



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

Advance Journal and Calendar

State of the Budget Address

12th Legislative Day

In Senate Chamber, Monday, February 11, 2019.

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

Prayer by Senator Dana L. Dow of Lincoln County.

Pledge of Allegiance led by Senator Eloise A. Vitelli of Sagadahoc County.

Reading of the Journal of Thursday, February 7, 2019.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

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

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

S.O. 11

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 6:30 this evening in the Hall of the House for the purpose of extending to the Honorable Janet T. Mills, Governor, of the State of Maine an invitation to attend the convention and make such communication as pleases her.

PAPERS FROM THE HOUSE

House Papers

(1-1) Bill "An Act To Provide Funding to Municipalities Severely Affected by Pest Infestations"
H.P. 464 L.D. 643

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

(1-2) Resolve, To Establish the Task Force To Study Opportunities for Improving Home and Community-based Services

H.P. 474 L.D. 653

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

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

(1-3) Bill "An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish and To Exempt Them from Vehicle Registration Fees"

H.P. 484 L.D. 663

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

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

(1-4) Bill "An Act To Protect Pregnant Workers"

H.P. 487 L.D. 666

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

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

(1-5) Bill "An Act To Allow Municipalities To Send Separate Tax Bills for Municipal and County and School Taxes"

H.P. 476 L.D. 655

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

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

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-6) Dale F. Doughty, of Pittston, who is retiring as Director of the Bureau of Maintenance and Operations with Maine's Department of Transportation after 21 years of public service. Mr. Doughty has also worked as the department's hydrogeologist, Director of Plan and Program Development, Assistant Director of Planning and Region Manager in the Eastern Region. We extend our congratulations and best wishes;

HLS 52

(1-7) the Waterville Senior High School Girls Soccer Team, of Waterville, which received the Platinum Award for Ethics and Sportsmanship for the Fall 2018 Season from United Soccer Coaches, the world's largest soccer coaches' organization. We extend our congratulations and best wishes;

HLS 59

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

Joint Resolutions

Joint Resolutions in Memoriam:

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

(1-8) Norma J. (Daigle) Shaw, of Caribou. Mrs. Shaw was a member of the Holy Rosary Catholic Church since 1967. She also was a member of the Holy Rosary Sunday Choir since 1980, a member of the funeral choir from 1993 to 2013 and a member of the Ladies of St. Anne since 1975, serving as president from 1995 to 2000. Mrs. Shaw will be long remembered and sadly missed by her family and friends;

HLS 53

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

(1-9) Gregory S. Simmons, of Andover. Mr. Simmons worked for Nine Dragons Paper Mill in Rumford as a Kamy Operator and was a member of King Hiram Lodge. Mr. Simmons will be long remembered and sadly missed by his family and friends;

HLS 54

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

(1-10) Gregory George Viger, of Rumford. Mr. Viger was well-known for his love of photography and for the many photos he shared with his community. Mr. Viger will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

HLS 60

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

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 127

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

February 5, 2019

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

Dear President Jackson and Speaker Gideon:

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

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

This is notification of the Committee's action.

Sincerely,

S/Sen. Susan Deschambault
Senate Chair

S/Rep. Charlotte May Warren
House Chair

SENATE PAPERS

(3-1) Bill "An Act To Prevent Internet Theft"

S.P. 213 L.D. 700

Presented by Senator BELLOWS of Kennebec.

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

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

(3-2) Bill "An Act To Modernize the National School Lunch Program and the School Breakfast Program" (EMERGENCY)

S.P. 214 L.D. 701

Presented by Senator BELLOWS of Kennebec.

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

(3-3) Bill "An Act To Help Maine Students Succeed"

S.P. 216 L.D. 703

Presented by Senator MILLETT of Cumberland.

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

(3-4) Resolve, Directing the Department of Health and Human Services To Conduct a Review of Rules Governing In-home Personal Care Assistance Services

S.P. 210 L.D. 697

Presented by Senator BELLOWS of Kennebec.

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

(3-5) Resolve, To Provide for Outreach Programs To Assist Women at Risk of Giving Birth to Substance-exposed Infants

S.P. 212 L.D. 699

Presented by Senator CARSON of Cumberland.

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

(3-6) Bill "An Act To Reduce the Incidence of Obesity and Chronic Disease in the State"

S.P. 219 L.D. 706

Presented by Senator LIBBY of Androscoggin.

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

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

(3-7) Bill "An Act Regarding the Process for Obtaining Prior Authorization for Health Insurance Purposes"

S.P. 218 L.D. 705

Presented by Senator GRATWICK of Penobscot.

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

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

(3-8) Bill "An Act To Expand Maine's Moose Lottery To Benefit Wounded Service Members and Veterans"

S.P. 221 L.D. 708

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

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

(3-9) Bill "An Act To Authorize Maine Courts To Award Attorney's Fees and Costs to Citizens Who Prevail in Civil Litigation against the Executive Branch"

S.P. 211 L.D. 698

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

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

(3-10) Bill "An Act To Protect Public Employees from Identity Theft"

S.P. 209 L.D. 696

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

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

(3-11) Bill "An Act To Clarify the Laws Regarding Driver's License Suspensions"
S.P. 217 L.D. 704

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

(3-12) Bill "An Act To Require the Clearing of Vegetation along Roads"
S.P. 220 L.D. 707

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

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

(3-13) Bill "An Act Regarding the Pricing of Spirits"
S.P. 215 L.D. 702

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

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

ORDERS

Joint Order

An Expression of Legislative Sentiment recognizing:

(4-1) the City of Auburn, which is celebrating its Sesquicentennial on February 22, 2019. We extend our congratulations and best wishes;

SLS 76

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

Joint Resolutions

(4-2) On motion by Senator **KEIM** of Oxford (Cosponsored by Representative **HEAD** of Bethel and Representative: **MILLETT** of Waterford), the following Joint Resolution:
S.P. 238

**JOINT RESOLUTION RECOGNIZING MARCH 2019 AS
CHILDHOOD CANCER AWARENESS MONTH**

WHEREAS, in the United States, 15,780 children under 21 years of age are diagnosed with cancer every year and approximately 1/4 of them will not survive the disease; and

WHEREAS, the causes of pediatric cancer are still largely unknown and, though new discoveries are resulting in new treatments, this disease continues to harm families and communities with wounds that may never fully heal; and

WHEREAS, due to ongoing advances in research and treatment, the 5-year survival rate for all childhood cancers has climbed from less than 50% to 80% over the past several decades; and

WHEREAS, researchers around the world continue to pioneer new therapies and explore the root causes of the disease, driving progress that could provide cures or improved outcomes for patients; and

WHEREAS, Childhood Cancer Awareness Month will put a spotlight on the survivorship issues that children and families face, the types of cancer that largely affect children, recent gains against the disease and challenges that still lie ahead and will help raise funds for research and family support; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to proclaim March 2019 as Childhood Cancer Awareness Month and urge citizens of the State to become informed about childhood cancer, including both the issues that are involved and the progress that is being made.

Joint Resolutions in Memoriam:

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

(4-3) Robert Richard Pyle, of Northeast Harbor, longtime director of the Northeast Harbor Library and a pillar of his community. Mr. Pyle began work at the Northeast Harbor Library in 1971, became Director in 1975 and retired from the library in 2011. He oversaw seven renovations of the library and the opening of a new facility in 2008. He was honored with Northeast Harbor Library's Don Coates Award and Acadia National Park's W.O. Sawtelle Award. He served in Northeast Harbor's volunteer fire and ambulance departments, in the police reserve and on many committees and boards. He also served for several years as a living exhibit at the Islesford Historical Museum and sang with the Acadia Choral Society for decades. Mr. Pyle will be long remembered and sadly missed by his wife of 45 years, Miriam, by his family and friends and by all those whose lives he touched;

SLS 77

Sponsored by Senator **LUCHINI** of Hancock.
Cosponsored by Representative: **HUBBELL** of Bar Harbor.

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

(4-4) John Menario, of Yarmouth, former Portland City Manager. Mr. Menario served in the military during the Korean War and later worked for the City of Portland for 14 years, including as city manager from 1967 to 1976. He was known as a dedicated public servant who oversaw the growth of downtown business. The Portland City Council honored him in 2016 by renaming the plaza next to the Temple Street Parking Garage as John Menario Plaza. After his service to the city, he worked for the Greater Portland Chamber of Commerce and had his own consulting firm. He ran for governor in 1986 as an independent candidate and from 1988 to 2003 worked as a banking executive. Mr. Menario will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 78

Sponsored by Senator SANBORN, H. of Cumberland.

Cosponsored by Senators: BREEN of Cumberland, CHIPMAN of Cumberland, Representatives: BRENNAN of Portland, COLLINGS of Portland, COOPER of Yarmouth, CROCKETT of Portland, FARNSWORTH of Portland, JORGENSEN of Portland, MOONEN of Portland, SYLVESTER of Portland, TALBOT ROSS of Portland.

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

(4-5) Carol Fern Archer Laplant, of Cambridge. Mrs. Laplant worked at laboratories at Maine General and the University of Maine at Orono and, beginning in 1980, worked for the Town of Stetson as Town Clerk. She was a member of the Stetson Union Church and helped lead the church's children's programs. She provided support for the fire department, was on the library committee and was an active member of The Ladies Aid. After moving to Cambridge, she worked at Erda Artisan Handbags and, for 18 years, served as Cambridge's Administrative Assistant, Tax Collector and Town Clerk. She joined the Cambridge Baptist Church, serving as the Pioneer Club Director and Christian Education Director and helping with the ladies ministry. The Town of Cambridge is dedicating its Town Report in her memory. Mrs. Laplant will be long remembered and sadly missed by her husband of 45 years, Richard, by her family and friends and by all those whose lives she touched;

SLS 79

Sponsored by Senator DAVIS of Piscataquis.

Cosponsored by Representative: STETKIS of Canaan.

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

(4-6) Robert Ernest Gilcott, of Norridgewock. Mr. Gilcott worked in a variety of different occupations, starting out as a police officer for the Town of Norridgewock, working in construction for Cianbro and Rust Engineering, working at Campbell's and Hammond Lumber Company and owning his own businesses, Krafty Kritters, A+ Home Maintenance and the hobby shop RC Destination. He served as president of the Norridgewock Chamber of Commerce and was a member of the Maine Antique Tractor Club. He also served as Chairman of the Board of Trustees of the Norridgewock Water District. Mr. Gilcott will be long remembered and sadly missed by his wife of 34 years, Cindy, and by his family and friends;

SLS 80

Sponsored by Senator FARRIN of Somerset.

Cosponsored by Representative: CURTIS of Madison.

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

(4-7) Bernard A. Wyman, Jr., of Bath. Mr. Wyman worked at Bath Iron Works, where he started in 1959 as a probationary shipfitter and ended his career in 1995 as Senior Production Planner. After his retirement, he worked as a self-employed carpenter. He was an active member of St. Mary's Catholic Church and the Knights of Columbus, for which he served as treasurer, as Grand Knight for 3 years, as navigator, 4th degree, for 2 years, as District Deputy for 4 years and as State Family Life Director for 2 years. He was a Director, Vice Chair and Past Supervisory Chairman at Midcoast Federal Credit Union for 12 years and also was a Past Director of the Salvation Army Advisory Board and Past Chairman of its Finance Committee. He was a member of the Merrymeeting Council of Governments, a Council Representative for the Bath Water District, Bath Housing Authority and Bath Housing Development Corporation and the president and an officer of the Bath Skate Park. He was a chef at the Bath Area Senior Citizens Activity Center and served on the center's board of directors. He also was a member of the Bath Lodge of Elks. He served 24 years on the Bath City Council and served as Chairman in 2002, from 2006 to 2011 and in 2013. Mr. Wyman will be long remembered and sadly missed by his wife of over 60 years, Quinda, by his family and friends and by all those whose lives he touched;

SLS 81

Sponsored by Senator VITELLI of Sagadahoc.

Cosponsored by Representative: BABINE of Scarborough.

REPORTS OF COMMITTEES

Senate

Ought to Pass

(5-1) Senator SANBORN, H. for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Laws Governing Multiple-party Accounts with Financial Institutions" (EMERGENCY)

S.P. 54 L.D. 242

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

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

Bill "An Act To Amend the Laws Governing Car Seats"

S.P. 44 L.D. 157

Tabled - January 17, 2019 by Senator **DIAMOND** of Cumberland

Pending - **REFERENCE**

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

2.

Tabled and Later Assigned

Bill "An Act To Sustain Maine's Forest Products Industry by Implementing Certain Existing Solid Waste Management Policies"

S.P. 96 L.D. 356

Tabled - January 24, 2019 by Senator **DILL** of Penobscot

Pending - **REFERENCE**

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

3.

Tabled and Later Assigned

Bill "An Act To Ensure the Integrity and Accountability of Persons Who Are Elected to Public Office"

S.P. 131 L.D. 453

Tabled - January 29, 2019 by Senator **LUCHINI** of Hancock

Pending - **REFERENCE**

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

4.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Lieutenant Robert N. Nichols, of Eliot

SLS 57

Tabled - February 5, 2019 by Senator **LAWRENCE** of York

Pending - **PASSAGE**

5.

Tabled and Later Assigned

JOINT RESOLUTION - RECOGNIZING FEBRUARY 6, 2019 AS NATIONAL GIRLS AND WOMEN IN SPORTS DAY

S.P. 196

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

Pending - **ADOPTION**

6.

Tabled and Later Assigned

Bill "An Act To Create an Airplane Mechanic Education Program"

H.P. 414 L.D. 570

Tabled - February 7, 2019 by Senator **MILLETT** of Cumberland

Pending - **REFERENCE**

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

(In House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**.)
