

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

In Senate Chamber  
Friday  
June 14, 2019

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

Prayer by Senator Stacey K. Guerin of Penobscot County.

**SENATOR GUERIN:** Good morning. Let us start with my life verse. Rejoice in the Lord always and again I say rejoice. Philippians 4:4. Let us pray. Thank You, Lord, for Your many blessings. Thank You that You are near to us today. Help us not to be anxious about anything but in everything by prayer and petition, with thanksgiving, present our request to You, Lord. Help us to embrace Your peace, which transcends all understanding. Guide our hearts and mind in Jesus Christ. Help us to fill our minds with thoughts that are true, noble, reputable, authentic, compelling, gracious, the best and not the worst, the beauty and not the ugly, things to phrase not things to curse. Help us to embrace Your wisdom, truth, and love. In Jesus' name. Amen.

Pledge of Allegiance led by Senator Marianne Moore of Washington County.

Reading of the Journal of Thursday, June 13, 2019.

Off Record Remarks

**COMMUNICATIONS**

The Following Communication: H.C. 208

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

June 13, 2019

Honorable Darek M. Grant  
Secretary of the Senate  
129th Maine Legislature  
Augusta, Maine 04333

Dear Secretary Grant:

House Paper 1004, Legislative Document 1383, "An Act To Amend Maine's Municipal Land Use and Eminent Domain Laws Regarding High-impact Electric Transmission Lines," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

79 voted in favor and 64 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 985, Legislative Document 1363, "An Act To Amend Certain Laws Relating to High-impact Electric Transmission Lines," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

75 voted in favor and 68 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt  
Clerk of the House

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

**ORDERS**

**Joint Orders**

Expressions of Legislative Sentiment recognizing:

Lisa Yankura Bouffard, of Wales, a full-time employee of Bowdoin College in the dining services department, who has graduated from Bowdoin after taking one class a semester for 18 years. We extend our congratulations and best wishes;  
SLS 669

Sponsored by Senator CARSON of Cumberland.  
Cosponsored by Senator: TIMBERLAKE of Androscoggin,  
Representative: ACKLEY of Monmouth.

The Joint Order was **READ.**

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

Senator **CARSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, in 2001, parenting three children and working full time, Lisa Bouffard took her first class at Bowdoin College. At the time, she had been out of school for 20 years. When interviewed this spring by reporter Jillian Gram of the

Maine Sunday Telegram Lisa said, 'I didn't have a lot of faith in myself that I would be able to do this.' She decided to take one class at a time and 'see what happens.' On May 25, 2019 Lisa graduated from Bowdoin, having taken an average of one class each semester for 18 years. She accomplished this remarkable achievement while working full time in the college dining service and managing responsibilities at home. Over that nearly 20 years period she watched her own three children graduate from college and welcomed four grandchildren into her family. Ms. Bouffard grew up in Saco, one of six children. She worked two jobs in high school and graduated from Thornton Academy in 1981. She moved to Brunswick in 1984 and began working at the college in 1996. When I called to invite her to join us here today to be honored by the Senate she responded, 'I remember you. We met while I was working at the Maine Times in the 1980s and '90s.' I told her that it had taken me seven years to earn a Bowdoin degree and that I was totally in awe of her diligence and persistence to stay with her dream for 18 years. Once she had taken eight classes Lisa applied for admission to Bowdoin and was accepted. Her fellow employees worked with her around her academic and staff duties. She told the Telegram, 'A lot of people who work here know that when I'm in my car at lunch, I'm doing homework.' She studied hard, earning a double major in Gender and Women's Studies and Religion. In describing Lisa's hard work one of her children said, 'To see her achieve something and really stay committed through so much is really inspiring.' Today we salute you, Lisa. Your courage to undertake this journey of learning, your dedication to scholarship, and your focus and persistence over nearly 20 years are an inspiration for us all. Congratulations on an exceptional achievement.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I think Senator Carson said it very well that the achievement that Lisa has done is such a role model for her kids and will be for her grandchildren later on in life. It's unbelievable. I just can't imagine what 18 years of taking a course every semester and getting this done and it's so impressive that I don't think you could put it into words and I'm sure her family and everybody is really proud of her, as I am. You know, all I can say is congratulations on a job well done.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber Lisa Bouffard of Wales. She's the guest today of the Senator from Cumberland, Senator Carson, and the Senator from Androscoggin, Senator Timberlake, and the entire Maine Senate. Would she please rise and accept the congratulations of the entire Senate.

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**Joint Resolution**

Joint Resolution in Memoriam:

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

The Honorable James E. Davitt, of Hampden. Mr. Davitt served as a captain in the United States Army in Vietnam and received the Bronze Star. He practiced law in Maryland, the District of Columbia and Virginia before moving to Maine in 1990. In 1994, he accepted a faculty position in the Justice Studies program at the University of Maine at Augusta, Bangor Campus and later retired as a tenured professor. He and his wife Mary Louis opened Bangor's first bed and breakfast, Nonesuch Farm B&B. He was a member of the Board of Visitors of Mountain View Correctional Center, the parish council of St. Mary's Catholic Church in Bangor, the Maine People's Alliance and the Maine Education Association. He served in Maine's House of Representatives during the 127th Legislature, representing Hampden. He also served on the Hampden Planning Board and was a member of the Hampden Historical Society. Mr. Davitt will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 672

Sponsored by Senator GUERIN of Penobscot.  
 Cosponsored by Senators: BELLOWS of Kennebec, BLACK of Franklin, BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, CLAXTON of Androscoggin, CYRWAY of Kennebec, DAVIS of Piscataquis, DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of Penobscot, DOW of Lincoln, FARRIN of Somerset, FOLEY of York, GRATWICK of Penobscot, HAMPER of Oxford, HERBIG of Waldo, President JACKSON of Aroostook, KEIM of Oxford, LAWRENCE of York, LIBBY of Androscoggin, LUCHINI of Hancock, MILLETT of Cumberland, MIRAMONT of Knox, MOORE of Washington, POULIOT of Kennebec, ROSEN of Hancock, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland, TIMBERLAKE of Androscoggin, VITELLI of Sagadahoc, WOODSOME of York, Representatives: ACKLEY of Monmouth, ALLEY of Beals, ANDREWS of Paris, ARATA of New Gloucester, AUSTIN of Skowhegan, AUSTIN of Gray, BABBIDGE of Kennebunk, BABINE of Scarborough, BAILEY of Saco, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BICKFORD of Auburn, BLIER of Buxton, BLUME of York, BRADSTREET of Vassalboro, BRENNAN of Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough, CAMPBELL of Orrington, CARDONE of Bangor, CARNEY of Cape Elizabeth, CEBRA of Naples, CLOUTIER of Lewiston, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, COSTAIN of Plymouth, CRAVEN of Lewiston, CROCKETT of Portland, CUDDY of Winterport, CURTIS of Madison, DAUGHTRY of Brunswick, DENK of Kennebunk, DeVEAU of Caribou, DEVIN of Newcastle, DILLINGHAM of Oxford, DODGE of Belfast, DOLLOFF of Rumford, DOORE of Augusta, DOUDERA of Camden, DRINKWATER of Milford, DUNPHY of Old Town, EVANGELOS of Friendship, FARNSWORTH of Portland, FAULKINGHAM of Winter Harbor, FAY of Raymond, FECTEAU of Augusta, FECTEAU of Biddeford, FOLEY of Biddeford, FOSTER of Dexter, GATTINE of Westbrook, Speaker GIDEON of Freeport, GRAMLICH of Old Orchard Beach, GRIFFIN of Levant, GRIGNON of Athens, GROHOSKI of Ellsworth, HAGGAN of Hampden, HALL of Wilton, HANDY of Lewiston, HANINGTON of Lincoln, HANLEY of Pittston, HARNETT of Gardiner,

HARRINGTON of Sanford, HEAD of Bethel, HEPLER of Woolwich, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HOBBS of Wells, HUBBELL of Bar Harbor, HUTCHINS of Penobscot, HYMANSON of York, INGWERSEN of Arundel, JAVNER of Chester, JOHANSEN of Monticello, JORGENSEN of Portland, KESCHL of Belgrade, KESSLER of South Portland, KINNEY of Knox, KORNFELD of Bangor, KRYZAK of Acton, LANDRY of Farmington, LOCKMAN of Bradley, LYFORD of Eddington, MADIGAN of Waterville, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MARTIN of Greene, MASON of Lisbon, MASTRACCIO of Sanford, MATLACK of St. George, MAXMIN of Nobleboro, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McDONALD of Stonington, McLEAN of Gorham, MELARAGNO of Auburn, MEYER of Eliot, MILLETT of Waterford, MOONEN of Portland, MORALES of South Portland, MORIARTY of Cumberland, MORRIS of Turner, NADEAU of Winslow, NEWELL of the Passamaquoddy Tribe, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, PAULHUS of Bath, PEBWORTH of Blue Hill, PEOPLES of Westbrook, PERKINS of Oakland, PERRY of Calais, PERRY of Bangor, PICKETT of Dixfield, PIERCE of Falmouth, PLUECKER of Warren, PRESCOTT of Waterboro, RECKITT of South Portland, REED of Carmel, RILEY of Jay, RISEMAN of Harrison, ROBERTS-LOVELL of South Berwick, RUDNICKI of Fairfield, RYKERSON of Kittery, SAMPSON of Alfred, SCHNECK of Bangor, SHARPE of Durham, SHEATS of Auburn, SKOLFIELD of Weld, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STEWART of Presque Isle, STOVER of Boothbay, STROM of Pittsfield, SWALLOW of Houlton, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, VEROW of Brewer, WADSWORTH of Hiram, WARREN of Hallowell, WHITE of Waterville, WHITE of Washburn, ZEIGLER of Montville.

The Joint Resolution was **READ**.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise to day to speak about the Honorable James Davitt with whom I served in the Maine House. James dedicated much of his life to public service. He was a Captain in the U.S. Army in Vietnam for which he received the Bronze Star and was a member of the Legislature during the 127<sup>th</sup> Legislature, serving on the Criminal Justice and Public Safety Committee. He also served on the Hampden Planning Board and was a member of the Hampden Historical Society. In 1994, Jim accepted a faculty position in the Justice Studies Program at the University of Maine in Augusta. A former amateur actor, his lectures were very popular. He was an active member of the Faculty Senate and a generous and available advisor for students. He retired as a tenured professor. Together with his wife, Mary Louis, he opened Bangor's first bed and breakfast, Nonesuch Farm B&B. He was an active member of the community, serving on the Board of Visitors of Mountain View Correctional Center and his parish council. Jim will be sorely missed by all who had the pleasure of knowing him.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, our good colleague from Penobscot has very accurately captured all of Jim Davitt's professional qualities. I just want to talk about the first time I met him. It was in 2009. We were working on marriage equality and we were organizing business owners across the state and Jim and his wife came out very strongly in favor of marriage equality. They did a press conference for the campaign. They made it very clear that at their bed and breakfast they were welcoming to all and they did it at potentially personal and professional financial risk to them. This was very controversial at the time. When he served as a Legislator his unfailing good humor and kindness really made you feel like you were always welcome. So I will deeply miss him.

**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, too, would just like to add a brief note that Jim and his wife, Mary Louis, lived down the road from me in Bangor for a long time. Jim had a magnificent twinkle in his eye, a very nice wry smile, and they both raised llamas, who are not always that nice. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber Mary Louis Davitt and Clare Davitt, the wife and daughter of the Honorable James Davitt. They are the guests today of the Senator from Penobscot, Senator Guerin. Would they please rise and accept the condolences of the Maine State Senate.

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## REPORTS OF COMMITTEES

### House

#### Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Maine Children Access to Affordable Health Care"

H.P. 1122 L.D. 1539

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-578)**.

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 "B" (H-579)**.

Signed:

Senator:

MOORE of Washington

Representatives:

GRIFFIN of Levant  
JAVNER of Chester  
O'CONNOR of Berwick

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-578)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-578)**.

Reports **READ**.

On motion by Senator **GRATWICK** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-578)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-578) **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-578)**, in concurrence.

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**Senate**

**Divided Report**

Six members of the Committee on **JUDICIARY** on Bill "An Act Regarding Access to Firearms by Extremely Dangerous and Suicidal Individuals"

S.P. 408 L.D. 1312

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-285)**.

Signed:

Representatives:

BAILEY of Saco  
BABBIDGE of Kennebunk  
CARDONE of Bangor  
HARNETT of Gardiner  
RECKITT of South Portland  
TALBOT ROSS of Portland

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

Signed:

Senators:

CARPENTER of Aroostook  
KEIM of Oxford

Representatives:

CURTIS of Madison  
DeVEAU of Caribou  
EVANGELOS of Friendship  
HAGGAN of Hampden

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-286)**.

Signed:

Senator:

BELLOWS of Kennebec

Reports **READ**.

On motion by Senator **CARPENTER** of Aroostook, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF ANY REPORT**.

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**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 To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District

S.P. 67 L.D. 255  
(C "A" S-247)

Comes From the House, **FAILED FINAL PASSAGE**.

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

**Acts**

An Act To Clarify the Laws Governing Taste Testing and Retail Sales of Liquor at Farmers' Markets and To Allow Retail Sales at Other Taste-testing Events

S.P. 240 L.D. 805  
(C "A" S-248)

An Act To Make Certain References in the Maine Revised Statutes Gender-neutral

H.P. 1069 L.D. 1457  
(C "A" H-565)

An Act To Amend Licensure for Professional Engineers

H.P. 1273 L.D. 1791

An Act To Amend the Jurisdiction of Certain Reviews Conducted Pursuant to the State Government Evaluation Act

S.P. 611 L.D. 1810

An Act To Authorize Limited Disclosure of Cigarette Sales Information To Ensure Continued Receipt of Tobacco Settlement Funds

S.P. 615 L.D. 1825  
(C "A" S-268)

An Act Establishing the Office of Policy Innovation and the Future

H.P. 1301 L.D. 1830  
(C "A" H-564)

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

An Act To Allow Public Employers of Teachers to Negotiate Regarding Planning and Preparation Periods

H.P. 203 L.D. 240  
(C "A" H-518)

On motion by Senator **LIBBY** of Androscoggin, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

An Act To Allow Reentry Houses as Part of Supervised Community Confinement

H.P. 1201 L.D. 1677  
(C "A" H-562)

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

**Resolves**

Resolve, To Require the Approval by the Public Utilities Commission of a Proposal for a Long-term Contract for Deep-water Offshore Wind Energy

S.P. 284 L.D. 994  
(C "A" S-245)

Resolve, Regarding African-American Student Data Analyses

H.P. 1215 L.D. 1700  
(C "A" H-563)

Resolve, Directing the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Barriers to Credentialing

S.P. 625 L.D. 1841

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

Resolve, To Implement an Intensive Drug Treatment Court Pilot Project in the Midcoast

H.P. 796 L.D. 1073  
(C "A" H-475)

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

**ORDERS OF THE DAY**

**Unfinished Business**

The following matter 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 (5/2/2019) matter:

Bill "An Act Concerning Pavement Sealing Products"  
H.P. 670 L.D. 906

Tabled - May 14, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, May 2, 2019, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.)

(In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166) AND HOUSE AMENDMENT "A" (H-225)** in **NON-CONCURRENCE**.)

Senator **LIBBY** of Androscoggin moved the Senate **RECEDE** and **CONCUR**.

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. Ladies and gentlemen of the Senate, before you is a bill to ban the sale of coal tar based sealant products. This material is toxic. It creates a very serious risk for invertebrates in the sediments in ponds and in streams near where it is used and there are alternatives. I would like to read you two paragraphs from a letter that was submitted to the Environment and Natural Resources Committee from Dr. David Page, a professor of chemistry and biochemistry emeritus at Bowdoin College, who was asked to review the material that we had received from two toxicologists who were flown in to testify before the Committee by the coal tar sealant industry. I quote: 'Coal tar is a waste product of the high temperature treatment of coal to produce coke for steel making. The terms coal tar creosote, coal tar, and coal tar pitch refer to a mixture of similar compounds including PAH, polycyclic aromatic hydrocarbon, as well as oxygen, sulfur, and nitrogen containing compounds. These compounds are generally toxic, carcinogenic, and are considered hazardous substances. We used to be able to buy and use creosote (coal tar) to preserve wood at home. In 1985, USEPA banned such use because of its carcinogenic properties. While the commercial and controlled use of creosote to preserve railroad ties and telephone poles is permitted because there is no reasonable alternative, in the case of coal tar creosote containing driveway sealants there is a far safer alternative in the form of asphalt based sealcoats. It is noteworthy that by 2016 major retailers like Lowes, Home Depot, and Ace Hardware no longer sold coal tar sealant products. Its use has been banned or controlled in a number of states, counties, and municipalities across the country.' Continuing briefly: 'There is abundant evidence in the scientific literature that the use of coal tar based sealcoat results in the release of harmful levels of particulate and airborne creosote related contaminants that pose environmental and human health risk. On the basis of these studies the states of Washington in 2012 and Minnesota in 2013 banned the use of coal tar based pavement sealants. This is noteworthy because claims made in opposition to banning coal tar that Maine's severe climate necessitates the use of coal tar sealants are not consistent with the fact that Minnesota, with similar or worse climate conditions than Maine, has banned coal tar sealants.' Ladies and gentlemen of the Senate, none of us would knowingly apply a product to an open asphalt covered surface with toxic chemicals in it that when run-off arrives in ponds and streams would endanger the health of the aquatic community. I ask you, please, vote in favor of the Recede and Concur motion and ban coal tar sealant products from the state of Maine. Finally, the ban would not take effect until 2022, allowing plenty of time for conversion, both by individuals and by the small businesses that use this material or a material like it to seal asphalt surfaces. Thank you very much, 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, just a brief historical note about this. The connection between various cancers and coal tar was first made in 1775, nearly 250 years ago, by an English physician, Percival Pott, who is notable in several diseases. This is the first time that any chemical was ever identified with a human disease, a cancer. It occurred in testicular and scrotal cancer in chimney sweeps, who were going up and down chimneys which are lined with coal tar. So we've had a 250 year history of the association of coal tars with various cancers. If you wish to get cancer, and I hope no one will take my advice, you could take a bath in various coal tars, which are associated with certain bladder, kidney, lung, and various gastral intestinal cancers. I think this is a very appropriate bill. Thank you, Mr. President.

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

Senator **DESCHAMBAULT:** Thank you. Ladies and gentlemen, I'm late in coming up to this subject. I received many phone calls from companies who do this kind of work. However, also having been involved in my own community as a city councilor and finances, I wish to read to you from the Maine Municipal Association. 'L.D. 906 is an appropriate state-level response to a harmful product that will support communities required to meet municipal separate storm sewer systems, the federal permit regulation requirements and protect water quality from run-off in communities who do not need to meet those regulations currently. Polycyclic aromatic hydrocarbons are classified as toxic waste and regulated municipalities are required to prevent the discharge of pollution. The municipalities are required to prevent this through storm water systems that are often found near parking lots.' Any community who's had to deal with storm water systems, it's a very costly endeavor for any community. I'm going to take a moment and read to you, if you represent one of these communities, this is a list of communities required to be part of the municipal separate storm sewer system: Auburn, Bangor, Berwick, Biddeford, Brewer, Cape Elizabeth, Cumberland, Elliot, Falmouth, Freeport, Gorham, Hampden, Kittery, Lewiston, Milford, Old Orchard Beach, Old Town, Orono, Portland, Sabattus, Saco, Scarborough, South Berwick, South Portland, Veazie, Westbrook, Windham, Yarmouth. I'm sure we all represent many of these and I wish that you support this legislation. Thank you.

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

Senator **CHIPMAN:** Thank you, Mr. President. I just rise briefly because I'm quite familiar with this issue from the time that I served on the Environment and Natural Resources Committee and I think that the House Amendment makes this much more reasonable than it was when we first considered it, with a three year phase out. I understand the concerns that businesses have raised about this. As Senator Carson stated, you or I could not go to Home Depot or Lowes or Ace and find this product there and the reason is because it is so toxic and dangerous that they have voluntarily stopped selling it because of the liability and so I think that the businesses can use that same product and it will work quite fine. If we find that there are issues with that, and the implementation, within the three year phase out period there's

plenty of time for us to come back and revisit it if we need to, but I think it's very reasonable and I hope we can pass this. Thank you.

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

**THE PRESIDENT:** The pending question before the Senate is Recede and Concur. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#300)**

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

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

EXCUSED: Senators: FOLEY

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LIBBY** of Androscoggin to **RECEDE** and **CONCUR PREVAILED**.

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

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

Eleven members of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021" (EMERGENCY) H.P. 743 L.D. 1001

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-586)**.

Signed:

Senators:

- BREEN of Cumberland
- HAMPER of Oxford
- SANBORN, L. of Cumberland

Representatives:

- GATTINE of Westbrook
- DUNPHY of Old Town
- HUBBELL of Bar Harbor
- JORGENSEN of Portland
- KESCHL of Belgrade
- MARTIN of Eagle Lake
- MILLETT of Waterford
- PIERCE of Falmouth

One member of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-587)**.

Signed:

Representative:

- ARATA of New Gloucester

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

Representative:

- WADSWORTH of Hiram

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-586)**, READ and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-586)**.

Reports **READ**.

Senator **BREEN** of Cumberland moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-586)**, 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 (#301)**

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

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

EXCUSED: Senators: FOLEY

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BREEN** of Cumberland to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-586)**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-586) **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-586)**, in concurrence.

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

**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Assigned (6/10/19) matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Require the State To Distribute 25 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities"

H.P. 260 L.D. 335

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-484)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - June 10, 2019 by Senator **CHIPMAN** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, 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-484)**.)

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

Committee Amendment "A" (H-484) **READ**.

On motion by Senator **H. SANBORN** of Cumberland, Senate Amendment "A" (S-287) to Committee Amendment "A" (H-484) **READ** and **ADOPTED**.

Committee Amendment "A" (H-484) as Amended by Senate Amendment "A" (S-287) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-484) AS AMENDED BY SENATE AMENDMENT "A" (S-287)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/11/19) matter:

Bill "An Act To Limit the Amount of Money That May Be Retained on Construction Contracts"

H.P. 636 L.D. 862

Tabled - June 11, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, June 10, 2019, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby Minority **OUGHT TO PASS** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

Senator **LIBBY** of Androscoggin moved the Senate **INSIST**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.



**ROLL CALL (#302)**

YEAS: Senators: BLACK, BREEN, CARPENTER, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, GRATWICK, GUERIN, HAMPER, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BELLOWS, CARSON, CHENETTE, CHIPMAN, CLAXTON, VITELLI

EXCUSED: Senators: FOLEY

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LIBBY** of Androscoggin to **INSIST PREVAILED**.

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The Chair laid before the Senate the following Tabled and Later Assigned (6/11/19) matter:

HOUSE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Veterans' Services"

H.P. 1286 L.D. 1806

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-532)**

Tabled - June 11, 2019 by Senator **LIBBY** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

(In House, Report **READ** and **ACCEPTED**.)

Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-532) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME**.

On motion by Senator **LUCHINI** of Hancock, Senate Amendment "A" (S-279) **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Hancock, Senator Luchini.

Senator **LUCHINI:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, this amendment adds on to L.D. 1806, which was a unanimous report from the Committee on Veterans and Legal Affairs. This was a department bill from the Department of Defense, Veterans and Emergency Management. This amendment was worked on by both the Department of Defense as well as the University System to make a few changes

around the education benefits that are offered currently to qualifying children of certain veterans. In this case it's the children of those veterans who entered the service from Maine and as a result of their service had a total permanent disability or were killed in action or missing in action. So both sides have negotiated this education benefit. They've had a great partnership in doing this over the years. The University System has waived over \$1.8 million for these qualified dependents. So I would urge you to support this amendment. Thanks.

On motion by Senator **LUCHINI** of Hancock, Senate Amendment "A" (S-279) **ADOPTED**.

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-532) AND SENATE AMENDMENT "A" (S-279), in NON-CONCURRENCE**

Ordered sent down forthwith for concurrence.

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Senate at Ease.

The Senate was called to order by the President.

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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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend Certain Education Laws"

H.P. 1270 L.D. 1785

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-583)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-583)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-583) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act To Provide Relief to Survivors of Economic Abuse"

H.P. 553 L.D. 748

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-585)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-585)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-585) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act To Amend the Laws Governing Foreclosure To Ensure Timely Completion" H.P. 1020 L.D. 1405

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-584)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-584)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-584) **READ** and **ADOPTED**, in concurrence.

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

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Eliminate Profiling in Maine" H.P. 1077 L.D. 1475

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-581)**.

Signed:

Senators:

CARPENTER of Aroostook  
BELLOWS of Kennebec

Representatives:

BAILEY of Saco  
BABBIDGE of Kennebunk  
CARDONE of Bangor  
EVANGELOS of Friendship  
HARNETT of Gardiner  
RECKITT of South Portland  
TALBOT ROSS of Portland

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

Signed:

Senator:

KEIM of Oxford

Representatives:

CURTIS of Madison  
DeVEAU of Caribou  
HAGGAN of Hampden

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-581)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-581) **READ** and **ADOPTED**, in concurrence.

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

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

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Increase Protections for Land Installment Contracts"  
H.P. 1039 L.D. 1426

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-582)**.

Signed:

Senators:  
CARPENTER of Aroostook  
BELLOWS of Kennebec

Representatives:  
BAILEY of Saco  
BABBIDGE of Kennebunk  
CARDONE of Bangor  
EVANGELOS of Friendship  
HARNETT of Gardiner  
RECKITT of South Portland  
TALBOT ROSS of Portland

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

Signed:

Senator:  
KEIM of Oxford

Representatives:  
CURTIS of Madison  
DeVEAU of Caribou  
HAGGAN of Hampden

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-582)**.

Reports **READ**.

Senator **CARPENTER** of Aroostook 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 (#303)**

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, GUERIN, HAMPER, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

EXCUSED: Senators: FOLEY

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-582) **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 Regarding the Safety of Recovery Residences  
H.P. 279 L.D. 353  
(C "A" H-577)

An Act To Amend Mandatory Law Enforcement Agency Policies Regarding Recording Suspects To Include Cases of Murder and Class A, Class B and Class C Crimes

H.P. 588 L.D. 800  
(C "A" H-572)

An Act Regarding Driver's License Suspensions  
H.P. 815 L.D. 1111  
(C "A" H-576)

An Act Regarding the Sale of Dogs and Cats at Pet Shops  
S.P. 407 L.D. 1311  
(C "A" S-272)

An Act To Provide for Court-appointed Advocates for Justice in Animal Cruelty Cases

H.P. 1054 L.D. 1442  
(C "A" H-574)

An Act To Establish a Fund for Portions of the Operations and Outreach Activities of the University of Maine Cooperative Extension Diagnostic and Research Laboratory

H.P. 1111 L.D. 1518  
(C "A" H-554)

An Act To Improve Public Safety through Coordinated Reentry of Prisoners into the Community

H.P. 1250 L.D. 1756  
(C "A" H-580)

An Act To Make Technical Changes to the Maine Tax Laws

H.P. 1294 L.D. 1817

An Act To Harmonize State Income Tax Law and the Centralized Partnership Audit Rules of the Federal Internal Revenue Code of 1986

H.P. 1296 L.D. 1819  
(C "A" H-570)

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

An Act To Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States under the State Retirement System

H.P. 351 L.D. 467  
(C "A" H-550)

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

An Act To Attract, Educate and Retain New State Residents To Strengthen the Workforce

H.P. 468 L.D. 647  
(C "A" H-556)

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

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

H.P. 564 L.D. 759  
(C "A" H-573)

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

An Act To Create the Maine Health Care Provider Loan Repayment Program

H.P. 587 L.D. 799  
(C "A" H-558)

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

An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work

H.P. 880 L.D. 1220  
(C "A" H-566)

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

An Act To Modify Retirement Plans for Fire Investigators and Sergeants

H.P. 1082 L.D. 1480  
(C "A" H-568)

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

An Act To Clarify the Disposition of Funds Presumed Abandoned in a Lawyer's Trust Account

H.P. 1085 L.D. 1483  
(C "A" H-575)

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

An Act To Create Jobs and Slow Climate Change by Promoting the Production of Natural Resources Bioproducts

H.P. 1213 L.D. 1698  
(C "A" H-552)

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

An Act To Establish the Securities Restitution Assistance Fund for Victims of Securities Violations

H.P. 1219 L.D. 1704  
(C "A" H-569)

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

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

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Investigations by School Entities into Holders of Credentials"  
H.P. 1297 L.D. 1820

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-591)**.

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

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

Signed:

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-591)**.

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-591) **READ** and **ADOPTED**, in concurrence.

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

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

Off Record Remarks

**RECESSED** until the sound of the bell.

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

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.

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 **LABOR AND HOUSING** on Bill "An Act To Improve the Maine Workers' Compensation Act of 1992"  
H.P. 561 L.D. 756

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-603)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-603)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-603) **READ** and **ADOPTED**, in concurrence.

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

Ordered sent forthwith to the Engrossing Division.

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

**REPORTS OF COMMITTEES**

**Senate**

**Ought to Pass As Amended**

Senator CARPENTER for the Committee on **JUDICIARY** on Bill "An Act To Amend the Service Fee for Child Support Services" S.P. 607 L.D. 1794

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-291)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-291) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator BELLOWS for the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Laws Governing Overtime" (EMERGENCY) S.P. 618 L.D. 1828

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-292)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-292) **READ** and **ADOPTED**.

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

Sent down for concurrence.

---

Senator CHIPMAN for the Committee on **TAXATION** on Bill "An Act To Exempt MaineCare Appendix C Private Nonmedical Institutions from the Service Provider Tax" S.P. 258 L.D. 892

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-289)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-289) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program" S.P. 545 L.D. 1674

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-290)**.

Signed:

Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook

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  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

Reports **READ**.

Senator **BELLOWS** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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 (#304)**

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

NAYS: Senators: DOW, FARRIN, GUERIN, KEIM, MOORE, ROSEN, TIMBERLAKE

EXCUSED: Senators: FOLEY

27 Senators having voted in the affirmative and 7 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BELLOWS** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-290) **READ** and **ADOPTED**.

Senator **DOW** of Lincoln requested a Roll Call.

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Senate at Ease.

The Senate was called to order by the President.

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Senator **DOW** of Lincoln requested and received leave of the Senate to withdraw his request for a Roll Call.

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

Sent down for concurrence.

---

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

**Pursuant to Joint Order**

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan" S.P. 627 L.D. 1842

Reported that the same, **Ought to Pass**, pursuant to Joint Order S.P. 584.

Signed:

Senators:  
BELLOWS of Kennebec  
LAWRENCE of York

Representatives:  
SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook

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  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

Reports **READ**.

Senator **BELLOWS** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS** Report.

On motion by Senator **DOW** of Lincoln, 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 (#305)**

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

NAYS: Senators: BLACK, DOW, FARRIN, GUERIN, HAMPER, KEIM, MOORE, ROSEN, TIMBERLAKE

EXCUSED: Senators: FOLEY

25 Senators having voted in the affirmative and 9 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** Report **PREVAILED**.

Bill **READ ONCE**.

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

Sent down for concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-293)**.

Sent down for concurrence.

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Update the Laws Relating to Liquor Licensing and Enforcement"

S.P. 616 L.D. 1826

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-293)**.

Signed:

Senators:

- LUCHINI of Hancock
- CYRWAY of Kennebec
- HERBIG of Waldo

Representatives:

- SCHNECK of Bangor
- ANDREWS of Paris
- COOPER of Yarmouth
- DOLLOFF of Rumford
- HANINGTON of Lincoln
- 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 To Pass as Amended by Committee Amendment "B" (S-294)**.

Signed:

Representatives:

- ACKLEY of Monmouth
- HICKMAN of Winthrop

Reports **READ**.

On motion by Senator **LUCHINI** of Hancock, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-293)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-293) **READ** and **ADOPTED**.

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

**COMMUNICATIONS**

The Following Communication: S.C. 608

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

June 11, 2019

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

Dear President Jackson and Speaker Gideon,

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

L.D. 1672 An Act Regarding the Admissibility of Certain Health Care Records as Evidence

Sincerely,

S/Sen. Michael E. Carpenter  
Senate Chair

S/Rep. Donna Bailey  
House Chair

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

The Following Communication: S.C. 609

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

June 11, 2019

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



Dear President Jackson and Speaker Gideon,

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

L.D. 1301 An Act Regarding the Confidentiality of Investigations by the Bureau of Forestry

Sincerely,

S/Sen. Michael E. Carpenter  
Senate Chair

S/Rep. Donna Bailey  
House Chair

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

The Following Communication: S.C. 607

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

June 13, 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 Labor and Housing has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 600 An Act To Achieve Mental Health Parity in Workers' Compensation

This is notification of the Committee's action.

Sincerely,

S/Sen. Shenna Bellows  
Senate Chair

S/Rep. Mike A. Sylvester  
House Chair

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

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 Enact the Peer-to-peer Car Sharing Insurance Act  
H.P. 1167 L.D. 1615  
(S "B" S-278 to C "A" H-540)

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

An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States  
S.P. 80 L.D. 268  
(S "A" S-277 to C "A" S-218)

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

An Act To Provide Equitable Taxation for the Food and Beverage Industry  
S.P. 194 L.D. 607  
(C "A" S-280)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, 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 **TRANSPORTATION** on Bill "An Act To Amend the Motor Vehicle Laws"  
H.P. 1268 L.D. 1783

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-588).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-588).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-588) **READ**.

Senate at Ease.

The Senate was called to order by the President.

Committee Amendment "A" (H-588) **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:

**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Limit the Dissemination of Juvenile Records"  
H.P. 1197 L.D. 1670

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-594)**.

Signed:

Senators:

CARPENTER of Aroostook  
BELLOWS of Kennebec

Representatives:

BAILEY of Saco  
BABBIDGE of Kennebunk  
CARDONE of Bangor  
EVANGELOS of Friendship  
HARNETT of Gardiner  
RECKITT of South Portland  
TALBOT ROSS of Portland

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

Signed:

Senator:

KEIM of Oxford

Representatives:

CURTIS of Madison  
DeVEAU of Caribou  
HAGGAN of Hampden

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-594)**.

Reports **READ**.

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

On motion by Senator **DOW** of Lincoln, 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 (#306)**

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, GUERIN, HAMPER, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

EXCUSED: Senators: FOLEY

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-594) **READ** and **ADOPTED**, in concurrence.

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

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

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

**ENACTORS**

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

**Emergency Measure**

An Act To Provide Funds to the University of Maine System to Continue the Statewide Online Advanced Placement Course Program

S.P. 613 L.D. 1815  
(C "A" S-283)

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

**Emergency Measure**

An Act To Authorize Early Payment of Anticipated Funds to the Loring Job Increment Financing Fund

S.P. 620 L.D. 1835  
(C "A" S-271)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 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 Extend the Availability of Protection from Abuse and Protection from Harassment Orders

S.P. 161 L.D. 496  
(C "A" S-282)

An Act To Ban Child Marriage

S.P. 167 L.D. 545

An Act To Increase the Number of Franklin County Commissioners

H.P. 695 L.D. 940  
(S "A" S-266 to C "A" H-488)

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

An Act To Improve the Educational Opportunity Tax Credit

S.P. 352 L.D. 1164  
(C "A" S-229)

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

An Act To Amend the Laws Concerning the Children's Cabinet and Its Advisory Councils

S.P. 602 L.D. 1778  
(C "A" S-267)

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

**Act**

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

H.P. 561 L.D. 756  
(C "A" H-603)

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

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

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

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act Regarding Court Facilities in York County"

S.P. 97 L.D. 357  
(C "A" S-273)

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-273)** (2 members)

In Senate, June 12, 2019, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-273)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Senator **LIBBY** of Androscoggin moved the Senate **INSIST**.

On motion by Senator **DOW** of Lincoln, 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 (#307)**

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

NAYS: Senators: CARPENTER, GUERIN, MOORE

EXCUSED: Senators: FOLEY

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LIBBY** of Androscoggin to **INSIST PREVAILED**.

Sent down for concurrence.

\_\_\_\_\_

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

\_\_\_\_\_

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

**REPORTS OF COMMITTEES**

**Senate**

**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Expand the Earned Income Tax Credit in Maine"  
S.P. 31 L.D. 104

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-297)**.

Signed:

Senators:  
CHIPMAN of Cumberland  
POULIOT of Kennebec  
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono  
BICKFORD of Auburn  
CLOUTIER of Lewiston  
DENK of Kennebunk  
KRYZAK of Acton  
MATLACK of St. George  
STANLEY of Medway  
STEWART of Presque Isle  
TERRY of Gorham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-298)**.

Signed:

Representative:  
MAREAN of Hollis

Reports **READ**.

Senator **CHIPMAN** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297)** Report.

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 (#308)**

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

NAYS: Senators: None

EXCUSED: Senators: FOLEY

34 Senator having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297)** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-297) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-297)**.

Sent down for concurrence.

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

\_\_\_\_\_  
**ORDERS OF THE DAY**

The Chair laid before the Senate the following Tabled and Later Assigned (6/10/19) matter:

SENATE REPORT - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Support Early Intervention and Treatment of Mental Health Disorders" (EMERGENCY) S.P. 446 L.D. 1461

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-244)**

Tabled - June 10, 2019 by Senator **LIBBY** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-244) **READ**.

On motion by Senator **BREEN** of Cumberland, Senate Amendment "A" (S-300) to Committee Amendment "A" (S-244) **READ** and **ADOPTED**.

Committee Amendment "A" (S-244) as Amended by Senate Amendment "A" (S-300) thereto, **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-244) AS AMENDED BY SENATE AMENDMENT "A" (S-300)** thereto.

Ordered sent down forthwith for concurrence.

\_\_\_\_\_  
**RECESSED** until the sound of the bell.

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

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

**ENACTORS**

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

**Emergency Measure**

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021  
H.P. 743 L.D. 1001  
(C "A" H-586)

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 PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Mr. President. Ladies and gentlemen of the Chamber, tonight both Houses of Legislature will vote on a new State budget for the next two years. I am disappointed that \$185 million in savings left over from last year will be used to balance the next budget when that money should have been put in the Rainy Day Fund as insurance against future challenges. There are some indications that show we will see some form of economic down-turn during the life of this budget and we should be better prepared for this. Though Republicans are in the minority in both Houses of the Legislature, we were able to keep spending below the benchmark of \$8 billion and still provide significant revenue sharing to local communities in hopes of reducing local property taxes. In addition, we gained a commitment from Democratic leaders not to spend more money on the hundreds of bills that have passed this session but still need funding, totaling nearly \$1 billion. As Republicans, we remain committed to a common sense State government that is sustainable and we will continue to fight for these principles. Thank you, Mr. President.

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I encourage you to vote in favor of the pending motion tonight. That vote represents four and a half months of hard work by the Appropriations Committee that worked through over 1,154 lines of this budget and found unanimity and agreement and consensus on 99.9% of those lines. Given the tumult and the difficulty of doing even the most basic of government functions over the last eight years, that is an impressive accomplishment. This budget prioritizes property tax relief for Maine's hard working people. It increases funding for our public schools. It keeps expenses in line with revenues and, like with just about every budget that has been passed in recent memory, it uses a fund balance from the prior biennium to support expenses in the current biennium. That's no different in any of the last four budgets that we have passed in a bi-partisan way. This budget is less than the LePage budget that was given to us from the outgoing Chief Executive. This budget is less than the

budget proposal from the Chief Executive currently and it comes in about \$75 million less than that figure. This is a responsible budget. This is a sustainable budget and I urge my colleagues to vote in favor of the pending motion. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I would like to preface my remarks on L.D. 1001 with a few lines from a song. Relax, I'm not going to sing it. Singer/song writer an Irishman who goes by the name of Hozier. The song is Foreigner's God, and I quote: She moved with shameless wonder  
The perfect creature rarely seen  
Since some liar brought the thunder  
When the land was godless and free  
Her eyes look sharp and steady  
Into the empty parts of me  
But still my heart is heavy  
With the hate of some other man's beliefs  
Screaming the name of a foreigner's God  
The purest expression of grief

When this budget adventure began in January of this year our spend was at \$7,215,000,000. The difference between where the previous budget started and where it ended was a total of \$369 million. Today we're looking at a spend of \$7,993,000,000. That's after the table and that doesn't include the nearly equal amount of money coming from the federal and other sources. If it were not for a surplus of \$185 million in the current budget we would not be able to reach this level of spending without a tax increase. Now mind you this is my fifth trip around the sun in room 228 and my 15<sup>th</sup> consecutive in this building and I've learned that government spending goes nowhere but up. So this budget in front of us today is an increase in spending of \$778 million, and you ask yourself why? Things naturally cost more and we all know that. We see the effects of inflation in our household budgets, food, fuel, insurances, and they all cost more and those things drive up the cost of government also. But when you factor in a couple of people referendums as cost drivers in the form of a minimum wage increase and the demand for free health coverage for an additional 5% of the population the cost of governing went up and will continue to go up. Last year this Body passed L.D. 924 and L.D. 925 but we all agreed to it and it was something that needed to be done. It increased wages for direct care workers in nursing homes and so on, an action on our part that was driven by the minimum wage and that increase. Those two bills were cost drivers in this budget to the tune of \$200 million. If you examine the bills passed by the Health and Human Services Committee this year you will see that the citizen's referendum is continuing to drive the cost of government upward. Then there's the cost driver of Medicaid expansion and we are dedicating \$128 million in this budget to pay those healthcare bills. So just about half of the increase in the spending from one budget to the next is driven by what the voters have thrust upon this Legislative Body. The budget before us today began at \$8,041,000,000. After the change package it sat at \$8,044,000,000. The cries went out from both sides of the aisle 'It's too much. It's too much,' said one and the other was 'It's nowhere near enough.' That, Mr. President, is life under the dome. When L.D. 1001 is passed both sides can go out and beat their chests about property taxes and increased money to

education and, Mr. President, if the natural laws that God has put in place are still in control the sun will come up tomorrow. So when the vote is taken and I press my green button I will be screaming the name of a Foreigner's God, the purest expression of grief. Thank you, Mr. President.

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

Senator **BREEN:** Thank you, Mr. President. Men and women of the Senate, many in this building and in this Chamber have much more history here than I do. However, in my short time under this dome I've learned that the Appropriations Committee has a long and well-deserved reputation for bi-partisan budgets that were the result of good-faith negotiations over many months. That's why it's been such an honor to serve as Senate Chair of the Legislature's Appropriations and Financial Affairs Committee and why I have felt such an enormous responsibility to restore normalcy and bi-partisanship to the budget process. Throughout the drafting of the amendment process we worked line by line with each member of the Committee to secure unanimous support on 99% of the Majority Report. Of 1,154 straw votes only 7 were not unanimous. That's a remarkable achievement for all of the people we represent. It's what the people of Maine should be able to expect from their lawmakers here in Augusta. I want to thank Senator Linda Sanborn and Senator Jim Hamper who played essential roles in helping us craft a smart, responsible, and bi-partisan budget that addresses Maine's greatest needs but also puts savings aside for future emergencies that may occur. This budget includes no increase in any taxes for Mainers. There are many in my caucus who wanted to raise revenues. I said from the beginning that wasn't going to happen. We had plenty to work with and we needed to work with what we had. This budget actually provides \$75 million in property tax relief. It spends less than the transition budget left from Governor LePage. The budget also adds \$18 million to the Rainy Day Fund, bringing the total to \$281 million. It also sets aside funds to address the problems we had at Riverview Hospital and the money we owe the federal government, which is upwards of \$70 million, to make up for mistakes made in past years. The budget puts \$29 million into the Medicaid stabilization fund, in case Medicaid expansion costs exceed projects or in the event of an economic down-turn. The budget also addresses issues we've heard about for years from constituents and colleagues alike. It prioritizes tax relief for hardworking Mainers, seniors, families, and small businesses. It expands the property tax fairness credit to include an additional 13,000 Maine people. This means more Maine seniors can save up to \$1,250 in property taxes and eligible working Mainers and families can save up to \$800 on property taxes or rent. The budget increases the homestead exemption to \$25,000, which is a \$5,000 increase from our previous biennial budget. This means Maine homeowners can take \$25,000 off the value of their home and pay property taxes on the remaining amount. Towns will get 70% reimbursement from the State. The budget increases revenue sharing from 2.5% to 3% next year and almost 4% in the following year, making good on a statutory promise we have to our colleagues in municipal government. The budget prioritizes the safety of Maine children and families. It allocates \$5 million to domestic violence and sexual assault services and it adds 62 new child protection workers in the wake of the tragedies that happened last year. The budget provides a 3% cost of living increase to support nursing homes all over the state. The budget

includes 300 new slots for the Section 21 wait list. This budget provides over \$1 million to build a new pre-release correction facility in Washington County. Mainers all across the state put a lot of faith and trust in us when they elected us to represent their interests in government. They see beyond partisan politics and political games. They are tired of the bickering. Mainers want and expect us to work together and get things done. I'll be the first to admit that this budget doesn't do everything for everyone but it's something that all of us in this Chamber should be able to support. Lastly, I want to thank the members of the Office of Finance and Program Review. This extraordinary group of staffers are simply the best in the building. They are with us every step of the way, in the back rooms, around the horseshoe, weekends, evenings, whenever we need them they are ready for action with information at their fingertips all the time. I want to thank Chris Nolan and his entire office. I urge everyone in this Chamber to vote to Enact this budget. Let's show the people of Maine what bi-partisan government really looks like. Thank you, Mr. President.

**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 (#309)**

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

NAYS: Senators: CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE

EXCUSED: Senators: FOLEY

This being an Emergency Measure and having received the affirmative vote of 25 Members of the Senate, with 9 Senators having voted in the negative, and 25 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.

Ordered sent down forthwith.

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Off Record Remarks

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On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Monday, June 17, 2019 at 10:00 in the morning in memory of and lasting tribute to the Honorable James E. Davitt of Hampden.