5th Legislative Day

In Senate Chamber, Thursday, January 17, 2019.

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

Prayer by Reverend Lara Campbell, First Parish Unitarian Universalist Church in Kennebunk.

Pledge of Allegiance led by Senator James M. Hamper of Oxford County.

Reading of the Journal of Tuesday, January 15, 2019.

Doctor of the day, Marguerite (Peggy) Pennoyer, M.D. of Scarborough.
Out of order and under suspension of the Rules, on motion by Senator **LIBBY** of Androscoggin, the following Joint Order:

S.P. 32

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 22, 2019 at 10:00 in the morning.

PAPERS FROM THE HOUSE

House Papers

(1-1) Bill "An Act To Prohibit the Dissemination of Obscene Material by Public Schools"

H.P. 80  L.D. 94

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

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

(1-2) Bill "An Act To Require Disclosure at the Sale or Transfer whether Real Estate Has Been Used in the Manufacture of Methamphetamine"

H.P. 82  L.D. 96

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

(1-3) Bill "An Act To Impose Requirements on the Rental of Residential Property That Has Been Used in the Manufacture of Methamphetamine"

H.P. 75  L.D. 89

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

Comes from the House, **REFERRED** to the Committee on **JUDICIARY**.
Expressions of Legislative Sentiment recognizing:

(1-4) Northeast Packaging Company, located in Presque Isle, which has received the 2019 Business of the Year Economic Impact Award from the Central Aroostook Chamber of Commerce. We extend our congratulations and best wishes;

HLS 22

(1-5) Rick and Nancy Duncan, of Presque Isle, who have received the 2019 Citizens of the Year Award from the Central Aroostook Chamber of Commerce. We extend our congratulations and best wishes;

HLS 23

(1-6) Robert Kieffer, of Woodland, who has received the 2019 Lifetime Achievement Award from the Central Aroostook Chamber of Commerce. We extend our congratulations and best wishes;

HLS 24

(1-7) Soderberg Construction Company, located in Caribou, which has received the 2019 Business of the Year Community Impact Award from the Central Aroostook Chamber of Commerce. We extend our congratulations and best wishes;

HLS 25

(1-8) Steve and Prudy Dobson, of Washburn, who have received the 2019 President’s Award from the Central Aroostook Chamber of Commerce. We extend our congratulations and best wishes;

HLS 26

(1-9) the Honorable Mabel J. Desmond, of Mapleton, former 4-term member of the Maine House of Representatives, on the occasion of her 90th Birthday. We extend our congratulations and best wishes;

HLS 27

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:

(1-10) the Honorable Charles H. Heino, of Belgrade. Mr. Heino began his career in education in 1955 in Bethel, where he taught seventh and eighth grade and later became principal. He subsequently held other administrative positions, serving as a principal and superintendent in school districts across the State. He was a member of the Maine Education Association and of the Board of Directors of the Maine School Management Association. He retired from education in 1980 and went to work in the insurance industry. In 1990, he was first elected to the Maine House of Representatives and went on to serve for three terms. He also was a licensed Master Maine Guide and a member of the Bethel Masonic Lodge. Mr. Heino will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

HLS 21

Comes from the House READ and ADOPTED.

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COMMUNICATIONS

(2-1) The Following Communication:

S.C. 38

OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE

January 14, 2019

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

RE: Appointment of Judith Camuso of Freeport – Commissioner of the Department of Inland Fisheries and Wildlife

Dear President Jackson:

This is to inform you that I am today nominating Judith Camuso of Freeport for appointment as the Commissioner, Department of Inland Fisheries and Wildlife.

Pursuant to Title 12, MRSA §10101, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Inland Fisheries and Wildlife.

Very truly yours,

S/Janet T. Mills
Governor
The Following Communication:

S.C. 39

OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE

January 14, 2019

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

RE: Appointment of Major General Douglas A. Farnham of Bangor – Commissioner, Department of Defense, Veterans and Emergency Management

Dear President Jackson:

This is to inform you that I am today nominating Major General Douglas A. Farnham of Bangor for appointment as the Commissioner, Department of Defense, Veterans and Emergency Management.

Pursuant to Title 37-B, MRSA §3, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Veterans and Legal Affairs.

Very truly yours,

S/Janet T. Mills
Governor
January 14, 2019

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

RE: Appointment of Kirsten Figueroa of Gardiner – Commissioner of the Department of Administrative and Financial Services

Dear President Jackson:

This is to inform you that I am today nominating Kirsten Figueroa of Gardiner for appointment as the Commissioner, Department of Administrative and Financial Services.

Pursuant to Title 5, MRSA §281, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Appropriations and Financial Affairs.

Very truly yours,

S/Janet T. Mills
Governor
January 14, 2019

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

RE: Appointment of Laura Fortman of Nobleboro – Commissioner of the Department of Labor

Dear President Jackson:

This is to inform you that I am today nominating Laura Fortman of Nobleboro for appointment as the Commissioner, Department of Labor.

Pursuant to Title 26, MRSA §1401-A, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor
(2-5) The Following Communication:

S.C. 42

OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE

January 14, 2019

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

RE: Appointment of Anne L. Head of Yarmouth – Commissioner of the Department of Professional and Financial Regulation

Dear President Jackson:

This is to inform you that I am today nominating Anne L. Head of Yarmouth for appointment as the Commissioner, Department of Professional and Financial Regulation.

Pursuant to Title 10, MRSA §8002, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Health Coverage, Insurance and Financial Services.

Very truly yours,

S/Janet T. Mills
Governor
January 14, 2019

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

RE: Appointment of Heather Johnson of Norridgewock—Commissioner of the Department of Economic and Community Development

Dear President Jackson:

This is to inform you that I am today nominating Heather Johnson of Norridgewock for appointment as the Commissioner, Department of Economic and Community Development.

Pursuant to Title 5, MRSA §13058, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

Very truly yours,

S/Janet T. Mills
Governor
January 14, 2019

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

RE: Appointment of Patrick C. Keliher of South Gardiner—Commissioner of the Department of Marine Resources

Dear President Jackson:

This is to inform you that I am today nominating Patrick C. Keliher of South Gardiner for appointment as the Commissioner, Department of Marine Resources.

Pursuant to Title 12, MRSA §6022, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Marine Resources.

Very truly yours,

S/Janet T. Mills
Governor

_________________________________________________________________
The Following Communication:

S.C. 45

OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE

January 14, 2019

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

RE: Appointment of Jeanne Lambrew of Augusta – Commissioner of the Department of Health and Human Services

Dear President Jackson:

This is to inform you that I am today nominating Jeanne Lambrew of Augusta for appointment as the Commissioner, Department of Health and Human Services.

Pursuant to Title 22-A, MRSA §204, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Health and Human Services.

Very truly yours,

S/Janet T. Mills
Governor
January 14, 2019

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

RE: Appointment of Randall A. Liberty of Clinton – Commissioner of the Department of Corrections

Dear President Jackson:

This is to inform you that I am today nominating Randall A. Liberty of Clinton for appointment as the Commissioner, Department of Corrections.

Pursuant to Title 34-A, MRSA §1401, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Very truly yours,

S/Janet T. Mills
Governor
January 14, 2019

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

RE: Appointment of A. Pender Makin of Scarborough–Commissioner of the Department of Education

Dear President Jackson:

This is to inform you that I am today nominating A. Pender Makin of Scarborough for appointment as the Commissioner, Department of Education.

Pursuant to Title 20-A, MRSA §251, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Very truly yours,

S/Janet T. Mills
Governor

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January 14, 2019

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

RE: Appointment of Gerald D. Reid of Harpswell - Commissioner, Department of Environmental Protection

Dear President Jackson:

This is to inform you that I am today nominating Gerald D. Reid of Harpswell for appointment as the Commissioner, Department of Environmental Protection.

Pursuant to Title 38, MRSA §341-A, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Very truly yours,

S/Janet T. Mills
Governor
The Following Communication:

S.C. 49

OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE

January 14, 2019

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

RE: Appointment of Michael J. Sauschuck of Windham – Commissioner of the Department of Public Safety

Dear President Jackson:

This is to inform you that I am today nominating Michael J. Sauschuck of Windham for appointment as the Commissioner, Department of Public Safety.

Pursuant to Title 25, MRSA §2901, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Criminal Justice and Public Safety.

Very truly yours,

S/Janet T. Mills
Governor
The Honorable Troy Jackson  
President of the Senate  
3 State House Station  
Augusta, Maine 04333  

RE: Appointment of Bruce A. Van Note of Topsham – Commissioner of the Department of Transportation

Dear President Jackson:

This is to inform you that I am today nominating Bruce Van Note of Topsham for appointment as the Commissioner, Department of Transportation.

Pursuant to Title 23, MRSA §4205, this appointment is contingent on the Maine State Senate’s confirmation after review by the Joint Standing Committee on Transportation.

Very truly yours,

S/Janet T. Mills  
Governor
January 14, 2019

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

RE: Appointment of John C. Rohde of Cumberland - Executive Director, Maine Workers’ Compensation Board

Dear President Jackson:

This is to inform you that I am today nominating John C. Rohde of Cumberland for appointment as the Executive Director of the Maine Workers' Compensation Board.

Pursuant to Title 39-A, MRSA §151, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Labor and Housing.

Very truly yours,

S/Janet T. Mills
Governor
January 15, 2019

Hon. Troy D. Jackson, President of the Senate
Hon. Sara Gideon, Speaker of the House
129th Maine Legislature
State House
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

In accordance with Title 9-B M.R.S. § 217, as amended, enclosed please find a copy of the Annual Report from the Superintendent of the Bureau of Financial Institutions to the Legislature.

In the event that you may have any questions regarding the information contained in this Report, the Bureau would be pleased to respond. This Report will also be available in electronic format at www.maine.gov/pfr/financialinstitutions.

Very truly yours,

S/Lloyd P. LaFountain III
Superintendent

SENATE PAPERS

(3-1) Bill "An Act To Authorize a General Fund Bond Issue To Recapitalize the School Revolving Renovation Fund and To Give Priority Status to Certain School Facility Upgrades"
S.P. 35  L.D. 148

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative JORGENSEN of Portland and Senators: BELLOWS of Kennebec, President JACKSON of Aroostook, LIBBY of Androscoggin, SANBORN, L. of Cumberland, Representative: BERRY of Bowdoinham.

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ordered printed.
(3-2) Bill "An Act To Require Cameras in Ambulances When a Patient Is Being Transported"

S.P. 46  L.D. 159

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative BEEBE-CENTER of Rockland and Senators: CHIPMAN of Cumberland, DILL of Penobscot, GRATWICK of Penobscot, Representatives: DOORE of Augusta, DOUDERA of Camden, RYKERSON of Kittery.

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

(3-3) Bill "An Act To Improve Attendance at Public Elementary Schools"

S.P. 37  L.D. 150

Presented by Senator LIBBY of Androscoggin.

(3-4) Bill "An Act To Align State Law with Current Practice Regarding Required School Attendance"

S.P. 38  L.D. 151

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative KORNFIELD of Bangor and Senators: GRATWICK of Penobscot, POULIOT of Kennebec.

(3-5) Bill "An Act To Prohibit the Possession and Use of Electronic Smoking Devices on School Grounds"

S.P. 39  L.D. 152

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative CARNEY of Cape Elizabeth and Senators: SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: CRAVEN of Lewiston, KESSLER of South Portland, PERRY of Calais.
(3-6) Bill "An Act To Ensure Transparency in College Costs"
S.P. 42  L.D. 155

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative DOUDERA of Camden and Senator: CHENETTE of York,
Representatives: EVANGELOS of Friendship, PLUECKER of Warren, RYKERSON of Kittery.

(3-7) Bill "An Act To Add Instruction in Personal Finance to the Statewide System of Learning Results"
S.P. 47  L.D. 160

Presented by Senator POULIOT of Kennebec.
Cosponsored by Representative FECTEAU of Augusta and Senator: MILLETT of Cumberland,
Representatives: BLIER of Buxton, DAUGHTRY of Brunswick, DODGE of Belfast,
DRINKWATER of Milford, STEARNS of Guilford.

(3-8) Bill "An Act To Increase Access to Career and Technical Education"
S.P. 48  L.D. 161

Presented by Senator WOODSOME of York.
Cosponsored by Representative SAMPSON of Alfred.

Committee on EDUCATION AND CULTURAL AFFAIRS suggested and ordered printed.

(3-9) Bill "An Act To Strengthen Testing for Lead in School Drinking Water"
S.P. 40  L.D. 153

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative MADIGAN of Waterville and Senators: BREEN of Cumberland, CLAXTON of Androscoggin, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: CRAVEN of Lewiston, HYMANSON of York.
(3-10) Bill "An Act To Amend the Law Governing MaineCare Coverage of Chiropractic Treatment"

S.P. 41  L.D. 154

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative MARTIN of Eagle Lake and Senators: BREEN of Cumberland, CYRWAY of Kennebec, President JACKSON of Aroostook, MOORE of Washington, POULIOT of Kennebec, WOODSOME of York, Representative: CAMPBELL of Orrington.

Committee on HEALTH AND HUMAN SERVICES suggested and ordered printed.

(3-11) Bill "An Act To Establish the Office of Outdoor Recreation"

S.P. 33  L.D. 105

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative PIERCE of Falmouth and Senators: CLAXTON of Androscoggin, MILLETT of Cumberland, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: AUSTIN of Skowhegan, FECTEAU of Biddeford, GROHOSKI of Ellsworth, LANDRY of Farmington.

(3-12) Bill "An Act To Amend the Maine Veterinary Practice Act Relating to Alternative Therapy or Collaborative Treatment"

S.P. 34  L.D. 106

Presented by Senator GUERIN of Penobscot.
Cosponsored by Senators: BLACK of Franklin, DILL of Penobscot, Representatives: DRINKWATER of Milford, HICKMAN of Winthrop, KINNEY of Knox, O'NEIL of Saco, SKOLFIELD of Weld.
(3-13) Bill "An Act To Authorize a General Fund Bond Issue To Provide Student Debt Forgiveness To Support Workforce Attraction and Retention"

S.P. 36  L.D. 149

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative DAUGHERTY of Brunswick and Senators: BELLOWS of Kennebec, CHENETTE of York, President JACKSON of Aroostook, VITELLI of Sagadahoc, Representatives: FECTEAU of Biddeford, Speaker GIDEON of Freeport, MOONEN of Portland, O'NEIL of Saco.

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

(3-14) Bill "An Act To Allow Regional Service Center Municipalities To Assess an Additional One Percent Sales Tax for Infrastructure Costs"

S.P. 43  L.D. 156

Presented by Senator MIRAMANT of Knox.

(3-15) Bill "An Act To Eliminate the State Income Tax on Maine Public Employees Retirement System Pensions"

S.P. 49  L.D. 162

Presented by Senator BELLOWS of Kennebec.

(3-16) Bill "An Act Regarding Property Tax Relief for Veterans"

S.P. 50  L.D. 163

Presented by Senator FARRIN of Somerset.
Cosponsored by Representative HANINGTON of Lincoln and Senators: CARSON of Cumberland, CYRWAY of Kennebec, POULIOT of Kennebec, Representatives: MAREAN of Hollis, SHEATS of Auburn, STETKIS of Canaan.
(3-17) Bill "An Act To Reduce Property Taxes for Maine Residents"
S.P. 51  L.D. 164

Presented by Senator POULIOT of Kennebec.
Cosponsored by Representative PIERCE of Falmouth and Senator: LIBBY of Androscoggin, Representatives: BICKFORD of Auburn, DOORE of Augusta, MADIGAN of Waterville.

Committee on TAXATION suggested and ordered printed.

(3-18) Bill "An Act To Amend the Laws Governing Car Seats"
S.P. 44  L.D. 157

Presented by Senator CLAXTON of Androscoggin.
Cosponsored by Senator: BELLOWS of Kennebec.

(3-19) Bill "An Act To Prohibit the Use of Handheld Phones and Devices While Driving"
S.P. 52  L.D. 165

Presented by Senator DIAMOND of Cumberland.

(3-20) Bill "An Act To Protect Schoolchildren by Increasing the Penalty for Unlawful Passing of a School Bus"
S.P. 53  L.D. 166

Presented by Senator WOODSOME of York.
Cosponsored by Senators: CYRWAY of Kennebec, DIAMOND of Cumberland, FARRIN of Somerset, MOORE of Washington, ROSEN of Hancock, Representatives: HARRINGTON of Sanford, PRESCOTT of Waterboro.

Committee on TRANSPORTATION suggested and ordered printed.
(3-21) Bill "An Act To Amend the Laws Governing Beano"

S.P. 45  L.D. 158

Presented by Senator FARRIN of Somerset.
Cosponsored by Representative NADEAU of Winslow and Senators: CYRWAY of Kennebec, LUCHINI of Hancock, Representatives: DEVIN of Newcastle, HANINGTON of Lincoln, SHEATS of Auburn.

Committee on VETERANS AND LEGAL AFFAIRS suggested and ordered printed.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Robert Plourde, of Fort Kent, who is retiring from the Fort Kent Fire Department after over 40 years of service. We extend our congratulations and best wishes;

Sponsored by President JACKSON of Aroostook.
Cosponsored by Representative: MARTIN of Eagle Lake.

SLS 27

(4-2) the Greater Bangor Area Chapter of the National Association for the Advancement of Colored People and the University of Maine, on the occasion of their annual celebration in observance of Martin Luther King, Jr. Day, January 21, 2019. The event commemorates the life and accomplishments of Dr. Martin Luther King, Jr. We extend our appreciation to the Greater Bangor Area Chapter of the NAACP and the University of Maine on their honoring Dr. King at these annual celebrations. We join the community in commemorating this great American;

Sponsored by Senator GRATWICK of Penobscot.
Cosponsored by Senators: DILL of Penobscot, GUERIN of Penobscot, Representatives: CARDONE of Bangor, GRIFFIN of Levant, KORNFIELD of Bangor, SCHNECK of Bangor, TIPPING of Orono.

SLS 28

(4-3) the Fort Kent Fire Department, which is celebrating its 100th Anniversary in 2019. We extend our congratulations and best wishes;

Sponsored by President JACKSON of Aroostook.
Cosponsored by Representative: MARTIN of Eagle Lake.

SLS 29
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 Ensure Access to Justice for Victims of Sexual Assault"

S.P. 20  L.D. 67

Tabled - January 15, 2019 by Senator DESCHAMBAULT of York

Pending - REFERENCE

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