



One Hundred and Twenty-Ninth Legislature First Regular Session

Advance Journal and Calendar

14th Legislative Day

In Senate Chamber, Thursday, February 14, 2019.

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

Prayer by Pastor Glenn Peterson, Hope Baptist Church in Manchester.

Pledge of Allegiance led by Senator Catherine E. Breen of Cumberland County.

Reading of the Journal of Tuesday, February 12, 2019.

Doctor of the day, A. Jan Berlin, M.D. of Portland.

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. 241

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 19, 2019 at 10:00 in the Morning.

PAPERS FROM THE HOUSE

House Papers

(1-1) Bill "An Act To Bring Maine's Laws Concerning Implied Consent in Operating a Motor Vehicle into Compliance with Recent Opinions of the United States Supreme Court"
H.P. 567 L.D. 762

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

(1-2) Bill "An Act To Limit the Dissemination of Certain Criminal Records"
H.P. 569 L.D. 764

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

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

(1-3) Bill "An Act To Require Recording of Interviews of Suspects"
H.P. 588 L.D. 800

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

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

(1-4) Bill "An Act Regarding Recording of Witness Interviews"

H.P. 589 L.D. 801

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

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

(1-5) Bill "An Act To Ensure the Rights of Citizens to Groundwater in the State"

H.P. 322 L.D. 413

Comes from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

(1-6) Bill "An Act To Create the Substance Use Disorders Cabinet"

H.P. 535 L.D. 730

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

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

(1-7) Bill "An Act To Increase Funding for Adult Basic Literacy, Workplace Education and College Preparedness"

H.P. 523 L.D. 718

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

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

(1-8) Bill "An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations"

H.P. 582 L.D. 777

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

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

(1-9) Bill "An Act To Extend the Refundability of the Educational Opportunity Tax Credit to Students in the Behavioral Health Field"

H.P. 275 L.D. 349

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

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

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-10) Scrummy Afters, of Hallowell, which was named the Best Candy Store in Maine by national news outlet MSN. We extend our congratulations and best wishes;

HLS 50

(1-11) Jack Comart, of Readfield, who retired from Maine Equal Justice Partners as Litigation Director after over 14 years of service. Mr. Comart had previously worked as a staff attorney at Pine Tree Legal Assistance, beginning there in 1983. Mr. Comart is held in high esteem by his peers in the legal field, and his legal and policy work is recognized nationwide. We extend our congratulations and best wishes;

HLS 61

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:

(1-12) Hugh Gerard Daley, of Dixfield. Mr. Daley served in the United States Air Force, specializing as a jet engine mechanic. He served three tours in Vietnam and retired in 1983 after a 24-year career. He worked at the Dixfield Nursing Home as the head maintenance supervisor from 1983 to 1998 and worked in the same capacity at Rumford Hospital for four years. He was a Mason in the King Hiram Lodge and a devoted member of the Dixfield American Legion, the Dixfield Congregational Church and the Rumford Veterans of Foreign Wars. He served the Town of Dixfield as a Selectman and Chairman on the Board of Selectmen for 18 years. Mr. Daley will be long remembered and sadly missed by his wife of over 47 years, Vawn, by his family and friends and by all those whose lives he touched;

HLS 62

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

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 135

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

February 7, 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 Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 29	Resolve, To Implement the Recommendations of the Task Force To Address the Opioid Crisis in the State by Establishing a Work Group To Develop Educational Programming for Prevention of Substance Use and Substance Use Disorders among Youth and Adolescents (EMERGENCY)
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This is notification of the Committee's action.

Sincerely,

S/Sen. Rebecca Millett
Senate Chair

S/Rep. Victoria P. Kornfield
House Chair

(2-2) The Following Communication:

S.C. 136

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

February 11, 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 Veterans and Legal Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 411	Resolve, Directing the Commission on Governmental Ethics and Election Practices To Allow Maine Clean Election Act Funds To Be Used for Election Recounts
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This is notification of the Committee's action.

Sincerely,

S/Sen. Louis J. Luchini
Senate Chair

S/Rep. John C. Schneck
House Chair

SENATE PAPERS

(3-1) Bill "An Act To Require Background Checks for All Private Firearm Sales or Transfers Except between Family Members"

S.P. 246 L.D. 810

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative COLLINGS of Portland and Senators: CARSON of Cumberland, CHENETTE of York, LIBBY of Androscoggin, Representatives: BEEBE-CENTER of Rockland, DOUDERA of Camden, RYKERSON of Kittery, SYLVESTER of Portland.

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

(3-2) Bill "An Act Regarding the Duties of the Public Advocate"

S.P. 243 L.D. 807

Presented by Senator MIRAMANT of Knox.

Cosponsored by Representative NADEAU of Winslow and Senators: BELLOWS of Kennebec, CYRWAY of Kennebec, President JACKSON of Aroostook, LIBBY of Androscoggin, Representatives: BRYANT of Windham, MAREAN of Hollis, TALBOT ROSS of Portland, TIPPING of Orono.

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

(3-3) Bill "An Act To Advance the Restoration of the Penobscot River"

S.P. 253 L.D. 817

Presented by Senator DILL of Penobscot.

Cosponsored by Representative DUNPHY of Old Town and Senators: GRATWICK of Penobscot, ROSEN of Hancock, Representative: DRINKWATER of Milford.

(3-4) Bill "An Act To Reduce Greenhouse Gas Emissions" (EMERGENCY)

S.P. 254 L.D. 818

Presented by Senator SANBORN, L. of Cumberland.

Cosponsored by Representative FAY of Raymond and Senators: CARSON of Cumberland, CHENETTE of York, CHIPMAN of Cumberland, SANBORN, H. of Cumberland, Representatives: CAIAZZO of Scarborough, TUCKER of Brunswick.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

(3-5) Bill "An Act To Regulate the Issuance of Short-term, Limited-duration Health Insurance Policies in the State"

S.P. 251 L.D. 815

Presented by President JACKSON of Aroostook.

Cosponsored by Speaker GIDEON of Freeport and Senators: FOLEY of York, LIBBY of Androscoggin, SANBORN, H. of Cumberland, VITELLI of Sagadahoc, Representatives: BLIER of Buxton, FECTEAU of Biddeford, MOONEN of Portland, TEPLER of Topsham.

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

(3-6) Resolve, To Encourage Relocation of Working Professionals

S.P. 249 L.D. 813

Presented by Senator CHENETTE of York.

Cosponsored by Representative FECTION of Biddeford and Senator: MILLETT of Cumberland, Representative: O'NEIL of Saco.

(3-7) Bill "An Act To Strengthen Maine's Economy through Research and Innovation led by the University of Maine System"

S.P. 250 L.D. 814

Presented by Senator HERBIG of Waldo.

Cosponsored by Representative HUBBELL of Bar Harbor and Senators: BREEN of Cumberland, LAWRENCE of York, POULIOT of Kennebec, SANBORN, L. of Cumberland, Representatives: FECTION of Biddeford, GATTINE of Westbrook, JORGENSEN of Portland, STEWART of Presque Isle.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

(3-8) Bill "An Act To Create a Youth Wage"

S.P. 244 L.D. 808

Presented by Senator TIMBERLAKE of Androscoggin.

Cosponsored by Representative MORRIS of Turner and Senators: BLACK of Franklin, DOW of Lincoln, GUERIN of Penobscot, Representatives: DILLINGHAM of Oxford, KESCHL of Belgrade, MASON of Lisbon, STETKIS of Canaan, STROM of Pittsfield.

(3-9) Bill "An Act To Expand and Clarify the Disqualification from Workers' Compensation Benefits of an Employee Who Is Injured While Under the Influence of Drugs or Alcohol"

S.P. 245 L.D. 809

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Representative NADEAU of Winslow and Senators: BLACK of Franklin, CLAXTON of Androscoggin, DAVIS of Piscataquis, HAMPER of Oxford, Representatives: BRADSTREET of Vassalboro, FECTION of Biddeford, PICKETT of Dixfield, SKOLFIELD of Weld.

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

(3-10) Bill "An Act To Clarify the Definition of 'Ancient Burying Ground'"
S.P. 242 L.D. 806

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative NADEAU of Winslow and Senators: CYRWAY of Kennebec,
President JACKSON of Aroostook, LIBBY of Androscoggin, Representatives: BRYANT of
Windham, MAREAN of Hollis.

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

(3-11) Bill "An Act To Provide Additional Flexibility in the Municipal Property Tax Assistance
Programs for Seniors"

S.P. 247 L.D. 811

Presented by Senator HAMPER of Oxford.

(3-12) Bill "An Act To Stabilize Property Taxes on Homesteads of Individuals Who Are 66
Years of Age or Older"

S.P. 248 L.D. 812

Presented by Senator CHENETTE of York.
Cosponsored by Representative BAILEY of Saco and Senator: CHIPMAN of Cumberland,
Representatives: DENK of Kennebunk, FECTEAU of Biddeford, NADEAU of Winslow.

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

(3-13) Bill "An Act To Implement the National Popular Vote for President of the United States"
S.P. 252 L.D. 816

Presented by President JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and Senators: HERBIG of Waldo,
LIBBY of Androscoggin, LUCHINI of Hancock, VITELLI of Sagadahoc, Representatives:
FECTEAU of Biddeford, HICKMAN of Winthrop, MOONEN of Portland, SCHNECK of
Bangor.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Holly and Leighton Cooney, of Auburn, who celebrated their 50th Wedding Anniversary on January 25, 2019. We extend our congratulations and best wishes;

SLS 85

Sponsored by Senator CLAXTON of Androscoggin.

Cosponsored by Representatives: BICKFORD of Auburn, MELARAGNO of Auburn, SHEATS of Auburn.

(4-2) Dan Gish, of Lewiston, who was named Secondary School Physical Education Teacher of the Year by the Maine Association for Health, Physical Education, Recreation and Dance. We extend our congratulations and best wishes;

SLS 86

Sponsored by Senator LIBBY of Androscoggin.

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

Joint Resolution

Joint Resolution in Memoriam:

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

(4-3) Donald William Wormell, of Portland. Mr. Wormell was a paramedic and worked for United Ambulance for 32 years. He also was a woodworker and worked at Eldridge Lumber in kitchen design. Mr. Wormell will be long remembered and sadly missed by his wife of 28 years, Elizabeth Delano, and by his family and friends;

SLS 84

Sponsored by Senator SANBORN, H. of Cumberland.

Cosponsored by Senator: CHIPMAN of Cumberland, Representatives: BRENNAN of Portland, COLLINGS of Portland, CROCKETT of Portland, FARNSWORTH of Portland, JORGENSEN of Portland, MOONEN of Portland, SYLVESTER of Portland, TALBOT ROSS of Portland.

REPORTS OF COMMITTEES

House

Change of Committee

(5-1) The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase the Number of Teachers in Maine"

H.P. 146 L.D. 183

Reported that the same be **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**.

Ought to Pass

(5-2) The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Rules Adopted by the ConnectME Authority"

H.P. 32 L.D. 31

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

SECOND READERS

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

Senate

(6-1) Bill "An Act To Amend the Laws Governing Multiple-party Accounts with Financial Institutions" (EMERGENCY)

S.P. 54 L.D. 242

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

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

H.P. 414 L.D. 570

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

Pending - **REFERENCE**

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

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

6.

Tabled and Later Assigned

Resolve, Directing the Board of Pesticides Control To Educate the Public on the Proper Use of Pesticides and To Promote Integrated Pest Management

S.P. 229 L.D. 785

Tabled - February 12, 2019 by Senator **DILL** of Penobscot

Pending - **REFERENCE**

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

7.

Tabled and Later Assigned

JOINT RESOLUTION - Memorializing John Menario, of Yarmouth

SLS 78

Tabled - February 12, 2019 by Senator **SANBORN, H.** of Cumberland

Pending - **ADOPTION**

8.

Tabled and Later Assigned

Bill "An Act To Change the Allocation Formula for Revenue from Slot Machines"

H.P. 520 L.D. 715

Tabled - February 12, 2019 by Senator **LUCHINI** of Hancock

Pending - **REFERENCE**

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