



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

Advance Journal and Calendar

11th Legislative Day

In Senate Chamber, Thursday, February 7, 2019.

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

Prayer by Pastor Robert Green, Bible Baptist Church in Wiscasset.

Pledge of Allegiance led by Senator Susan A. Deschambault of York County.

Reading of the Journal of Tuesday, February 5, 2019.

Doctor of the day, Ryan Best, M.D. of Westbrook.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

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

Out of order and under suspension of the Rules, on motion by Senator **LIBBY** of Androscoggin, the following Joint Order:

S.P. 206

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Monday, February 11, 2019 at 6:15 in the evening.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

(1-1) Bill "An Act To Reduce the Cost of Workers' Compensation Insurance for Small Employers"

H.P. 236 L.D. 312

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

In Senate, January 29, 2019, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

House Papers

(1-2) Bill "An Act To Create an Airplane Mechanic Education Program"

H.P. 414 L.D. 570

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

Comes from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**.

(1-3) Bill "An Act To Eliminate the Subminimum Wage for Workers with Disabilities and Agricultural and Tipped Workers"

H.P. 319 L.D. 410

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

Comes from the House, with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-4) Kelly A. Martin, of Fort Kent, Vice Chair of the Board of Trustees of the University of Maine System, who has received the Citizen of the Year Award from the Greater Fort Kent Area Chamber of Commerce for her service and the many important roles she has filled in the volunteer community. We extend our congratulations and best wishes;

HLS 51

(1-5) Randy M. Gagne, of Searsmont, Chief of the Camden Police Department, on his thirty years of service with the department, the past eight years as chief. Since July 2016, Chief Gagne has also served as Chief of the Rockport Police Department. We extend our congratulations and best wishes;

HLS 55

(1-6) McKenzy Ouellette, of Newfield, a student at Massabesic High School and a player on the girls basketball team, who recently scored her 1,000th career point. We extend our congratulations and best wishes;

HLS 57

(1-7) Elmer Harmon, of Dennysville, who retired from the Naval Computer and Telecommunication Station in Cutler after 40 years of service. We extend our congratulations and best wishes;

HLS 58

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

Joint Resolution

Joint Resolution in Memoriam:

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

(1-8) Thomas M. Couming, of Kennebunk. Mr. Couming served in the United States Air Force from 1964 to 1968. He had a career in Human Resources and worked nationally as a diversity consultant, creating programs and facilitating trainings for more inclusive workplaces and advocating for the LGBT community, minority groups and women. He helped found the nonprofit Can Do Program, a bottle redemption project whose proceeds were donated to feed the hungry. He also, through that program, mentored teenage volunteers from the community. His concern for Mainers of all ages was reflected in his daily dedication to citizen activism. Mr. Couming will be long remembered and sadly missed by his wife of 48 years, Mary, by his family and friends and by all those whose lives he touched;

HLS 56

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

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 118

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

January 31, 2019

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 The Honorable John H. O'Neil, Jr. of Kennebunk, for reappointment as a Superior 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 of Aroostook, Bellows of Kennebec, Keim of Oxford
	Representatives	9	Bailey of Saco, Babbidge of Kennebunk, Bradstreet of Vassalboro, Cardone of Bangor, DeVeau of Caribou, Evangelos of Friendship, Galgay Reckitt of South Portland, Harnett of Gardiner, Talbot Ross of Portland
NAYS		0	
ABSENT		1	Rep. Haggan of Hampden

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 The Honorable John H. O'Neil, Jr. of Kennebunk, for reappointment as a Superior Court Justice be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair



(2-2) The Following Communication:

S.C. 122

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

January 23, 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. Galgay Reckitt of South Portland, to report the following bill Leave to Withdraw:

L.D. 20 An Act To Provide Coverage for Abortion Services for MaineCare Members

Sincerely,

S/Sen. Geoff Gratwick
Senate Chair

S/Rep. Patty Hymanson
House Chair

(2-3) The Following Communication:

S.C. 123

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

January 24, 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. Galgay Reckitt of South Portland, to report the following bill Leave to Withdraw:

L.D. 21 An Act To Prohibit the Use of Electroconvulsive Therapy for Certain
 Populations

Sincerely,

S/Sen. Geoff Gratwick
Senate Chair

S/Rep. Patty Hymanson
House Chair

(2-4) The Following Communication:

S.C. 119

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON HEALTH COVERAGE,
INSURANCE AND FINANCIAL SERVICES**

February 1, 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 Health Coverage, Insurance and Financial Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 2 An Act To Increase from \$25,000 to \$50,000 the Minimum
Amount Motor Vehicle Liability Insurance Policies Must Cover
for Damage to Property

This is notification of the Committee's action.

Sincerely,

S/Sen. Heather B. Sanborn
Senate Chair

S/Rep. Denise A. Tepler
House Chair

(2-5) The Following Communication:

S.C. 120

**MAINE PORT AUTHORITY
AUGUSTA, MAINE**

January 31, 2019

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

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

Copy sent via email to: quasiagencyreports@legislature.maine.gov

In Re: Maine Port Authority Legislative Report

Dear Mr. President and Madam Speaker:

Pursuant to 5 M.R.S.A., Section 12023, the Maine Port Authority is pleased to submit the following report to the Legislature, due by February 1, 2019.

Please contact me directly at (207) 557-0923 if you have any questions or need additional information.

Sincerely,

S/Jonathan Nass, CEO

(2-6) The Following Communication:

S.C. 121

**SUNRISE COUNTY ECONOMIC COUNCIL
CALAIS, MAINE**

February 1, 2019

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

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

Dear Senator Jackson and Speaker Gideon:

Pursuant to MRSA Title 5, section 12023, the Sunrise County Economic Council (SCEC) is pleased to submit the Quasi-independent State Entity Report to the Legislature on behalf of the Washington County Development Authority (WCDA).

SCEC is a private, nonprofit, federally recognized economic development organization which works to create jobs and wealth in Washington County. We provide staff support for the WCDA and are partnering with the Authority in its effort to redevelop the former U.S. Navy base in Cutler.

As indicated in the enclosed report, the WCDA did not make any significant procurements, contributions or changes to policies and procedures in the past year. In March 2015, the Authority was given the commercial side of the former base by Cutler North, LLC, a private developer that had failed in its redevelopment effort. The WCDA now owns roughly 20 acres and five commercial buildings comprising 75,000 square feet. The Authority is working to bring these facilities back into productive use.

Please contact me with any questions or concerns. Thank you.

Sincerely,

S/Charles J. Rudelitch, Esq.
Executive Director

(2-7) The Following Communication:

S.C. 124

**MAINE'S PUBLIC UNIVERSITIES
UNIVERSITY OF MAINE SYSTEM
ORONO, MAINE**

1 February 2019

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please accept this letter of transmittal for the required Quasi-Independent State Entity Review Report from the University of Maine System due 1 February 2019.

The University has an estimated \$1.5 billion annual total statewide economic impact, including direct and indirect payroll, student and visitor spending and, increasingly, purchasing of goods and services from Maine-based businesses which in FY18 totaled \$54.3 million.

While competitive procurement is the University's standard, as provided in State law and corresponding University policy, there are legitimate reasons for waiving competitive procurement in some circumstances. For example, within the report of FY18 sole source purchasing that follows, a majority of the expenses for which waivers from our competitive procurement process were granted involve the purchase of goods and services that were specifically named in a grant. In an effort to increase transparency and public accountability, new to this year's report is a description of each transaction as well as a review of this report by the UMS Board of Trustees prior to this submission.

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

Thank you.

Sincerely,

S/James H. Page, Chancellor
University of Maine System

(2-8) The Following Communication:

S.C. 125

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

January 29, 2019

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

RE: Statutory Citation P.L. 2011 c. 616: 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 Senator Jackson:

Please find enclosed the Northern New England Passenger Rail Authority's annual report as required under section 12023 (2) "Ongoing Reports" of the Statutory Citation referenced above for NNEPRA's Fiscal Year 2018.

Required Reports:

- 2A. A list of all procurements exceeding \$10,000 in the preceding year (NNEPRA Fiscal Year 2018) for which competitive procurement was waived under the policies adopted pursuant to section 12022, subsection 3 - Attached.
- 2B. A list of all persons to which the entity made contributions greater than \$1,000 in the preceding year (NNEPRA Fiscal Year 2018) and the total amount contributed to each – Attached.
- 2C. There were changes made to NNEPRA's written Procurement Policy required by Section 12022 - Attached. There were no changes to the procedures used by the governing body to monitor compliance with those policies and procedures.

Sincerely,

S/Mr. John Melrose
Chairman
Northern New England
Passenger Rail Authority

S/Ms. Patricia Quinn
Executive Director
Northern New England
Passenger Rail Authority

SENATE PAPERS

(3-1) Bill "An Act Related to Community Reparations Boards"

S.P. 197 L.D. 635

Presented by Senator CARPENTER of Aroostook.

(3-2) Bill "An Act To Require Law Enforcement Officers To Wear Body Cameras"

S.P. 198 L.D. 636

Presented by Senator DESCHAMBAULT of York.

Cosponsored by Representative PICKETT of Dixfield and Senators: CHIPMAN of Cumberland, CLAXTON of Androscoggin, MOORE of Washington, Representatives: DOORE of Augusta, RISEMAN of Harrison.

(3-3) Bill "An Act Regarding Motor Vehicle Operation and Drug Use"

S.P. 199 L.D. 637

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Representative RYKERSON of Kittery and Senators: CLAXTON of Androscoggin, FARRIN of Somerset, TIMBERLAKE of Androscoggin, Representatives: ARATA of New Gloucester, BRADSTREET of Vassalboro, JOHANSEN of Monticello, PICKETT of Dixfield, STROM of Pittsfield.

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

(3-4) Bill "An Act Regarding Kindergarten Readiness for Children Who Are Deaf and Hard of Hearing"

S.P. 204 L.D. 642

Presented by Senator BREEN of Cumberland.

Cosponsored by Representative PIERCE of Falmouth.

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

(3-5) Resolve, To Require a Study of Greenhouse Gas Emissions Reductions from the Proposed Central Maine Power Company Transmission Corridor (EMERGENCY)

S.P. 202 L.D. 640

Presented by Senator CARSON of Cumberland.

Cosponsored by Representative RYKERSON of Kittery and Senators: BELLOWS of Kennebec, BLACK of Franklin, CLAXTON of Androscoggin, FARRIN of Somerset, FOLEY of York, Representatives: DODGE of Belfast, FAY of Raymond, TUCKER of Brunswick.

(3-6) Bill "An Act To Amend the Charter of the Town of Madison's Department of Electric Works"

S.P. 207 L.D. 694

Presented by Senator FARRIN of Somerset.

Cosponsored by Representative CURTIS of Madison and Senator: DAVIS of Piscataquis, Representatives: AUSTIN of Skowhegan, BERRY of Bowdoinham, GRIGNON of Athens, NADEAU of Winslow.

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

(3-7) Bill "An Act To Save Lives through Epinephrine Autoinjector Accessibility"

S.P. 203 L.D. 641

Presented by Senator BELLOWS of Kennebec.

Cosponsored by Representative ACKLEY of Monmouth and Senators: CARPENTER of Aroostook, CLAXTON of Androscoggin, HERBIG of Waldo, MIRAMANT of Knox, Representatives: FAY of Raymond, HARNETT of Gardiner, HICKMAN of Winthrop, MAXMIN of Nobleboro.

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

(3-8) Bill "An Act To Legalize the Use of Supplemental Minerals To Assist with Wildlife Nutrition"

S.P. 200 L.D. 638

Presented by Senator DAVIS of Piscataquis.

(3-9) Bill "An Act To Require Biodegradable Hooks and Lures for Freshwater Fishing"

S.P. 208 L.D. 695

Presented by Senator DAVIS of Piscataquis.

Cosponsored by Representative MASON of Lisbon and Senators: BLACK of Franklin, DILL of Penobscot, Representatives: MARTIN of Sinclair, STEARNS of Guilford.

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

(3-10) Bill "An Act To Protect Student Privacy"

S.P. 201 L.D. 639

Presented by Senator CARPENTER of Aroostook.

Cosponsored by Senator GRATWICK of Penobscot, Representative McCREA of Fort Fairfield and Senator: DILL of Penobscot, Representatives: HARNETT of Gardiner, NADEAU of Winslow.

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

(3-11) Bill "An Act Regarding Temporary Signs Related to an Event That Are Placed in the Public Right-of-way"

S.P. 205 L.D. 689

Presented by Senator CHIPMAN of Cumberland.

Cosponsored by Senators: DIAMOND of Cumberland, FARRIN of Somerset, Representatives: BRYANT of Windham, SHEATS of Auburn, WHITE of Waterville, WHITE of Washburn.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Fred Wardwell, of Searsmont, who has received the Boston Post Cane, an honor given to the oldest citizen of a municipality. We extend our congratulations and best wishes;

SLS 51

Sponsored by Senator HERBIG of Waldo.

Cosponsored by Representative: ZEIGLER of Montville.

(4-2) John Fallona, of Scarborough, former owner of utilities contractor On Target in Gardiner, who has received the 2019 Peter G. Thompson Lifetime Achievement Award from the Kennebec Valley Chamber of Commerce. We extend our congratulations and best wishes;

SLS 54

Sponsored by Senator SANBORN, L. of Cumberland.

Cosponsored by Senators: BELLOWS of Kennebec, MILLETT of Cumberland, Representatives: BABINE of Scarborough, CAIAZZO of Scarborough, HARNETT of Gardiner, McLEAN of Gorham.

(4-3) Sam Rideout, of South Portland, who at 10 years of age has spent 3 years raising funds and donating toys to children at the Barbara Bush Children's Hospital, with \$6,371 in gifts and donations delivered this past year. We extend our congratulations and best wishes;

SLS 68

Sponsored by Senator MILLETT of Cumberland.

Cosponsored by Representatives: KESSLER of South Portland, MORALES of South Portland, RECKITT of South Portland.

(4-4) Timothy Towne, of North Berwick, Chief of the Berwick Police Department, who has been selected to receive the Maine Association of Police David W. Pickering Award for his outstanding support of and contributions to the association. We extend our congratulations and best wishes;

SLS 69

Sponsored by Senator FOLEY of York.

Cosponsored by Senator: LAWRENCE of York, Representatives: O'CONNOR of Berwick, ROBERTS-LOVELL of South Berwick.

(4-5) Michael Aube, of Bangor, recently retired president of Eastern Maine Development Corporation, who has received the Norbert X. Dowd Award from the Bangor Region Chamber of Commerce for his lifetime of achievement. We extend our congratulations and best wishes;

SLS 70

Sponsored by Senator GRATWICK of Penobscot.

Cosponsored by Representatives: CARDONE of Bangor, KORNFIELD of Bangor, SCHNECK of Bangor.

(4-6) Evan Chambers, of Gorham, a member of Boy Scout Troop No. 817, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

SLS 71

Sponsored by Senator SANBORN, L. of Cumberland.

Cosponsored by Representatives: McLEAN of Gorham, TERRY of Gorham.

(4-7) Ethan White, of Gorham, a member of Boy Scout Troop No. 817, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

SLS 72

Sponsored by Senator SANBORN, L. of Cumberland.

Cosponsored by Representatives: McLEAN of Gorham, TERRY of Gorham.

(4-8) Donald A. Kinney, of Monmouth, who is receiving the Lifetime Achievement Award from the Cochnewagan Trailblazers for his over 45 years of dedicated service. We extend our congratulations and best wishes;

SLS 73

Sponsored by Senator BELLOWS of Kennebec.

Cosponsored by Representatives: ACKLEY of Monmouth, HICKMAN of Winthrop.

(4-9) Barbara Eloise Bean, of Waterboro, who is celebrating her 100th Birthday on February 7, 2019. We extend our congratulations and best wishes;

SLS 74

Sponsored by Senator WOODSOME of York.

Cosponsored by Representative: PRESCOTT of Waterboro.

(4-10) Richard O. Wilcox and Elaine Barrows Wilcox, of Fayette, who are celebrating their 50th Wedding Anniversary on February 15, 2019. We extend our congratulations and best wishes;

SLS 75

Sponsored by Senator BLACK of Franklin.

Cosponsored by Representative: KESCHL of Belgrade.

ORDERS OF THE DAY

Unfinished Business

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

1.

Tabled and Later Assigned

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

S.P. 44 L.D. 157

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

Pending - **REFERENCE**

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

2.

Tabled and Later Assigned

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

S.P. 96 L.D. 356

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

Pending - **REFERENCE**

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

3.

Tabled and Later Assigned

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

S.P. 131 L.D. 453

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

Pending - **REFERENCE**

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

4.

Tabled and Later Assigned

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

SLS 57

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

Pending - **PASSAGE**

5.

Tabled and Later Assigned

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

S.P. 196

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

Pending - **ADOPTION**
