Warranties When Offering an Extended Warranty at the Point of Sale"
H.P. 988 L.D. 1366

Comes 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 Recalculate Retirement Benefits for Certain State Employees Adversely Affected by Merit Pay Freezes"
H.P. 967 L.D. 1339

Bill "An Act To Ensure a Fair Workweek"
H.P. 973 L.D. 1345

Bill "An Act Regarding Local Workforce Development Boards"
H.P. 981 L.D. 1359

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.

Bill "An Act To Require Criminal History Record Checks for All Prospective and Current Staff Members of the Office of the State Auditor"

H.P. 968 L.D. 1340

Comes 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 Require the Department of Transportation To Place Official Business Directional Signs at Certain Intersections"
H.P. 963 L.D. 1335

Bill "An Act To Preserve and Protect the State's Rail Corridors"
H.P. 989 L.D. 1367

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 Authorize Sports Wagering"
H.P. 976 L.D. 1348

Bill "An Act Regarding State Licensure for the Sale of Spirits for Off-premises Consumption"
H.P. 979 L.D. 1357

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Election of the Governor by Majority Vote
H.P. 987 L.D. 1365

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Voting Rights Belong Only to Citizens in Municipal or Other Local Elections
H.P. 993 L.D. 1372

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.

**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 and approved for introduction by a majority of the Legislative Council asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40: Home Health Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)
H.P. 978 L.D. 1356

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.

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

Joint Resolution

The following Joint Resolution:

H.P. 992

**JOINT RESOLUTION
TO RECOGNIZE THE MULTIFACETED AGRICULTURE OF
MAINE**

WHEREAS, recent statistics show that farming in Maine has grown, that Maine continues to lead the New England states with 8,174 farms and that the value of Maine's crops and livestock has grown 24% since the last census of agriculture; and

WHEREAS, Maine's agricultural enterprises provide more than \$764,000,000 through the sale of farm products and contribute more than \$2,000,000,000 annually to the State's economy, and Maine agricultural products are increasingly available locally in farmers' markets, schools and institutions; and

WHEREAS, Maine farmers are the stewards of 1,450,000 acres of land, a vital resource in maintaining Maine's rural economy; and

WHEREAS, Maine is first in the world in the production of wild blueberries, a world leader in the production of brown eggs, first in New England in the production of food, first in New England in the value of aquaculture sales, second in New England in milk and livestock production, third in the Nation in the production of maple syrup and eighth in the Nation in the production of fall potatoes, is the fastest-growing artisanal cheese-producing state in the Nation and is the only state involved in the commercial production of fiddleheads; and

WHEREAS, agriculture has always been a part of Maine's prosperity, maintaining much of Maine's scenic open space, providing recreational opportunities and contributing to the character of Maine's rural communities; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, pause in our deliberations to recognize Maine's agricultural community and its contribution to the betterment of our State, to pledge our support and encouragement and to urge the youth of Maine to pursue the growing opportunities for careers in today's technologically advanced agriculture industry; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Commissioner of Agriculture, Conservation and Forestry, as a token of the esteem in which those in this vital field are held.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

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:

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Notification of Proposed Rate Increases for Long-term Care Policies"

H.P. 6 L.D. 5

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-25)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-25)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-25) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require an Annual Report on the Activities of the Maine Child Welfare Advisory Panel"

H.P. 155 L.D. 192

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-21)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-21) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Resolve Tie Votes by the Washington County Budget Advisory Committee" (EMERGENCY)

H.P. 377 L.D. 520

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-27)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-27)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-27) **READ** and **ADOPTED**, in concurrence.

Senate at Ease.

The Senate was called to order by the President.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **TRANSPORTATION** on Bill "An Act To Exempt Head Start School Buses from Snow Tire Restrictions" H.P. 276 L.D. 350

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-24).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-24).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-24) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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:

ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

Emergency Measure

An Act To Enhance Fish and Wildlife Laws
H.P. 941 L.D. 1298

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

Off Record Remarks

On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, March 26, 2019 at 10:00 in the morning in memory of and lasting tribute to Gary Joseph Sacco of Poland.