



**One Hundred and Twenty-Ninth Legislature  
First Regular Session**

**Advance Journal and Calendar**

**4th Legislative Day**

In Senate Chamber, Tuesday, January 15, 2019.

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

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

Pledge of Allegiance led by Senator Bill Diamond of Cumberland County.

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

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

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**Troy D. Jackson**  
*Senate President*

**Darek M. Grant**  
*Secretary of the Senate*

*<http://legislature.maine.gov/senate>*

**PAPERS FROM THE HOUSE**

**House Papers**

(1-1) Bill "An Act To Improve Health Care Data Analysis"

H.P. 31 L.D. 30

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

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

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(1-2) Bill "An Act To Return the Normal Cost of Teacher Retirement to the State"

H.P. 52 L.D. 55

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

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

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(1-3) Bill "An Act To Provide for Nonpartisan Elections for the Office of District Attorney"

H.P. 43 L.D. 42

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

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

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**Joint Order**

An Expression of Legislative Sentiment recognizing:

(1-4) Isabella Rose Broder, of Houlton, who has served the people of the State for over 20 years as an educational technician in food preparation, a volunteer and an advisory board member at Southern Aroostook Vocational Education in Houlton. We extend our appreciation and best wishes;

HLS 20

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

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**COMMUNICATIONS**

(2-1) The Following Communication:

S.C. 26

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 7, 2019

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

Dear Secretary Grant,

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-2) The Following Communication:

S.C. 27

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 7, 2019

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

Dear Secretary Grant,

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

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-3) The Following Communication:

S.C. 30

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

January 9, 2019

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

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

Dear President Jackson:

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

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

Very truly yours,

S/Janet T. Mills  
Governor

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(2-4) The Following Communication:

S.C. 31

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 14, 2019

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

Dear Secretary Grant,

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

Kirsten Skorpen, LMSW, of Woolwich to seat 8 as a licensed social worker with experience working with persons with serious illnesses and their family members  
Kevin Lewis, President & CEO of Community Health Options in Lewiston, to seat 9 as a representative of health insurers

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-5) The Following Communication:

S.C. 32

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 14, 2019

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

Dear Secretary Grant,

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

Representative Thomas Harnett of Gardiner to seat 2 as a member of the Maine House of Representatives  
Mr. Taylor Asen of Portland to seat 14 as a public representative

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-6) The Following Communication:

S.C. 33

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

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

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-7) The Following Communication:

S.C. 34

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-8) The Following Communication:

S.C. 35

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-9) The Following Communication:

S.C. 36

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant

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

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-10) The Following Communication:

S.C. 37

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA MAINE**

January 10, 2019

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

Dear Secretary Grant,

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

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

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-11) The Following Communication:

S.C. 28

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

January 8, 2019

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

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

Dear President Jackson and Speaker Gideon:

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

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

Sincerely,

S/Terri Wark  
Office Operations Manager

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(2-12) The Following Communication:

S.C. 29

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

January 10, 2019

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

Dear President Jackson:

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

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

Sincerely,

S/Amy M. Sneirson  
Executive Director

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**SENATE PAPERS**

(3-1) Bill "An Act To Ensure Access to Justice for Victims of Sexual Assault"

S.P. 20 L.D. 67

Presented by Senator HERBIG of Waldo.

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

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

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(3-2) Bill "An Act To Ensure the Integrity of For-profit Colleges"

S.P. 30 L.D. 103

Presented by Senator VITELLI of Sagadahoc.

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

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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(3-3) Bill "An Act To Improve the Record Keeping of the Public Utilities Commission"

S.P. 21 L.D. 68

Presented by Senator CARSON of Cumberland.

Cosponsored by Senators: MIRAMANT of Knox, WOODSOME of York, Representative: BERRY of Bowdoinham.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

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(3-4) Bill "An Act To Prohibit Hospitals from Discussing Alternative Payment Options with Hospitalized Patients"

S.P. 19 L.D. 66

Presented by Senator LAWRENCE of York.

Cosponsored by Representative MEYER of Eliot.

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

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(3-5) Bill "An Act To Reform Maine's Fish and Wildlife Management System"  
S.P. 27 L.D. 74

Presented by Senator POULIOT of Kennebec. (BY REQUEST)

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

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(3-6) Bill "An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System"

S.P. 22 L.D. 69

Presented by Senator HERBIG of Waldo.

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

(3-7) Bill "An Act To Protect Earned Pay"

S.P. 28 L.D. 75

Presented by Senator HERBIG of Waldo.

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

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

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(3-8) Bill "An Act To Support the Trades through a Tax Credit for Apprenticeship Programs"  
S.P. 23 L.D. 70

Presented by Senator HERBIG of Waldo.

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



(3-9) Bill "An Act To Reinstate the Income Tax Deduction for Contributions to College Savings Accounts"

S.P. 24 L.D. 71

Presented by Senator GUERIN of Penobscot.

Cosponsored by Senators: BELLOWS of Kennebec, CHIPMAN of Cumberland, POULIOT of Kennebec, Representative: GRIFFIN of Levant.

(3-10) Bill "An Act To Provide an Income Tax Exemption for Military Pay without Regard to Where the Military Service Was Performed"

S.P. 25 L.D. 72

Presented by Senator DILL of Penobscot. (BY REQUEST)

Cosponsored by Representative TIPPING of Orono and Senators: BREEN of Cumberland, DAVIS of Piscataquis.

(3-11) Bill "An Act To Provide an Income Tax Credit for Certain Student Loan Repayments"

S.P. 26 L.D. 73

Presented by Senator POULIOT of Kennebec.

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

(3-12) Bill "An Act To Expand the Earned Income Tax Credit in Maine"

S.P. 31 L.D. 104

Presented by Senator VITELLI of Sagadahoc.

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

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

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(3-13) Bill "An Act To Strengthen the Integrity of the Legislature by Extending the Waiting Period before Legislators May Engage in Any Amount of Compensated Lobbying"  
S.P. 29 L.D. 76

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

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

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## ORDERS

### Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Mike Giberson and Neil Andersen, both of Gardiner, who are retiring after 30 years of owning and operating the landmark A1 Diner, a historic Worcester Lunch Car Company diner first opened in Gardiner in 1946. Leaders in Gardiner's downtown revitalization, Mr. Giberson and Mr. Andersen were featured on Food Network's Diners, Drive-ins and Dives in 2007. We extend our congratulations and best wishes;

SLS 18

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

(4-2) Aaron McChesney Barker, of Westbrook, a member of Boy Scout Troop No. 51, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

SLS 19

Sponsored by Senator BREEN of Cumberland.  
Cosponsored by Senator: SANBORN, H. of Cumberland, Representatives: GATTINE of Westbrook, PEOPLES of Westbrook.

(4-3) Al Schutz, of Saco, who is retiring after 8 years of service as Executive Director of Shuttlebus-Zoom, a nonprofit public transportation service in Saco, Old Orchard Beach and Biddeford, and 23 years of service overall in the public transportation sector. We extend our congratulations and best wishes;

SLS 20

Sponsored by Senator CHENETTE of York.

Cosponsored by Representatives: BAILEY of Saco, MAREAN of Hollis, O'NEIL of Saco.

(4-4) Dan Varle, of Saco, who was recognized by the Saco City Council and the Saco Fire Department for his extraordinary actions, display of bravery and quick thinking in saving Lynn Underwood, of Saco, from a burning structure. We extend our congratulations and best wishes;

SLS 21

Sponsored by Senator CHENETTE of York.

Cosponsored by Representatives: BAILEY of Saco, MAREAN of Hollis, O'NEIL of Saco.

(4-5) the Saco Junior Trojans football team, of Saco, which won the Southern Maine Youth Football League Atlantic Division Championship. We extend our congratulations and best wishes;

SLS 22

Sponsored by Senator CHENETTE of York.

Cosponsored by Representatives: BAILEY of Saco, MAREAN of Hollis, O'NEIL of Saco.

(4-6) Lisa Gaudrault, of Cape Elizabeth, a sophomore at Cape Elizabeth High School, who won the individual Class B Cross Country State Championship. We extend our congratulations and best wishes;

SLS 23

Sponsored by Senator MILLETT of Cumberland.

Cosponsored by Representatives: CARNEY of Cape Elizabeth, KESSLER of South Portland.

(4-7) Kimberlee Bennett, of Westbrook, an assistant principal at South Portland High School, who was named the 2019 Assistant Principal of the Year for Grades 9 through 12 by the Maine Principals' Association. We extend our congratulations and best wishes;

SLS 24

Sponsored by Senator MILLETT of Cumberland.

Cosponsored by Senators: BREEN of Cumberland, SANBORN, H. of Cumberland, Representatives: GATTINE of Westbrook, PEOPLES of Westbrook.

(4-8) Muriel Mosher, of Augusta, who is retiring as President of Maine Manufacturing Extension Partnership after over 20 years of public service. We extend our congratulations and best wishes;

SLS 25

Sponsored by Senator POULIOT of Kennebec.

Cosponsored by Representatives: BRADSTREET of Vassalboro, DOORE of Augusta, FECTEAU of Augusta.

(4-9) the Lewiston High School Mock Trial Team, of Lewiston, which earned the top spot in the 2018-2019 Maine High School Mock Trial and will represent the State at the national competition in Georgia. Members of the team are Shawn Chabot, Elena Clothier, Olivia Deschenes, Bryce Dufour, Abigail Dundore, Calvin Dundore, Nasser Guelleh, Erin Lachance, Hunter Landry, Andrew Letourneau, Katherine Morin, Rachel Ouellette, Samuel Payne, Kyra Physis, Sara Robert, Robert Shepard and Hunter Steele; lawyer coaches Paul Dionne, Ron Lebel and Amy Dietrich; and teacher coach Michelle Crowley. We extend our congratulations and best wishes;

SLS 26

Sponsored by Senator LIBBY of Androscoggin.

Cosponsored by Representatives: BROOKS of Lewiston, CLOUTIER of Lewiston, CRAVEN of Lewiston, HANDY of Lewiston.

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**ORDERS OF THE DAY**

**Unfinished Business**

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

**1.**

**Tabled and Later Assigned**

JOINT ORDER - Expression of Legislative Sentiment Recognizing Phillip McCarthy, of Bath  
SLS 8

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

Pending - **PASSAGE**

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**2.**

**Tabled and Later Assigned**

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

H.P. 44 L.D. 43

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

Pending - **REFERENCE**

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

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

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