



Senate of Maine

One Hundred and Twenty-Ninth Legislature First Regular Session

Advance Journal and Calendar

State of the Judiciary

17th Legislative Day

In Senate Chamber, Tuesday, February 26, 2019.

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

Prayer by Reverend Linda Hirst, First Parish Federated Church in South Berwick.

Pledge of Allegiance led by Senator Louis J. Luchini of Hancock County.

Reading of the Journal of Thursday, February 21, 2019.

Doctor of the day, Barbara Moss, D.O. of Manchester.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

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

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

S.O. 12

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 10:45 this morning in the Hall of the House for the purpose of welcoming the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as pleases her.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

H.P. 484 L.D. 663

In Senate, February 12, 2019, on motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in **NON-CONCURRENCE**.

Comes from the House, Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

House Papers

(1-2) Bill "An Act To Further Define the Monhegan Lobster Conservation Area"

H.P. 696 L.D. 941

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

Comes from the House, **REFERRED** to the Committee on **MARINE RESOURCES**.

(1-3) Bill "An Act To Increase Funding for the Maine Lakes Society 'LakeSmart' Program and the Lake Stewards of Maine Volunteer Lake Monitoring Program"

H.P. 714 L.D. 959

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

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

(1-4) Bill "An Act Regarding the Sale and Release or Abandonment of Balloons"

H.P. 692 L.D. 937

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

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

(1-5) Bill "An Act To Require Reimbursement for Medical Marijuana"

H.P. 697 L.D. 942

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

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

(1-6) Bill "An Act To Improve the Research Capabilities of State Agencies"

H.P. 706 L.D. 951

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

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

(1-7) Bill "An Act To Coordinate and Standardize Data Collection Protocols"

H.P. 707 L.D. 952

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

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

(1-8) Bill "An Act To Equalize the Distribution of Gasoline Tax Revenues between Snowmobiles and All-terrain Vehicles"

H.P. 651 L.D. 877

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

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

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-9) Machias Savings Bank, of Machias, which is celebrating its 150th Anniversary. In 1869, the bank was chartered as a mutual savings bank to serve the community, and its charter was signed by Joshua Chamberlain. We extend our congratulations and best wishes;

HLS 80

(1-10) the Presque Isle Middle School Eighth-grade Boys Basketball Team, which won the Aroostook League Championship and had an 11-0 overall record. We extend our congratulations and best wishes;

HLS 82

(1-11) the Presque Isle Middle School Sixth- and Seventh-grade Girls Basketball Team, which won the Aroostook League Championship and had an 11-0 overall record. We extend our congratulations and best wishes;

HLS 83

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

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 154

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

February 15, 2019

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Dear Secretary Grant,

Pursuant to my authority under Title 10, MRSA, Part 1, Ch. 1-A, §11.4-A2, I am pleased to appoint the Honorable John Patrick of Rumford to the Citizen Trade Policy Commission.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon
Speaker of the House

(2-2) The Following Communication:

S.C. 155

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

February 15, 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. 137 An Act To Make the Maine Learning Technology Initiative More
Cost-effective

This is notification of the Committee's action.

Sincerely,

S/Sen. Rebecca Millett
Senate Chair

S/Rep. Victoria P. Kornfield
House Chair

(2-3) The Following Communication:

S.C. 153

**OFFICE OF PROGRAM EVALUATION
AND GOVERNMENT ACCOUNTABILITY
AUGUSTA, MAINE**

February 12, 2019

The Honorable Justin Chenette, Senate Chair
The Honorable Anne-Marie Mastraccio, House Chair
Members of the Government Oversight Committee
82 State House Station
Augusta, Maine 04333

The Honorable Troy D. Jackson, President of the Senate
Members of the 129th Maine Senate
3 State House Station
Augusta, Maine 04333

The Honorable Sara Gideon, Speaker of the House
Members of the 129th Maine House of Representatives
2 State House Station
Augusta, Maine 04333

Dear Government Oversight Committee Members, Senators and Representatives:

In accordance with 3 MRSA §995(4), I respectfully submit the Office of Program Evaluation and Government Accountability (OPEGA) Annual Report on Activities and Performance for 2018. OPEGA's service to the Legislature as an independent, non-partisan resource is meant to support the important role of legislative oversight and to help improve the performance of State government. The staff of OPEGA and I continue to be committed to serving Maine's legislators and citizens as a trusted source of objective, credible information.

Sincerely,

S/Danielle D. Fox
Director

SENATE PAPERS

(3-1) Resolve, To Extend the Down East Sunrise Trail from Ayers Junction to Calais
S.P. 282 L.D. 992

Presented by Senator MOORE of Washington.
Cosponsored by Representative PERRY of Calais.

(3-2) Resolve, To Require the Construction of a New District Headquarters Building for the
Bureau of Forestry in Fort Kent

S.P. 295 L.D. 1016

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

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

(3-3) Bill "An Act To Attract and Retain Firefighters"

S.P. 293 L.D. 1014

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative THERIAULT of China and Senators: BLACK of Franklin,
CYRWAY of Kennebec, DIAMOND of Cumberland, DILL of Penobscot, KEIM of Oxford,
Representatives: KINNEY of Knox, MASTRACCIO of Sanford, STANLEY of Medway.

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

(3-4) Bill "An Act To Provide Autonomy for Health Care Providers To Practice Patient-centered
Care by Amending the Laws Governing Medical Exemptions to Immunization Requirements"

S.P. 277 L.D. 987

Presented by Senator BLACK of Franklin.
Cosponsored by Representative SAMPSON of Alfred and Senators: DAVIS of Piscataquis,
FOLEY of York, GUERIN of Penobscot, KEIM of Oxford, MIRAMANT of Knox,
Representatives: KESCHL of Belgrade, O'CONNOR of Berwick, WARREN of Hallowell.

(3-5) Bill "An Act To Promote Social and Emotional Learning and Development for Young Children"

S.P. 287 L.D. 997

Presented by Senator BREEN of Cumberland.

Cosponsored by Representative GATTINE of Westbrook and Senators: GRATWICK of Penobscot, MILLETT of Cumberland, MOORE of Washington, Representatives: BEEBE-CENTER of Rockland, FARNSWORTH of Portland, KORNFIELD of Bangor, MILLETT of Waterford, MORALES of South Portland.

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

(3-6) Resolve, To Require the Approval by the Public Utilities Commission of a Proposal for a Long-term Contract for Deep-water Offshore Wind Energy (EMERGENCY)

S.P. 284 L.D. 994

Presented by Senator WOODSOME of York.

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

(3-7) Bill "An Act To Reduce the Landfilling of Municipal Solid Waste"

S.P. 278 L.D. 988

Presented by Senator CHIPMAN of Cumberland. (BY REQUEST)

Cosponsored by Representative CAMPBELL of Orrington and Representatives: GRAMLICH of Old Orchard Beach, MAREAN of Hollis.

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

(3-8) Bill "An Act To Expand Recovery Support Services Offered in Penobscot and Piscataquis Counties and the Greater Bangor Region To Improve Access, Treatment and Recovery for Those Affected by Substance Use Disorder by Designating a Regional Peer-supported Recovery Center"

S.P. 283 L.D. 993

Presented by Senator ROSEN of Hancock.

Cosponsored by Representative VEROW of Brewer and Senators: DAVIS of Piscataquis, DILL of Penobscot, HAMPER of Oxford, MOORE of Washington.

(3-9) Bill "An Act To Provide Stable Funding and Support for Child Care Providers"

S.P. 291 L.D. 1012

Presented by Senator MILLETT of Cumberland.

Cosponsored by Representative GATTINE of Westbrook and Senator: BREEN of Cumberland, Representatives: DUNPHY of Old Town, PIERCE of Falmouth.

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

(3-10) Bill "An Act To Establish a Special Handgun Hunting Season That Coincides with the Muzzle-loading Open Season on Deer"

S.P. 286 L.D. 996

Presented by Senator GUERIN of Penobscot. (BY REQUEST)

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

(3-11) Bill "An Act To Establish a Student Loan Bill of Rights To License and Regulate Student Loan Servicers"

S.P. 285 L.D. 995

Presented by Senator VITELLI of Sagadahoc.

Cosponsored by Representative STEWART of Presque Isle and Senators: FOLEY of York, LIBBY of Androscoggin, POULIOT of Kennebec, SANBORN, H. of Cumberland, Representatives: BRENNAN of Portland, TEPLER of Topsham.

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

(3-12) Resolve, To Expunge Criminal and Civil Records Related to Marijuana Activities Legalized by the Voters of Maine

S.P. 281 L.D. 991

Presented by Senator DILL of Penobscot.

Cosponsored by Representative STANLEY of Medway and Senators: BELLOWS of Kennebec, DAVIS of Piscataquis, DIAMOND of Cumberland, GRATWICK of Penobscot, Representatives: DUNPHY of Old Town, VEROW of Brewer.

(3-13) Resolve, Requiring the Collection of Data on the Marriage of Minors

S.P. 288 L.D. 998

Presented by Senator BREEN of Cumberland.

Cosponsored by Representative PIERCE of Falmouth and Senators: DIAMOND of Cumberland, LIBBY of Androscoggin, MIRAMANT of Knox, ROSEN of Hancock, Representatives: McCREIGHT of Harpswell, TERRY of Gorham.

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

(3-14) Bill "An Act To Clarify the Disqualification from Unemployment Benefits of a Person Who Is Terminated from Employment for Being Under the Influence of Marijuana"

S.P. 292 L.D. 1013

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Representative BRADSTREET of Vassalboro and Senators: DAVIS of Piscataquis, DOW of Lincoln, FOLEY of York, HAMPER of Oxford, Representatives: RILEY of Jay, STANLEY of Medway, STEARNS of Guilford, WADSWORTH of Hiram.

(3-15) Bill "An Act Regarding the Elimination of Highly Toxic and Hazardous Chemicals in the Workplace"

S.P. 296 L.D. 1017

Presented by Senator CARSON of Cumberland.

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

(3-16) Bill "An Act To Clarify Filing Requirements for Proposed Rules"

S.P. 290 L.D. 1011

Presented by Senator MILLETT of Cumberland.

Cosponsored by Representative PIERCE of Falmouth and Senators: BREEN of Cumberland, President JACKSON of Aroostook, Representative: DUNPHY of Old Town.

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

(3-17) Bill "An Act To Improve Maine's Tax Laws"

S.P. 279 L.D. 989

Presented by Senator CHIPMAN of Cumberland.

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

(3-18) Bill "An Act To Improve Transportation in Maine"

S.P. 280 L.D. 990

Presented by Senator CHIPMAN of Cumberland.

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

(3-19) Bill "An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space"

S.P. 289 L.D. 999

Presented by Senator MIRAMANT of Knox.

Cosponsored by Senators: CHIPMAN of Cumberland, VITELLI of Sagadahoc, Representatives: ACKLEY of Monmouth, COLLINGS of Portland, HOBBS of Wells, TIPPING of Orono, WARREN of Hallowell.

(3-20) Bill "An Act To Support Maine Craft Distillers"

S.P. 294 L.D. 1015

Presented by Senator LUCHINI of Hancock.

Cosponsored by Speaker GIDEON of Freeport and Representative: MADIGAN of Waterville.

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Marc Bowering, of Wilton, a detective with the Farmington Police Department, who has been named the department's 2018 Employee of the Year for distinguishing himself in the performance of his duties and fostering a feeling of safety for the people of Farmington. We extend our congratulations and best wishes;

SLS 67

Sponsored by Senator BLACK of Franklin.

Cosponsored by Representative: HALL of Wilton.

(4-2) Lee Hapworth, of Winslow, who is celebrating his 90th Birthday. We extend our congratulations and best wishes;

SLS 90

Sponsored by Senator CYRWAY of Kennebec.

Cosponsored by Representative: NADEAU of Winslow.

(4-3) Moriah Reusch, of Farmington, who won the Franklin County Spelling Bee. We extend our congratulations and best wishes;

SLS 91

Sponsored by Senator BLACK of Franklin.

Cosponsored by Representative: LANDRY of Farmington.

(4-4) the late Scott Spatcher, of Eustis, a lieutenant with the Eustis Fire Department, to whom the Town of Eustis has dedicated its Town Report for his service to the community;

SLS 92

Sponsored by Senator BLACK of Franklin.

Cosponsored by Representative: HEAD of Bethel.

REPORTS OF COMMITTEES

Senate

Ought to Pass

(5-1) Senator CARPENTER for the Committee on **JUDICIARY** on Bill "An Act To Amend the Maine Condominium Act by Extending the Lien Period for Nonpayment of Assessments"

S.P. 63 L.D. 251

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

ORDERS OF THE DAY

Unfinished Business

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

1.

Tabled and Later Assigned

Bill "An Act To 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.)

2.

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.)

3.

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**

4.

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.**)

5.

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.)

6.

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**

7.

Tabled and Later Assigned

SENATE REPORT - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Rules Adopted by the ConnectME Authority"

H.P. 32 L.D. 31

Report - **Ought to Pass**

Tabled - February 14, 2019 by Senator **LAWRENCE** of York

Pending - **ACCEPTANCE OF REPORT**

8.

Tabled and Later Assigned

SENATE REPORTS - from the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Provide Relief to Federal Employees Affected by the Federal Shutdown" (EMERGENCY)

S.P. 141 L.D. 477

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-1) (11 members)

Minority - Ought Not to Pass (2 members)

Tabled - February 19, 2019 by Senator **LIBBY** of Androscoggin

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report
