

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

In Senate Chamber
Tuesday
June 4, 2019

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

Prayer by Rajan Zed, President, Universal Society of Hinduism, Reno, Nevada.

RAJAN ZED: Starting with Ganga Dussehra, which is considered a most sacred month of Hinduism, I shall be reading from ancient Hindu scriptures (unintelligible), some as old as 1500 BC. I shall be reading in Sanskrit then in English.

Om bhur bhuvah svah tat Savitur varenyam bhargo devasya dhimahi dhiyo you nah prachodayat.

We meditate on the transcendental glory of the deity supreme, who is inside the heart of the earth, inside the life of the sky, and inside the soul of the heaven. May He stimulate and illuminate our minds.

Asato ma sad gamaya. Tamaso ma jyotir gamaya. Mrityor mamrtam gamaya.

Lead us from the unreal to the Real. Lead us from darkness to Light. Lead us from death to immortality.

Tasmadasaktah satatam karyam karma samacara. Asakto hyacarankarma paramapnoti purusah. Karmanaiva hi samsiddhimasthitha janakadayah. Lokasangrahamevapi sampasyankartumarhasi.

Strive constantly to serve the welfare of the world; by devotion to selfless one attains the supreme goal of life. Do your work with the welfare of others always in mind.

Om saha naavavatu. Saha nau bhunaktu. Saha viiryan karavaavahai. Tejasvi naavadhiitamastu. Maa vidhivishhaavahai.

May we be protected together. May we be nourished together. May we work together with great vigor. May our study be enlightening. May no obstacle arise between us.

Samani va akutih, samana hridayani vah, samanam astu vo mano, yatha vah susahasti.

United your resolve, united your hearts, may your spirits be at one, that you may long together dwell in unity and concord.

Om Shanti, Shanit, Shanti.

Peace, peace, peace be unto all.

Om.

Pledge of Allegiance led by Senator Linda F. Sanborn of Cumberland County.

Reading of the Journal of Monday, June 3, 2019.

Doctor of the day, Garreth Debiegun, M.D. of Yarmouth.

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Align the Harness Racing Laws with Current Policies" (EMERGENCY)

H.P. 1230 L.D. 1728

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.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act Regarding Future Evaluations of the Pine Tree Development Zone Program"

H.P. 1172 L.D. 1629

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.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend the Geologist and Soil Scientist Licensing Laws"

H.P. 1249 L.D. 1754

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.

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Eliminate the Regional Adjustment for Public School Systems"

H.P. 233 L.D. 309

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-393)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-393)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-393) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Protect Teachers from Unfair Evaluations"

H.P. 966 L.D. 1338

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-400)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-400) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Support Infrastructure Improvements in Schools"

H.P. 1152 L.D. 1593

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-399)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-399)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-399) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Require Housing Facilities for Persons with Substance Use Disorder Be Equipped with Naloxone"

H.P. 227 L.D. 303

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-406)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-406)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-406) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Address Reimbursement Rates for Licensed Clinical Social Workers under MaineCare

H.P. 512 L.D. 692

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-407)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-407)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-407) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Clarify and Affirm Medicaid Eligibility for Incarcerated Individuals"

H.P. 566 L.D. 761

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-404)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-404)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-404) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Address the Needs of Children with Intellectual Disabilities and Autism Spectrum Disorder"

H.P. 852 L.D. 1178

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-410)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-410)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-410) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Change the Work Requirement Rules under the Temporary Assistance for Needy Families Program

H.P. 908 L.D. 1247

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-408)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-408)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-408) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve Dental Health for Maine Children and Adults with Low Incomes"

H.P. 1065 L.D. 1453

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-409)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-409)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-409) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Strengthen Supports for Adults with Intellectual Disabilities or Autism in Crisis"

H.P. 1088 L.D. 1486

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-411)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-411)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-411) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Update the Licensing Laws for Occupational Therapy Practice"

H.P. 1227 L.D. 1716

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-402)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-402)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-402) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish" H.P. 1090 L.D. 1488

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-426)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-426)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-426) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Increase Transparency with Regard to Pawnshops" H.P. 933 L.D. 1290

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-415)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-415)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-415) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend the Laws Governing the Educators for Maine Program" H.P. 1160 L.D. 1601

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-417)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-417)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-417) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Facilitate Entry of Immigrants into the Workforce" H.P. 1209 L.D. 1685

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-416)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-416)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-416) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend and Clarify the Laws Concerning American Sign Language Interpreters" H.P. 1246 L.D. 1751

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-418)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-418) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-420)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-420)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-420) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Clarify Recounts in Municipal Elections"

H.P. 1078 L.D. 1476

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-421)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-421)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-421) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Increase Salaries for Elected State Officials and To Amend the Laws Governing the State Compensation Commission"

H.P. 1193 L.D. 1667

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-422)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-422)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-422) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Provide a Sales Tax Exemption for Nonprofit Career and Technical Student Organizations"

H.P. 537 L.D. 732

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-391)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-391)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-391) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry"
H.P. 277 L.D. 351

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-423)**.

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

HICKMAN of Winthrop
HALL of Wilton
KINNEY of Knox
KRYZAK of Acton
MAXMIN of Nobleboro
O'NEIL of Saco
PLUECKER of Warren
ROBERTS-LOVELL of South Berwick
SKOLFIELD of Weld

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-424)**.

Signed:

Representative:

McCREA of Fort Fairfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423)**.

Reports **READ**.

On motion by Senator **DILL** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide Funding for Maine Public"
H.P. 438 L.D. 610

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-401)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

KORNFELD of Bangor
BRENNAN of Portland
DODGE of Belfast
DRINKWATER of Milford
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:

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-401)**.

Reports **READ**.

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

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 (#180)

YEAS:

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

NAYS:

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, 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-401) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Off Record Remarks

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Enact the Campus Free Expression Act"

H.P. 486 L.D. 665

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-395)**.

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 "B" (H-396)**.

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 BY COMMITTEE AMENDMENT "A" (H-395)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)**.

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)** Report, in concurrence.

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

The Chair noted the absence of the Senator from York, Senator **LAWRENCE**, and further excused the same Senator from today's Roll Call votes.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#181)

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

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

EXCUSED: Senator: LAWRENCE

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **MILLETT** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-395) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)**, in concurrence.

Off Record Remarks

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Encourage Public Participation in School Board Meetings"

H.P. 526 L.D. 721

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-394)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
FECTEAU of Augusta
INGWERSEN of Arundel
McCREA of Fort Fairfield
SAMPSON of Alfred

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

Signed:

Representatives:

DRINKWATER of Milford
RUDNICKI of Fairfield

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-394)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-394) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Allow Parents To Apply to the Commissioner of Education To Enroll Their Children in a Receiving School Administrative Unit and To Remove Limitations on Which Students May Be So Enrolled"

H.P. 888 L.D. 1227

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" (H-397)**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

FECTEAU of Augusta
RUDNICKI of Fairfield
SAMPSON of Alfred

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

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 (#182)

SAMPSON of Alfred

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **MILLETT** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Prohibit Offshore Oil and Natural Gas Drilling and Exploration"

H.P. 710 L.D. 955

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-425)**.

Signed:

Senators:
CARSON of Cumberland
CHENETTE of York
FOLEY of York

Representatives:
TUCKER of Brunswick
BLUME of York
FAY of Raymond
GRAMLICH of Old Orchard Beach
HOBBS of Wells
ZEIGLER of Montville

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

Signed:

Representatives:
CAMPBELL of Orrington
JOHANSEN of Monticello
SKOLFIELD of Weld

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-425)**.

Reports **READ**.

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

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

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Maintain the Integrity of the Department of Education by Prohibiting Its Promotion of Policies and Practices That Are Not Based on Rigorous Peer Review and Analysis, Limiting Acceptance of Private Funding in Implementing and Influencing State Policy and Retaining the Home Rule Powers to School Administrative Units"

H.P. 1038 L.D. 1425

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

Signed:

Senators:
MILLETT of Cumberland
CARSON of Cumberland

Representatives:
KORNFELD 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" (H-398)**.

Signed:

Senator:
POULIOT of Kennebec

Representatives:
DRINKWATER of Milford
FECTEAU of Augusta
RUDNICKI of Fairfield

Senator **CARSON**: Thank you, Mr. President. This is a very straight forward bill. This bill, if enacted, would ban permitting or authorizing of any oil or natural gas exploration, development, or production in, on, or under the waters of the state of Maine. It does not ban transfer of oil and natural gas between vessels and terminals on shore, except any that may be originated from the North Atlantic planning area, which is out to the north and west of the New England coast. Thank you.

On motion by Senator **LIBBY** of Androscoggin, 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 (#183)

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

NAYS: Senators: FARRIN, HAMPER, POULIOT, TIMBERLAKE

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, the motion by Senator **CARSON** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-425) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Ensure Water Equity and Accountability for the People of the State"
H.P. 1076 L.D. 1474

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

Signed:

Senators:
CARSON of Cumberland
FOLEY of York

Representatives:

TUCKER of Brunswick
BLUME of York
CAMPBELL of Orrington
FAY of Raymond
HOBBS of Wells
JOHANSEN of Monticello
LYFORD of Eddington
ZEIGLER of Montville

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-390)**.

Signed:

Senator:
CHENETTE of York

Representative:
GRAMLICH of Old Orchard Beach

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Mercury-added Lamp Law"
H.P. 1194 L.D. 1668

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-389)**.

Signed:

Senators:
CARSON of Cumberland
CHENETTE of York
FOLEY of York

Representatives:
TUCKER of Brunswick
BLUME of York
CAMPBELL of Orrington
FAY of Raymond
GRAMLICH of Old Orchard Beach
HOBBS of Wells
ZEIGLER of Montville

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

Signed:

TALBOT ROSS of Portland

Representatives:

JOHANSEN of Monticello
LYFORD of Eddington

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-412)**.

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-389)**.

Reports **READ**.

Reports **READ**.

On motion by Senator **GRATWICK** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

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

Divided Report

Bill **READ ONCE**.

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Expand Community Support Services for Certain Adult Members of the MaineCare Program" H.P. 580 L.D. 775

Committee Amendment "A" (H-389) **READ** and **ADOPTED**, in concurrence.

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-403)**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Signed:

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Align Wages for Direct Care Workers for Persons with Intellectual Disabilities or Autism with the Minimum Wage"

H.P. 308 L.D. 399

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

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

Representatives:

HYMANSON of York
CRAVEN of Lewiston
MADIGAN of Waterville
MEYER of Eliot
PERRY of Calais
STOVER of Boothbay
TALBOT ROSS of Portland

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

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

Representatives:

HYMANSON of York
GRIFFIN of Levant
JAVNER of Chester
MADIGAN of Waterville
O'CONNOR of Berwick
PERRY of Calais

Signed:

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-412)**.

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-403)**.

Signed:

Reports **READ**.

Representatives:

CRAVEN of Lewiston
MEYER of Eliot
STOVER of Boothbay

On motion by Senator **GRATWICK** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE.**

Committee Amendment "A" (H-403) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish the Vaccine Consumer Protection Program"

H.P. 1168 L.D. 1616

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

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin

Representatives:

HYMANSON of York
CRAVEN of Lewiston
MADIGAN of Waterville
MEYER of Eliot
PERRY of Calais
STOVER of Boothbay
TALBOT ROSS of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-405).**

Signed:

Senator:

MOORE of Washington

Representatives:

GRIFFIN of Levant
JAVNER of Chester
O'CONNOR of Berwick

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

Reports **READ.**

Senator **GRATWICK** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 Washington, Senator Moore.

Senator **MOORE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, in the 1986 National Childhood Vaccine Injury Act Congress removed liability for vaccine injury and death from pharmaceutical companies and set up the National Vaccine Injury Compensation Program to provide funds to pay families for the injuries and to provide medical, educational, and social supports for those harmed. In the 30 years that the program has been in place there have been more than 3,000 vaccine injuries reported from Maine to the CDCs Vaccine Adverse Event Reporting System but less than 50 cases have been filed in the National Vaccine Injury Compensation Program for compensation and only 25 have been compensated. Of the six vaccine associated deaths that have been reported to the CDCs Vaccine Adverse Event Reporting System from Maine one has been filed in the VICP and was compensated. Maine is paying for severe and disabling vaccine adverse outcomes, primarily because families are not being directed to the program when they have a vaccine reaction simply because healthcare providers in Maine are not trained on the federal program or even trained on the FDA vaccine package insert Adverse Outcomes. Those families who do not find out about the existence of the program and file often do not have the support they need to be compensated by the program. The Injury Care System was put into place in the '80s and doctors have never been trained to use it. Instead, medical personnel have been told repeatedly that vaccine injury is rare and taught not to take reports of vaccine injury seriously. L.D. 1616 would put in place a system to train healthcare providers on the information intended for them to use by the U.S. Food and Drug Administration and the National Vaccine Injury Compensation Program so that they are able to serve their patients by recognizing vaccine adverse reactions early, testing for them properly, and getting them immediate intervention by specialists in vaccine reactions so that those reactions can be arrested quickly and long-term damage can be kept to a minimum. Currently, a family is told that if they believe their child is having a reaction that they should just contact their provider. This recommendation is a set-up for failure for the diagnosis of the child and conflict between the family and the healthcare provider. This program would insure that Maine has at least a medical provider in each Congressional district that a family can be directed to that is not involved in the initial injury and can provide a more objective assessment of the child. These physicians can then testify for the family in the Vaccine Injury Compensation Program without fear of repercussions from their employer or the State as they will be a part of the State program to ensure that the subset of those who do not fit into the one size fits all vaccine program have the individualized medical attention that they deserve. Vaccine injury exists. Denying that it is real and withholding treatment when it happens is destroying trust in the vaccine program and driving some families who can be safely vaccinated away from vaccinations. Thank you, Mr. President.

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

Senator **L. SANBORN:** Thank you, Mr. President. Mr. President and ladies and gentlemen of the Senate, I'd like to share some of the words of caution taken from testimony of the Maine Medical Association. 'Contagious diseases are spreading across the nation. Maine has the highest incidence of pertussis in the country and measles is spreading in other states. We already

have the highest number of cases in 25 years. How long before it reaches us? For that reason alone, the Senate should vote Ought Not to Pass on LD 1616, a bill that would throw up a variety of roadblocks to prevent Maine children from being protected from these virulent, communicable diseases. The bill would not be good law and it would be very expensive. Similar bills have been floated in earlier legislatures and they correctly failed to pass. Some of the dangers this bill presents includes the following: it sets up a board, at least one-half of whose members must be "victims" or parents of victims of the very issue the board would be reviewing. It seeks to take over some of the functions and judgments of long-established professional licensing boards with a proven track record of policing physicians, nurses, and physician assistants. It establishes the types of evidence the board can consider without regard to the reliability of that evidence. What is the meaning of current research? It requires this board, at least half of whose members are not required to have medical, scientific, or technical expertise, to establish mandatory guidelines for a medical procedure. There are a number of other cautions. This bill is constructed on the foundation of an essential denial of medical science, evidence, and issues of causation. The issue is fact, not belief. This would be very bad law for Maine, or for any state.' I respectfully ask you to vote L.D. 1616 Ought Not to Pass. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to thank the Senator for bringing this up and giving the facts that are present in this bill and how it would help. You know, when they said they have a proven track record, if you don't have the records how do you prove that's proven? This is a good bill and it's to track the facts and not hide them, and that's what this bill does. So if we could vote for this I think that it would take care of the questions that are out there for vaccines. So I think it's very important that we do vote for this and it would actually help the situation rather than hide the situation. Thank you, Mr. President.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I think this is an appropriate Ought Not to Pass bill. Two major parts of it, the first being about being already delineated by the Senator from Portland, about the particular vaccine consumer protection group to be set up in DHHS independent of the current childhood immunization program in DHHS. In other words, setting up a parallel organization within DHHS that is going to be mainly staffed by, majorly staffed, by non-professionals, which may be and may not be good but they certainly will not have professional judgement. There are 16 mandatory provisions for providers. That's one thing. It's a complicated bill in that way. The second is that it basically does away with the recent bill we just dealt with on vaccinations, L.D. 798 which was signed into law by the Governor on May 24th, last month. It was Chapter Law 154, Section 1079 1080. In other words, we're just undoing what we did last month. I think this is a bill that Ought Not to Pass. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I expect it may be a little bit of a discussion about the cost or something, but to open with a statement about pertussis increasing when pertussis, at its best, is 70% effective. After a few years it's about 40% effective. Of course there's an increase. There's an increase in vaccinated people in pertussis. So let's get back to why. Why would any drug company make it better? They have no liability. Injury reporting is not mandatory. It's voluntary. We don't even know what percentage of injuries are reported but we know that over, I can't even keep up with the number, \$4 billion has been awarded. So we know there is a vaccine injury problem. I think I may have said this once, twice, three times; looking at the bill, what problem did it seek to solve? The fact that about 97% or 98% of people, 94% or 95% are in compliance with an absurd program that they have that says even if you have reactions you bring your kid back soon and get another injection of the same thing and have another reaction. That's the wonderful overview that we're working under. So why do they want a make-up on a board that has some people with vaccine injured kids? Geez, I can't think of why? Why would they want a mix of people instead of the same profession that forces you to do this to your children? I don't know. So I wasn't planning to speak but I'll just leave it at that for now. Thanks a lot.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. If you are in favor of accepting that report you will be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#184)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, LAWRENCE, LIBBY, LUCHINI, MILLETT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **GRATWICK** of Penobscot to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Authorize a General Fund Bond Issue To Provide for Student Loan Debt Relief"
H.P. 303 L.D. 394

Reported that the same be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Signed:

Senators:

HERBIG of Waldo
MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
BABINE of Scarborough
FECTEAU of Biddeford
HANDY of Lewiston
HARRINGTON of Sanford
PERRY of Bangor

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray
STETKIS of Canaan

Comes from the House with the Majority Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Reports **READ**.

On motion by Senator **HERBIG** of Waldo, the Majority Report **ACCEPTED**, in concurrence, and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Extend the Terms of Legislators to 4 Years
H.P. 55 L.D. 58

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

Signed:

Senators:

CLAXTON of Androscoggin
DAVIS of Piscataquis
DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair
BRYANT of Windham
HEAD of Bethel
REED of Carmel
VEROW of Brewer

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-419)**.

Signed:

Representatives:

EVANGELOS of Friendship
KINNEY of Knox
PEBORTH of Blue Hill
RISEMAN of Harrison
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 **CLAXTON** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

Nine members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Directing Coordinated State Agencies To Negotiate with the Governing Leaderships of Portland Pipe Line Corporation and Montreal Pipe Line Limited for Sustainability-centered Repurposing of Stranded and At-risk Infrastructure Assets in Maine (EMERGENCY)
H.P. 1048 L.D. 1436

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-414)**.

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
GROHOSKI of Ellsworth
RILEY of Jay
RYKERSON of Kittery

Two members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Representatives:

FOSTER of Dexter
HANLEY of Pittston

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass**.

Signed:

Representative:

KESSLER of South Portland

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED, READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)**.

Reports **READ**.

On motion by Senator **LAWRENCE** of York, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414), ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-414) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-414)**, in concurrence.

Senate

Ought to Pass

Senator **LAWRENCE** for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the So-called Dig Safe Law"

S.P. 569 L.D. 1720

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

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

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

Sent down for concurrence.

Ought to Pass As Amended

Senator **LAWRENCE** for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Establish the Wood Energy Investment Program"

S.P. 266 L.D. 912

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-193)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-193) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Senator **LAWRENCE** for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Utility Reorganizations" (EMERGENCY)

S.P. 495 L.D. 1560

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-192)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-192) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Fully Fund Career and Technical Education for Fiscal Year 2018-19" (EMERGENCY)

S.P. 98 L.D. 358

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-190)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFELD of Bangor
BRENNAN of Portland
DODGE of Belfast
DRINKWATER of Milford
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield
SAMPSON of Alfred

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

Signed:

Representatives:

FECTEAU of Augusta
RUDNICKI of Fairfield

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-190) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Promote Social and Emotional Learning and Development for Young Children"

S.P. 287 L.D. 997

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-191)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFELD of Bangor
BRENNAN of Portland

DODGE of Belfast
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield
SAMPSON of Alfred

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

Signed:

Representatives:

FECTEAU of Augusta
RUDNICKI of Fairfield

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-191) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Authorize a General Fund Bond Issue To Provide Student Debt Forgiveness To Support Workforce Attraction and Retention"

S.P. 36 L.D. 149

Reported that the same be **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Signed:

Senators:

HERBIG of Waldo
MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
BABINE of Scarborough
FECTEAU of Biddeford
HANDY of Lewiston
HARRINGTON of Sanford
PERRY of Bangor

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

Signed:

Senator:
GUERIN of Penobscot

Representatives:
AUSTIN of Gray
STETKIS of Canaan

Reports **READ**.

On motion by Senator **HERBIG** of Waldo, the Majority Report **ACCEPTED** and the Bill **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify Ranked-choice Voting Laws" S.P. 540 L.D. 1663

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-194)**.

Signed:

Senators:
LUCHINI of Hancock
HERBIG of Waldo

Representatives:
SCHNECK of Bangor
ACKLEY of Monmouth
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell
STROM of Pittsfield

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

Signed:

Senator:
CYRWAY of Kennebec

Representative:
ANDREWS of Paris

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-194) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act" S.P. 570 L.D. 1721

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-195)**.

Signed:

Senators:
LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:
SCHNECK of Bangor
ACKLEY of Monmouth
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell
STROM of Pittsfield

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

Signed:

Representative:
ANDREWS of Paris

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-195) **READ** and **ADOPTED**. Under suspension of the Rules, **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.

ENACTORS

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

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities

H.P. 1049 L.D. 1437
(C "A" H-163; H "A" H-344)

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

Emergency Measure

An Act To Exempt from Sales Tax Certain Watercraft Purchased by an Incorporated Nonprofit Transportation Company That Provides Transportation of Emergency Medical Services Patients from an Island to the Mainland

H.P. 106 L.D. 124
(C "A" H-383)

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

Emergency Measure

An Act To Make Technical Changes to the Taxation of Marijuana
H.P. 1188 L.D. 1652

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Emergency Measure

An Act To Create a Minimum Age To Hold a Limited-purpose Aquaculture License

S.P. 574 L.D. 1725
(C "A" S-163)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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.

Emergency Measure

An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes
H.P. 1243 L.D. 1744

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 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 Require Disclosure at the Sale or Transfer whether Methamphetamine Is Present or Has Been Removed from Real Estate

H.P. 82 L.D. 96
(C "A" H-386)

An Act To Update the Family Planning Statutes

S.P. 159 L.D. 494
(C "A" S-151)

An Act To Increase Funding for Multimodal Transportation

H.P. 613 L.D. 839
(C "A" H-329)

An Act To Improve Tax Incentives for Broadband Service

H.P. 628 L.D. 854
(C "A" H-385)

An Act To Establish as a Class C Crime Criminal Conduct in Retaliation against a Witness, Informant, Victim or Juror

S.P. 301 L.D. 1022
(C "A" S-159)

An Act To Update the Criminal Animal Welfare Laws

S.P. 322 L.D. 1090
(C "A" S-160)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2020

H.P. 863 L.D. 1189
(C "A" H-377)

An Act To Simplify Municipal Collective Bargaining by Removing the 120-Day Notice Required Prior to Certain Negotiations

H.P. 898 L.D. 1237

An Act To Establish Transparency in Primary Health Care Spending

S.P. 421 L.D. 1353
(C "A" S-156)

An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Penalties for Violations of the Freedom of Access Act

H.P. 1027 L.D. 1414

An Act To Protect the Environment and Public Health by Further Reducing Toxic Chemicals in Packaging

H.P. 1043 L.D. 1433
(C "A" H-362)

An Act To Require the Public Utilities Commission To Permit the Public Advocate To Access Certain Information Related to a Management Audit

S.P. 494 L.D. 1559
(C "A" S-154)

An Act To Authorize Project Labor Agreements for Public Works Projects

S.P. 499 L.D. 1564
(C "A" S-158)

An Act To Amend and Clarify the Maine Uniform Securities Act and To Make a Technical Correction in the Law Concerning Financial Planners

S.P. 566 L.D. 1712

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

An Act To Prevent Vitamin K Deficiency Bleeding and Eye Damage in Infants

S.P. 121 L.D. 443
(C "A" S-153)

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

An Act To Ensure the Availability of Community Integration Services

H.P. 568 L.D. 763
(S "A" S-162 to C "A" H-252)

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

An Act To Provide Property Tax Relief

H.P. 847 L.D. 1158
(C "A" H-382)

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

An Act To Update the Civil Animal Welfare Laws

H.P. 891 L.D. 1230
(C "A" H-380)

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

An Act To Enact the Maine Death with Dignity Act

H.P. 948 L.D. 1313
(C "A" H-305)

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 Cyrway.

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I believe it should have one more chance at this to do away with this bill because I think it's really harmful to our society to think that it's okay to say it's okay to take this pill and this is allowing 18 years of age or older, so it could be 18 year old and saying you've got six months and if he's depressed he could say I might as well end it. So, you know, I had an uncle just while I've been in the Senate. He lived two and a half years when he went into hospice when they told him he had about three to four months. He lived two and a half years. I had another family member who lived three years and had a child after being told he had six months to live. There are several instances like that where hope is everything. If we go and take this hope away, that's what we're doing when we push this button. I ask you, again, to reconsider and please vote against this bill. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Moore.

Senator **MOORE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise before you again today in support of this bill. The Maine Death With Dignity Act contains twelve pages of very specific protections and procedures to make sure this law can be used only by the terminally ill, only by individuals who are competent, only after being evaluated by at least two physicians, and only after the passage of significant time and numerous opportunities to reconsider. The law honors the libertarian Maine tradition of individual rights and individual autonomy. Just as we accept without question the proposition a competent adult has the right to make medical decisions affecting

their own body, why should we take the most basic of right away when it comes to making end of life medical decisions? This is not suicide. This is not euthanasia. This is the way to allow a competent dying adult to dictate circumstances and timing of their own inevitable death. The law contains safeguards that have been shown to protect patients in other states. Over 40 years of combined data from Oregon, Washington, Vermont, California, and Colorado show the laws work as intended with no evidence of abuse, undue influence, or coercion. This may be among the most difficult decisions which each of you makes this session and one of the most important. I hope you will come down on the side of the terminally ill people who don't seem to be asking for too much, the right to choose their own end of life care. I ask for your support of the bill. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want to say this one more time. If the doctor came up to you and said you have six months left to live, six months, and you've got a family that supports you, people want you to be around. You have hope. You're not going to give up. You don't want this to happen. If you're depressed that's not the time to do it, and there are times when I've seen people make turn-arounds. We are just limiting that and taking that away from them. Hope is what we're missing here. That's what God is all about, hope. Thank you.

THE PRESIDENT: The pending question before the Senate is Enactment. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#185)

YEAS: Senators: BELLOWS, BREEN, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DILL, GRATWICK, HERBIG, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BLACK, CARPENTER, CYRWAY, DAVIS, DIAMOND, DOW, FARRIN, FOLEY, GUERIN, HAMPER, KEIM, LAWRENCE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolves

Resolve, To Coordinate a Plan To Expand Cellular Telephone Service

S.P. 509 L.D. 1603
(C "A" S-155)

FINALLY PASSED and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolve, To Stabilize the Behavioral Health Workforce and Avert More Expensive Treatments

S.P. 180 L.D. 593
(S "A" S-161 to C "A" S-143)

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

Resolve, To Establish the Committee To Study the Feasibility of Creating Basic Income Security

S.P. 412 L.D. 1324
(C "A" S-157)

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

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Ensure Adequate Funding for the Maine Pollutant Discharge Elimination System and Waste Discharge Licensing Program"

H.P. 1303 L.D. 1832

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

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in 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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Reduce Electricity Costs through Nonwires Alternatives"

H.P. 855 L.D. 1181

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-431)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-431)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-431) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry

H.P. 1166 L.D. 1614

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-433)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-433) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Expand the Use of the Women, Infants and Children Special Supplemental Food Program at Farmers' Markets
H.P. 737 L.D. 982

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-427)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-427)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-427) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Provide Protections for Maine Patients Facing Step Therapy"
H.P. 751 L.D. 1009

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-432)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-432)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-432) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in 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:

Acts

An Act To Amend Maine Fireworks Laws To Include Flame Effects

H.P. 1117 L.D. 1534
(C "A" H-286)

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

An Act To Provide a Sales Tax Exemption for Purchases Made by Nonprofit Youth Camps

H.P. 1156 L.D. 1597
(C "A" H-381)

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

Resolve

Resolve, To Increase Funding for Assertive Community Treatment

H.P. 824 L.D. 1135
(S "A" S-170 to C "A" H-253)

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

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

Off Record Remarks

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 **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Implement Changes to Maine's Solid Waste Laws Pursuant to a Review of the State Waste Management and Recycling Plan"

H.P. 94 L.D. 112

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-439)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-439)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-439) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **LABOR AND HOUSING** on Bill "An Act To Create Veteran-friendly Workplaces"

H.P. 1190 L.D. 1654

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-445)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-445)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-445) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Provide Seniors and Certain Persons with Disabilities Assistance with Property Taxes through the Deferral of Those Taxes"

H.P. 503 L.D. 682

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-443)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-443)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-443) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Limit Registration Fees on Water Well Drilling Equipment To Encourage Purchasing of Modern Equipment for Rural Well Construction"

H.P. 647 L.D. 873

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-442)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-442)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-442) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Bill "An Act To Advance Children's Cancer Research in Maine"

H.P. 774 L.D. 1044

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-441)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-441)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-441) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TAXATION** on Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1237 L.D. 1739

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-440)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-440)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-440) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

The Committee on **TRANSPORTATION** on Bill "An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees"

H.P. 1089 L.D. 1487

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-444)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-444)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-444) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (5/29/19) matter:

HOUSE REPORT - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Change the Name of Township 17, Range 3 to Van Buren Cove" (EMERGENCY)
H.P. 1067 L.D. 1455
(C "A" H-338)

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-338)**

Tabled - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, May 23, 2019, Report **READ** and **ACCEPTED** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

On motion by Senator **CLAXTON** of Androscoggin, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-338)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-197) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-338) AND SENATE AMENDMENT "A" (S-197), in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/3/19) matter:

HOUSE REPORTS - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Eliminate Single-use Plastic Carry-out Bags"

H.P. 1115 L.D. 1532

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-378)** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-379)** (5 members)

Tabled - June 3, 2019 by Senator **LIBBY** of Androscoggin

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)** Report

(In House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378).**)

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 Carson.

Senator **CARSON:** Thank you, Mr. President. This bill has been hammered out over a long period of time among the Maine Retail Association, the Maine Grocers Association, and a number of organizations engaged in Maine's environmental community. Rather than speaking with my own words, I would like to share, briefly, comments from the Maine Grocers and Food Producers Association in support of L.D. 1532, this will be brief, and also from the Maine Retail Association of Maine. From the Maine Grocers and Food Producers Association, its President, or its

Executive Director, Christine Cummings said the following: 'Today the Maine Grocers,' excuse me, this is dated April 24th, the day of our hearing in ENR. 'Today the Maine Grocers and Food Producers Association stands in support of L.D. 1532, a bill which seeks to create a uniform statewide single-use plastic bag policy. Our Board of Directors voted collectively to pursue involvement with a statewide bag policy. With that direction, we move forward in partnership with the Retail Association of Maine and the Natural Resources Council of Maine to have transparent, honest conversations about our challenges and goals addressing plastic bags.' As I noted, they do stand in support. From the same date, April 24th, from Curtis Picard, President and CEO of the Retail Association of Maine, noting that they have 350 members and employ 85,000 Maine workers. 'I am here today to testify in support of L.D. 1532. What you see before you is the result of a lot of hard work and a lot of give and take. For nearly a year and a half, my Board of Directors have been discussing the bag issue and exploring possible solutions. It was a thorough, deliberative process that received a lot of input from small and large retailers as well as surveying our larger membership. Our board reached a consensus last summer that we should support a statewide effort on plastic bags. I also want to thank Ms. Sarah Lakeman of the Natural Resources Council of Maine and the bill sponsors who worked collaboratively in an open, honest way to get us to this point.' Ladies and gentlemen of the Senate, after long, hard work and hours and days of negotiation, the primary interested parties in this issue have resolved it and they offer you L.D. 1532. I urge you to support this matter. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" (H-378) Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#186)

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

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

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)** Report, in concurrence, **PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (H-378) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-378)**, in concurrence.

RECESSED until the sound of the bell.

After Recess the Senate was called to order by the President.

The Chair laid before the Senate the following Tabled and Later Assigned (6/3/19) matter:

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide Autonomy for Health Care Providers To Practice Patient-centered Care by Amending the Laws Governing Medical Exemptions to Immunization Requirements"

S.P. 277 L.D. 987

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass** (5 members)

Tabled - June 3, 2019 by Senator **LIBBY** of Androscoggin

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 (#187)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, LAWRENCE, LIBBY, LUCHINI, MILLETT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, **PREVAILED**.

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/3/19) matter:

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide for Gubernatorial Appointments to the Maine Charter School Commission"

S.P. 527 L.D. 1638

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-171)** (8 members)

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

Tabled - June 3, 2019 by Senator **LIBBY** of Androscoggin

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

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 York, Senator Chenette.

Senator **CHENETTE:** Thank you, Mr. President. Men and women of the Senate, I rise in support of the pending motion and as the bill's sponsor. As Chair of the Government Oversight Committee, I'm constantly looking for ways to streamline government processes to make things run more efficiently and effectively for Maine people. The bill before you is about process, not people. It's not an attack on charter schools but a means of promoting accountability and transparency. In fact, it's very pro-charter schools to want them to be held to the same high standards as everyone else. The current Charter School Commission, the body with the responsibility for overseeing the nine charter schools in the state, is flawed in its composition because it's different from how other boards and commissions are set up. Current law allows the Governor to appoint three members of the State Board of Education to serve on the Charter Commission. I don't have any issue with these appointments. Members of the State Board of Education are nominated by the Governor, interviewed and voted on by the Education Committee, and finally confirmed by the State Senate. This process ensures accountability and oversight for these appointments. In fact, I served on the State Board of Education as its first student member. I was appointed by Governor Baldacci, interviewed by the Education Committee, and had to be confirmed by this Body that I'm now a proud member of. It was a very rigorous process to ensure I was the best person for the position and I had to do it as a student. What I have issue with are these three members of the State Board that appoint four other members that are

approved by a simple majority vote of the State Board of Education. That doesn't seem right to me and does not align with the State Board's role. The Charter School Commission now oversees nearly \$30 million in taxpayer funds. We should at least make sure, collectively, that the people charged with overseeing these schools should be unimpeachable in their outlook. The current confirmation process for nearly every other commission in state government is the fairest way to do that, Mr. President, a process that involves hearings, votes, and the public. All I'm asking is that Charter School Commission members go through the same exact process that I did as a junior in high school. That's not much to ask, Mr. President. This bill will make the necessary changes to the Charter School Commission. Specifically, the bill will continue to allow the State Board of Education to send three of its members to serve on the Charter School Commission. However, it will make the other four appointment nominations by the Governor undergo a public hearing before the Education Committee and a final confirmation vote from the Senate. Again, this is the same exact process employed by nearly every other commission in the state when it comes to gubernatorial appointments and the same exact process for the State Board of Education members themselves had to go through. Why should we expect a different route for the similar work in similar roles? The bill would transition to this existing process we use for every other board and commission at this level at the conclusion of the Commission's existing terms. So no one's kicked off, Mr. President. They can stay there. My goal is simply to correct what I see as a major problem with the Charter School Commission and put it in line with the structure that benefits everyone, strengthens the Commission's ability to carry out its important mission, and improve transparency. So please support this common sense, good governance bill, Mr. President.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm on the board with Goodwill Hinckley School, it's a charter school, as well as other charter schools I've worked in with public schools. Believe me, a lot of the students that are in charter schools are from public schools that have gone to charter schools because of maybe they don't fit. They don't fit like every kid does in a public school. So sometimes we have to look at if we do the same, just like you did ask for choice on testing and doing the testing bill, we have to look at the same thing here. There is a difference in school learning processes and also school levels. So to be all the same then we're not all going to be a public school setting. This is a charter school and actually the Democratic party actually was the one that initiated charter schools and should be supportive of what they're doing instead of making them all fit into the public school setting. So let's try to let them do their job and do it properly and I think you're hearing from one side and not the other. You should be hearing from the charter schools as well and I'm trying to be on that side and give them their voice. So I think it's very important that we give that divided attention and let charter schools be able to do their part. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#188)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-171) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/3/19) matter:

SENATE REPORTS - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Ensure Public Notification of Air Quality Violations"
S.P. 562 L.D. 1706

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-189)** (9 members)

Minority - **Ought Not to Pass** (3 members)

Tabled - June 3, 2019 by Senator **LIBBY** of Androscoggin

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

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

Bill **READ ONCE**.

Committee Amendment "A" (S-189) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/3/19) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Restrict the Use of Mercury in Dental Fillings in State-funded Dental Procedures" S.P. 349 L.D. 1161

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-181)** (4 members)

Tabled - June 3, 2019 by Senator **LIBBY** of Androscoggin

Pending - motion by Senator **GRATWICK** of Penobscot to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 (#189)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, GUERIN, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, POULIOT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

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

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **GRATWICK** of Penobscot to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-181) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/3/19) matter:

An Act To Reduce Youth Cancer Risk
H.P. 940 L.D. 1297
(C "A" H-293)

Tabled - June 3, 2019 by Senator **MOORE** of Washington

Pending - **ENACTMENT**

(In Senate, May 29, 2019, on motion by Senator **GRATWICK** of Penobscot, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293)** in concurrence.)

(In House, **PASSED TO BE ENACTED**.)

On motion by Senator **TIMBERLAKE** of Androscoggin, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-209) **READ**.

Same Senator requested a Roll Call.

Senator **LIBBY** of Androscoggin moved to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-209).

On motion by Senator **TIMBERLAKE** of Androscoggin, 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 Androscoggin, Senator Timberlake.

Senator **TIMBERLAKE:** Mr. President, ladies and gentlemen of the Senate, there have been numerous bills this session that strip away the personal freedoms and the partial rights and this bill is no exception. I'm asking that you vote down this indefinite postponement to support this amendment before you that simply allows for the individuals under 18 years of age to use the sun tanning device if they have received a doctor's prescription to do so for medical reasons. While I know some doctors feel that these devices are harmful, there are still dermatologists out there who are prescribing tanning to patients as a form of treatment for certain dermatological conditions. If a doctor prescribes this and the parent is okay with it, I don't see why we would not leave this decision up to the doctors, the patients, and the parents. I thank you very much for your support.

THE PRESIDENT: The pending question before the Senate is Indefinite Postponement of Senate Amendment "A" (S-209). Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#190)

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **INDEFINITELY POSTPONE** Senate Amendment "A" (S-209) **PREVAILED**.

PASSED TO BE ENGROSSED AS AMENDED BY AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293), in concurrence.

Ordered sent forthwith to the Engrossing Division.

Off Record Remarks

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

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Wednesday, June 5, 2019 at 10:00 in the morning.