

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

In Senate Chamber
Tuesday
February 4, 2020

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

Prayer by Reverend Nathan Richards of South Parish Congregational Church UCC, in Augusta.

REVEREND RICHARDS: Let us pray. Eternal and loving God, our Creator who is sovereign over all our days, thank You for giving us this day. We pray that Your spirit may be upon the members of this Senate to encourage them in their official tasks. Be with them and with all who work here to serve this great state and its people. In this bicentennial year in which the citizens of the state of Maine celebrate the formation of this community under one government, we pray for the members of this august Body. Be assured that whatever their responsibilities that You will provide the grace to enable them to be faithful in their duties and the wisdom to be conscience of their obligations, even as You have to those past leaders of this state for 200 years. Remind us all of the dignity of work and teach us to use our talents and abilities in ways that are honorable and just and are of a benefit to those we serve. May all this be done this day for Your glory and honor. Amen.

Pledge of Allegiance led by Senator Paul T. Davis, Sr. of Piscataquis County.

Reading of the Journal of Thursday, January 30, 2020.

Doctor of the day, John Garrett, DO of West Gardiner.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Support Medically Monitored Crisis Support and Intervention"

H.P. 950 L.D. 1315
(C "A" H-351)

In Senate, June 18, 2019, **PASSED TO BE ENACTED** in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1416.

Comes from the House, Bill **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

Bill "An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute"

H.P. 970 L.D. 1342
(S "A" S-341 to C "A" H-467)

In Senate, June 20, 2019, **PASSED TO BE ENACTED** in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1423.

Comes from the House, Bill **COMMITTED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**, in **NON-CONCURRENCE**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

Resolve, To Establish a Stakeholder Group To Develop an Adult Dental Benefit under MaineCare"

H.P. 1065 L.D. 1453
(S "A" S-371 to C "A" H-409)

In Senate, June 20, 2019, **FINALLY PASSED** in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1415.

Comes from the House, Bill **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, in **NON-CONCURRENCE**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

Representatives 9

Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, Curtis, P. of Madison, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Reckitt, L. of South Portland, Talbot Ross, R. of Portland

Bill "An Act To Improve Consistency within the Maine Human Rights Act"

H.P. 1218 L.D. 1703
(C "A" H-643; S "A" S-349;
H "A" H-654)

In Senate, June 20, 2019, **PASSED TO BE ENACTED** in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1426.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY** (H "C" H-665), in **NON-CONCURRENCE**.

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

NAYS 0

ABSENT 1 Rep. DeVeau, J. of Caribou

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Andrew M. Horton of Falmouth, for appointment as a Supreme Judicial Court Justice be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

COMMUNICATIONS

The Following Communication: S.C. 877

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

January 30, 2020

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Andrew M. Horton of Falmouth, for appointment as a Supreme Judicial Court Justice.

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

YEAS Senators 3 Carpenter, M. of Aroostook,
Bellows, S. of Kennebec,
Keim, L. of Oxford

READ and ORDERED PLACED ON FILE

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

The Chair noted the absence of the Senator from Lincoln, Senator **DOW**, the Senator from Somerset, Senator **FARRIN**, the Senator from York, Senator **WOODSOME**, the Senator from York, Senator **LAWRENCE**, the Senator from Knox, Senator **MIRAMANT**, and the Senator from Waldo, Senator **HERBIG**, and further excused the same Senators from today's Roll Call votes.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#385)

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN,
CARPENTER, CARSON, CHENETTE, CHIPMAN,
CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT,
DIAMOND, DILL, FOLEY, GRATWICK, GUERIN,
HAMPER, KEIM, LIBBY, LUCHINI, MILLETT,
MOORE, POULIOT, ROSEN, SANBORN H,
SANBORN L, TIMBERLAKE, VITELLI, PRESIDENT
JACKSON

EXCUSED: Senators: DOW, FARRIN, HERBIG, LAWRENCE, MIRAMANT, WOODSOME

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Andrew M. Horton** of Falmouth for appointment as a Supreme Judicial Court Justice was **CONFIRMED**.

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

The Following Communication: S.C. 879

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

January 30, 2020

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Catherine R. Connors, Esq. of Kennebunk, for appointment as a Supreme Judicial Court Justice.

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

| | | | |
|--------|-----------------|---|---|
| YEAS | Senators | 3 | Carpenter, M. of Aroostook, Bellows, S. of Kennebec, Keim, L. of Oxford |
| | Representatives | 8 | Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, Curtis, P. of Madison, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Reckitt, L. of South Portland |
| NAYS | | 0 | |
| ABSENT | | 2 | Rep. DeVeau, J. of Caribou, Rep. Talbot Ross, R. of Portland |

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Catherine R. Connors, Esq. of Kennebunk, for appointment as a Supreme Judicial Court Justice be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#386)

YEAS: Senators: None

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

EXCUSED: Senators: DOW, FARRIN, LAWRENCE, MIRAMANT, WOODSOME

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 5 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Catherine R. Connors**, Esq. of Kennebunk for appointment as a Supreme Judicial Court Justice was **CONFIRMED**.

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

The Following Communication: S.C. 878

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

January 30, 2020

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

ROLL CALL (#387)

YEAS: Senators: None

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Jeffrey L. Hjelm of Camden, for appointment as an Active Retired Justice of the Supreme Judicial Court.

EXCUSED: Senators: DOW, FARRIN, LAWRENCE, MIRAMANT,
WOODSOME

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

| | | | |
|------|-----------------|---|--|
| YEAS | Senators | 3 | Carpenter, M. of Aroostook, Bellows, S. of Kennebec, Keim, L. of Oxford |
| | Representatives | 8 | Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, Curtis, P. of Madison, Evangelos, J. of Friendship, Haggan, D. of Hampden, Reckitt, L. of South Portland, Talbot Ross, R. of Portland |

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 5 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jeffrey L. Hjelm** of Camden, for appointment as an Active Retired Justice of the Supreme Judicial Court was **CONFIRMED**.

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

NAYS 0

ABSENT 1 Rep. DeVeau, J. of Caribou

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

ORDERS OF THE DAY

Representative Thom Harnett is recused.

The Chair laid before the Senate the following Tabled and Later Assigned (1/30/20) matter:

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Jeffrey L. Hjelm of Camden, for appointment as an Active Retired Justice of the Supreme Judicial Court be confirmed.

NOMINATION - of Nancy D. Mills of Cornville for appointment as an Active Retired Justice of the Superior Court

Tabled - January 30, 2020 by Senator **LIBBY** of Androscoggin

Pending - **CONSIDERATION**

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

(In Senate, Communication (S.C. 860) from the Committee on **JUDICIARY READ** and **ORDERED PLACED ON FILE**.)

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

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

The Doorkeepers secured the Chamber.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

The Secretary opened the vote.

ROLL CALL (#388)

YEAS: Senators: None

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

EXCUSED: Senators: DOW, FARRIN, LAWRENCE, MIRAMANT, WOODSOME

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 5 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Nancy D. Mills** of Cornville for appointment as an Active Retired Justice of the Superior Court was **CONFIRMED**.

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

The Following Communication: S.C. 872

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

January 30, 2020

The Honorable Troy D. Jackson
President of the Senate
The Honorable Sara Gideon
Speaker of the House of Representatives
129th Legislature
State House
Augusta, ME 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the Maine Health and Higher Educational Facilities Authority under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Maine Health and Higher Educational Facilities Authority by letter dated April 29, 2019 of its intent to conduct a review. The Maine Health and Higher Educational Facilities Authority submitted its report in October of 2019 and presented the report to the committee on January 27, 2020. The committee has reviewed the report and finds that the Maine Health and Higher Educational Facilities Authority is operating within its statutory authority

Sincerely,

S/Senator Rebecca J. Millett
Senate Chair

S/Representative Victoria P. Kornfield
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 873

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

January 27, 2020

The Honorable Troy Jackson
President of the Senate
The Honorable Sara Gideon
Speaker of the House of Representatives
State House
Augusta, ME 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on State and Local Government from its review and evaluation of the Department of the Secretary of State under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Department of Administrative and Financial Services by letter dated April 29, 2019 of its intent to conduct a review. The department submitted its program evaluation report¹ on January 15, 2020 and presented the report to the committee that day. The committee held a work session on January 24, 2020.

The committee unanimously finds that the Department of the Secretary of State is operating within its statutory authority.

Sincerely,

S/Senator Ned Claxton
Senate Chair

S/Representative Roland Danny Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 874

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

January 27, 2020

The Honorable Troy Jackson
President of the Senate
The Honorable Sara Gideon
Speaker of the House of Representatives
State House
Augusta, ME 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on State and Local Government from its review and evaluation of the Department of Administrative and Financial Services under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the department by letter dated April 29, 2019 of its intent to conduct a review. The department submitted its program evaluation report on December 27, 2019 and presented the report to the committee on January 15, 2020. The committee held a work session on January 24, 2020.

The committee unanimously finds that the Department of Administrative and Financial Services is operating within its statutory authority.

Sincerely,

S/Senator Ned Claxton
Senate Chair

S/Representative Roland Danny Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 875

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

January 27, 2020

The Honorable Troy Jackson
President of the Senate
The Honorable Sara Gideon
Speaker of the House of Representatives
State House
Augusta, ME 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on State and Local Government from its review and evaluation of the Capital Planning Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Department of Administrative and Financial Services by letter dated April 29, 2019 of its intent to conduct a review. The department submitted its program evaluation report on January 15, 2020 and presented the report to the committee that day. The committee held a work session on January 24, 2020.

The committee unanimously finds that the Capitol Planning Commission is operating within its statutory authority.

Sincerely,

S/Senator Ned Claxton
Senate Chair

S/Representative Roland Danny Martin
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 880

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

January 31, 2020

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 Sen. Deschambault of York, to report the following bill Leave to Withdraw:

L.D. 1982 Resolve, Directing the Department of Public Safety To Conduct a Study To Develop Best Practices for Improving the Security of Municipal Properties

Sincerely,

S/Sen. Susan Deschambault
Senate Chair

S/Rep. Charlotte May Warren
House Chair

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

The Following Communication: S.C. 868

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

January 27, 2020

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. Doudera of Camden, to report the following bill Leave to Withdraw:

L.D. 380 An Act To Revise the Calculation of Tolls
Established for the Maine State Ferry Service

Sincerely,

S/Sen. Bill Diamond S/Rep. Andrew McLean
Senate Chair House Chair

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

The Following Communication: S.C. 869

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

January 27, 2020

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

L.D. 599 An Act To Ensure Fair Access and Pricing for
Residents Who Use the Maine State Ferry
Service

Sincerely,

S/Sen. Bill Diamond S/Rep. Andrew McLean
Senate Chair House Chair

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

The Following Communication: S.C. 887

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

January 28, 2020

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 Taxation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 133 An Act To Fully Restore State-Municipal Revenue Sharing for Fiscal Year 2018-19 (EMERGENCY)
- L.D. 564 An Act To Encourage the Installation of Solar Panels on Residential Property
- L.D. 1076 An Act To Account for Market Change in the Adult Use Marijuana Excise Tax
- L.D. 1163 An Act Regarding Energy, Utilities and Technology

This is notification of the Committee's action.

Sincerely,

S/Sen. Ben Chipman S/Rep. Ryan Tipping
Senate Chair House Chair

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

The Following Communication: S.C. 888

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

January 24, 2020

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 Transportation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 83 An Act To Amend the Law Regarding Resale by a Motor Vehicle Dealer To Permit the Dealer To Use a Copy of a Certificate of Title
- L.D. 778 An Act To Create the Fund for Municipalities To Improve Pedestrian Safety
- L.D. 1390 An Act To Fund Saco Area Traffic Improvements
- L.D. 1533 An Act To Eliminate Registration Plate Decals

This is notification of the Committee's action.

Sincerely,

| | |
|-------------------------------------|-------------------------------------|
| S/Sen. Bill Diamond Senate Chair | S/Rep. Andrew McLean House Chair |
|-------------------------------------|-------------------------------------|

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

The Following Communication: S.C. 871

**MAINE STATE HOUSING AUTHORITY
AUGUSTA, ME**

January 30, 2020

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine State Housing Authority due by February 1, 2020.

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

Thank you.

Sincerely,

S/Peter Merrill
Deputy Director

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

The Following Communication: S.C. 876

**EFFICIENCY MAINE
AUGUSTA, MAINE**

January 30, 2020

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

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section §12023, I am pleased to deliver this the letter of transmittal for the required report from Efficiency Maine Trust due by February 1, 2020.

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

Thank you.

Sincerely,

S/Michael D. Stoddard
Executive Director

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

The Following Communication: S.C. 881

**MAINE MUNICIPAL BOND BANK
AUGUSTA, MAINE**

January 30, 2020

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Municipal Bond Bank due by February 1, 2020.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at Terry@mmbb.com.

Thank you.

Sincerely,

S/ Terry Hayes,
Executive Director

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

The Following Communication: S.C. 882

**MAINE HEALTH AND HIGHER
EDUCATIONAL FACILITIES AUTHORITY
AUGUSTA, MAINE**

January 30, 2020

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Health and Higher Educational Facilities Authority due by February 1, 2020.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-1958 or by email at Terry@mhhefa.com.

Thank you.

Sincerely,

S/Terry Hayes,
Executive Director

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

The Following Communication: S.C. 883

**MAINE GOVERNMENTAL FACILITIES AUTHORITY
AUGUSTA, MAINE**

January 30, 2020

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Governmental Facilities Authority due by February 1, 2020.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at Terry@mgfa.com.

Thank you.

Sincerely,

S/Terry Hayes,
Executive Director

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

The Following Communication: S.C. 884

**MAINE MARITIME ACADEMY
CASTINE, MAINE**

January 29, 2020

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Maritime Academy due by February 1, 2020.

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

Thank you.

Sincerely,

S/Alice Herrick
Director of Fiscal Operations for Maine Maritime Academy

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

The Following Communication: S.C. 885

**NORTHERN NEW ENGLAND
PASSENGER RAIL AUTHORITY
PORTLAND, MAINE**

January 27, 2020

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

Dear President Jackson:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Northern New England Passenger Rail Authority (NNEPRA) due by February 1, 2020.

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

Thank you.

Sincerely,

S/Mr. John Melrose S/Ms. Patricia Quinn
Chairman Executive Director

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

The Following Communication: S.C. 886

**MAINE PUBLIC EMPLOYEES RETIREMENT SYSTEM
AUGUSTA, MAINE**

January 30, 2020

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

Dear President Jackson:

The Maine Public Employees Retirement System (MainePERS) is submitting the enclosed report pursuant to 5 M.R.S. § 12023 to provide information on procurement, contributions, and changes to relevant policies and procedures by MainePERS during Fiscal Year 2019.

We would be pleased to respond to any questions you might have about the report.

Sincerely,

S/Sandra J. Matheson
Executive Director

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

The Following Communication: S.C. 889

**MAINE TURNPIKE AUTHORITY
PORTLAND, MAINE**

January 29, 2020

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

Re: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear President Jackson,

Enclosed are the reports required under 5 M.R.S.A. §12023, due February 1, 2020. The reports include: a list of all procurements in 2019 exceeding \$10,000 for which competitive procurement was waived; a list of contributions made in 2019 that exceed \$1,000. Section 12023(2c) requires a description of changes to the written policies and procedures required by Section 12022. There were no changes to the policies and procedures required by this section in 2019, therefore, there is nothing to report.

In 2019, the Maine Turnpike Authority made \$147 million in payments to approximately 700 vendors. The vast majority of these payments, approximately \$134 million, were for competitively bid products or services or were legally or legislatively required. The Authority sole-sourced approximately \$12 million in 2019. Most of these products or services were either proprietary in nature or were procured under long-term contracts. As these long-term contracts expire, the Authority will seek competitive bids.

Respectfully,

S/Peter Mills
Executive Director

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

SENATE PAPERS

Bill "An Act Regarding Net Energy Billing Limits"
S.P. 744 L.D. 2093

Presented by President JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Sinclair and Senators: CARPENTER of Aroostook, MIRAMANT of Knox, Representatives: BERRY of Bowdoinham, McCREA of Fort Fairfield.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Require Appropriate Coverage of and Cost-sharing for Generic Drugs and Biosimilars"
S.P. 745 L.D. 2095

Presented by President JACKSON of Aroostook.
Cosponsored by Speaker GIDEON of Freeport and Senators: CARPENTER of Aroostook, FOLEY of York, SANBORN, H. of Cumberland, Representatives: FECTEAU of Biddeford, PRESCOTT of Waterboro, STEWART of Presque Isle, WARREN of Hallowell.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

Sent down for concurrence.

Resolve, To Establish the Maine Spaceport Complex Leadership Council

S.P. 743 L.D. 2092

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative HUBBELL of Bar Harbor and Senators: CARPENTER of Aroostook, POULIOT of Kennebec, Representatives: BABINE of Scarborough, BICKFORD of Auburn, DAUGHTRY of Brunswick, FECTEAU of Augusta, HIGGINS of Dover-Foxcroft, STEWART of Presque Isle.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

Sent down for concurrence.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Morghan Dutil, of Turner, a student at Leavitt Area High School and a member of the school's golf team, who has been named the 2019 Girls High School Golf Co-champion. We extend our congratulations and best wishes;

SLS 1032

Sponsored by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative: MORRIS of Turner.

Ruby Haylock, of Hartford, a sophomore at Leavitt Area High School and a member of the school's golf team, who has been named the All-Region Golfer of the Year by the Sun Journal and who has been named the 2019 Girls High School Golf Co-champion. We extend our congratulations and best wishes;
SLS 1033

Sponsored by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Senator: KEIM of Oxford, Representative: PICKETT of Dixfield.

The Joint Orders were **READ**.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it's a great honor today to be recognizing a number of students from Leavitt Area High School, my old alma mater and I won't tell you what year I graduated but it

was a long time ago. The first two I'd like to recognize today is Ruby and Morghan. Both of these young ladies have done a fabulous job of representing Leavitt Area High School, their team. Their Coach, Harry Haylock, is here with them. Harry and I have known each other for a number of years and played a lot of golf. I don't think I've ever beat him yet but one of these days I will, I promise. But these two young ladies have shown great sportsmanship and recognition and team play and it's my honor and pleasure to present them with two Legislative sentiments. Thank you.

The Joint Orders were **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Morghan and Ruby and their Coach, Coach Haylock. They're from the town of Leavitt and they're the guests today of the Senator from Androscoggin, Senator Timberlake. Would they please rise and accept the greetings of the Maine State Senate.

The Leavitt Area High School Football Team, of Turner, which has won the Class C State Championship. We extend our congratulations and best wishes;

SLS 1034

Sponsored by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative: MORRIS of Turner.

The Joint Order was **READ**.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. Again, ladies and gentlemen, it's a great honor to stand here before you with the Leavitt Area Football Team who won the State Championship and beat MCI by a score of 30 - 24. We enjoyed that a little bit. Our team was 12 - 0 undefeated this year. One of the things about this football team is it shows great sportsmanship and great team play. Their Coach, Mike Hathaway, who in our area is referred to as our Coach Belichick, has done a great job at coaching this team and creating a farm team system throughout the years to bring the kids up through from grammar school on up to create the record that Leavitt gets used to. With so much winning at Leavitt we don't always know how to handle it all but it's always a great pleasure. I congratulate this team on a job well done and look forward to representing them here again next year for the same thing. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize up in the gallery the Class C Football Champions from Leavitt High School, with their Coach Hathaway. Would they please rise and accept the greetings of the Maine State Senate.

Wyatt Hathaway, of Turner, a junior at Leavitt Area High School and a player on the school's football team, who has been named the All-Region Football Player of the Year by the Sun Journal. We extend our congratulations and best wishes;

SLS 1035

Sponsored by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative: MORRIS of Turner.

The Joint Order was **READ**.

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

Senator **TIMBERLAKE:** Thank you again, Mr. President. Ladies and gentlemen of the Senate, Wyatt would be the first one to tell you here today that he couldn't have accomplished this goal if it wasn't for team play. He has shown outstanding sportsmanship. Of all my years of watching him play football, basketball, and it's my great pleasure to present him with the sentiment.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize Wyatt Hathaway of Leavitt High School. He's the guest today of the Senator from Androscoggin, Senator Timberlake. Would he please rise and accept the greetings of the Maine State Senate.

Jonathan Schomaker, of Greene, a sophomore at Leavitt Area High School, the first winner of the Wheelchair Division of the State Cross Country Championships. We extend our congratulations and best wishes;

SLS 1036

Sponsored by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative: MARTIN of Greene.

The Joint Order was **READ**.

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

Senator **TIMBERLAKE:** Thank you, Mr. President. I told you that you would see how we are sick of so much winning here in Leavitt Area High School. I stand again to recognize Johnny Schomaker for being the first winner of the Wheelchair Division of the State Cross Country Championships. It took a lot of work for Johnny and his parents and coaches and fellow athletes and others for him to be able to race in the championships but he and his family never gave up so that he could have the opportunity to compete in this race. We fought all summer long, and I use the word we because it was a team effort, with the Maine Principal's Association to find a solution so that Johnny could participate this year in his wheelchair. I kind of wish he had brought his cross country wheelchair he uses to race in the race because it's a pretty cool and sophisticated rig. It is my honor to be part of working with him to make sure that he had this opportunity and to compete in this championship. I believe Johnny's will and drive have paved the way for others who may want to compete. He

has a never give up attitude and will always succeed. Congratulations, Johnny, on winning this championship. It's my pleasure to present him with a sentiment.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the Chamber Jonathan Schomaker, his family, and Coach Rioux. Jonathan, please wave and accept the greetings of the Maine Senate. Congratulations.

Joint Resolution

On motion by Senator **HERBIG** of Waldo (Cosponsored by Representative DILLINGHAM of Oxford and Senators: BREEN of Cumberland, LUCHINI of Hancock, TIMBERLAKE of Androscoggin, WOODSOME of York, Representatives: BERRY of Bowdoinham, GROHOSKI of Ellsworth, REED of Carmel, SAMPSON of Alfred), the following Joint Resolution:

S.P. 746

**JOINT RESOLUTION
RECOGNIZING FEBRUARY 5, 2020 AS
NATIONAL GIRLS AND WOMEN
IN SPORTS DAY**

WHEREAS, the National Girls and Women in Sports Day Coalition celebrates National Girls and Women in Sports Day in Washington, D.C. and encourages its celebration in communities across the nation; and

WHEREAS, this day exists to recognize the past and current sports achievements of girls and women, the positive influence of sports participation and the continuing struggle for equality and access for girls and women in sports; and

WHEREAS, National Girls and Women in Sports Day began in 1987 as a day to remember Olympic volleyball player Flo Hyman for her athletic achievements and her commitment to ensure equality for women's sports; and

WHEREAS, the history of girls and women in sports is rich and long, yet there has been little national recognition of the significance of girls' and women's athletic achievements; and

WHEREAS, at all levels of athletics, girls and women develop self-discipline, initiative, confidence and leadership skills regardless of background; and

WHEREAS, the bonds girls and women build through athletics help to break down the social barriers of racism and prejudice, and the communication and cooperation skills learned through sports play a key role in the athletes' contributions at home, at work and to society; and

WHEREAS, a need for increased opportunities exists for girls to participate in and pursue physical activity in the community and at the scholastic level so that they may, beginning at an early age, improve their health and well-being on a daily basis and develop lifelong fitness habits; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this

opportunity to recognize February 5, 2020 as National Girls and Women in Sports Day.

The Joint Resolution was **READ**.

On motion by Senator **HERBIG** of Waldo, **TABLED** until Later in Today's Session, pending **ADOPTION**.

Off Record Remarks

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing the Department of Agriculture, Conservation and Forestry To Convey Certain Land in the Little Moose Unit of Moosehead Junction Township H.P. 1280 L.D. 1799

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Senate

Ought to Pass As Amended

Senator H. SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Increase Access to and Reduce the Cost of Epinephrine Autoinjectors by Amending the Definition of 'Epinephrine Autoinjector'" S.P. 674 L.D. 1972

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-379)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-379) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator CLAXTON for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Make March Maine Childhood Cancer Awareness Month"

S.P. 719 L.D. 2029

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-378)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-378) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify the Financial Reporting Responsibilities of Political Action Committees and Ballot Question Committees"

S.P. 641 L.D. 1869

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-377)**.

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

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

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

Signed:

Representatives:

ANDREWS of Paris
DOLLOFF of Rumford

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-377) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Modify the Financial Disclosure Requirements for a Governor-elect"

S.P. 643 L.D. 1871

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-376)**.

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

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

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

Signed:

Representative:

ANDREWS of Paris

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-376) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

SECOND READERS

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

House As Amended

Bill "An Act To Amend the Laws Governing Dangerous Buildings" (EMERGENCY)

H.P. 299 L.D. 390
(C "A" H-662)

Bill "An Act To Amend the Laws Governing Dual Liquor Licenses" (EMERGENCY)

H.P. 1350 L.D. 1884
(C "A" H-664)

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

Senate As Amended

Bill "An Act To Amend the Laws Governing Recounts in Municipal Elections"

S.P. 691 L.D. 1989
(C "A" S-375)

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

Sent down for concurrence.

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

Off Record Remarks

ENACTORS

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

Emergency Measure

An Act To Permit the Expansion of Municipal Membership of the Greater Portland Transit District

H.P. 1430 L.D. 2009

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 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.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, February 6, 2020 at 10:00 in the morning.