6th Legislative Day

In Senate Chamber, Tuesday, January 22, 2019.

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

Prayer by Pastor Joshua Lovelace, Truth Baptist Church in Jefferson.

Pledge of Allegiance led by Senator Jeffrey L. Timberlake of Androscoggin County.

Reading of the Journal of Thursday, January 17, 2019.

Doctor of the day, Lisa Letourneau, M.D. of Portland.
(1-1) Bill "An Act To Appropriate Funds To Provide Sea Protection and Public Access to the Historic Whaleback Lighthouse in Kittery"

H.P. 117  L.D. 135

Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS suggested and ordered printed.

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

(1-2) Bill "An Act To Increase the State Share of the Cost of Health Insurance for Retired Teachers" (EMERGENCY)

H.P. 141  L.D. 178

Committee on LABOR AND HOUSING suggested and ordered printed.

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

(1-3) Bill "An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made"

H.P. 105  L.D. 123

Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.

Comes from the House, REFERRED to the Committee on LABOR AND HOUSING.
(1-4) Bill "An Act To Require That Nonmotorized Carriages Be Equipped with Reflectors and Lights"

H.P. 161  L.D. 198

(1-5) Resolve, To Name the Bridge on Main Street in the Town of Orono the Brandon M. Silk Memorial Bridge

H.P. 163  L.D. 200

Come from the House, REFERRED to the Committee on TRANSPORTATION and ordered printed.

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-6) Pat McKenzie, of Waterville, Kennebec Behavioral Health's administrator for outpatient and substance abuse services, who was awarded the 2018 Hector Bolduc Award by NAMI Maine for her significant contributions to serving people with mental illness in partnership with NAMI Maine. We extend our congratulations and best wishes;

HLS 28

(1-7) Marion Austin, of Newport, who is celebrating her 100th Birthday on January 21, 2019. We extend our congratulations and best wishes;

HLS 29

Come from the House, READ and PASSED.
Joint Resolutions

Joint Resolutions in Memoriam:

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

(1-8) Henry H. Hamilton, of Otisfield. Mr. Hamilton served in the United States Air Force as a military intelligence analyst. He worked as an international humanitarian aid and development professional, serving in West Africa, Eastern Europe and Central Asia. He worked for the Peace Corps, the Federal Government of Germany (GTZ), USAID, the United States State Department, the United Nations and various international nongovernmental organizations. He was a fellow of The Explorers Club of New York City since 1990 and also a member of The Antarctic Society. From 1989 to 1995, he was a storyteller on Alabama Public Radio station WLRH, and he wrote two books, Footloose and Curious and a children's book Night Full Frightful: A Collection of Spooky Rhymes. He served as superintendent of the Maine Wildlife Park in Gray from 2003 to 2005, as president of the Otisfield Historical Society for 9 years and as president of the Otisfield Community Contra Dance, of which he was a founding member. He was a hospice volunteer for 7 years and a shared living provider to individuals with intellectual disabilities for 12 years. He was an original member of the Oxford Hills Honey Bee Club and sang with the Hillsmen Chorus. Mr. Hamilton will be long remembered and sadly missed by his wife of 33 years, Shirley, by his family and friends and by all those whose lives he touched;

HLS 30

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

(1-9) Lisa Louise Grant, of Orrington. Mrs. Grant worked many years with Dahl Chase Diagnostic Services before working in medical supply sales at Thermo Fisher Scientific. She was an active member of the Anah Shriners. Mrs. Grant will be long remembered and sadly missed by her family, friends and colleagues;

HLS 31

Come from the House READ and ADOPTED.
(2-1) The Following Communication:

S.C. 53

STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER’S OFFICE
AUGUSTA MAINE

January 16, 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 1, MRSA, Ch. 14, §534.1-G, I am pleased to appoint Mr. Jeremy Cluchey of Bowdoinham as a member of the public to seat 15 on the InforME Board, effective immediately.

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

Sincerely,

S/Sara Gideon
Speaker of the House
January 16, 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 5, MRSA, Part 10-A, Ch. 319, §3371.2-B, I am pleased to appoint the following members of the Maine House of Representatives to the Maine Fire Protection Services Commission, effective immediately:

   Representative Catherine Nadeau of Winslow to seat 3
   Representative Charlotte Warren of Hallowell to seat 4
   Representative Timothy Theriault of China to seat 5

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

Sincerely,

S/Sara Gideon
Speaker of the House
January 17, 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 2, Ch. 107, §929-A.2B-1, I am pleased to appoint the following members of the Maine House of Representatives to the Maine Economic Growth Council, effective immediately:

Representative Dale Denno of Cumberland
Representative Harold “Trey” Stewart of Presque Isle

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

Sincerely,

S/Sara Gideon
Speaker of the House
January 15, 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

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 and Rural Electrification Cooperative Agency due by February 1 2019.

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

Thank you.

Sincerely,

S/Scott M. Hallowell MMRECA
(3-1) Bill "An Act To Match the State's Definition of 'Hemp' to the Definition in Federal Law"
S.P. 81  L.D. 269

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative HICKMAN of Winthrop and Senator: President JACKSON of Aroostook, Representatives: ACKLEY of Monmouth, BERRY of Bowdoinham, FAULKINGHAM of Winter Harbor, MASTRACCIO of Sanford, McCREIGHT of Harpswell, PLUECKER of Warren.

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

(3-2) Bill "An Act To Protect Law Enforcement and Corrections Officers by Creating the Crime of Aggravated Assault on an Officer"
S.P. 74  L.D. 262

Presented by Senator CYRWAY of Kennebec.

(3-3) Bill "An Act To Prohibit Certain Sex Offenders from Establishing Residence in Certain Multiunit Residential Buildings in which Minors Reside"
S.P. 75  L.D. 263

Presented by Senator CYRWAY of Kennebec.
(3-4) Bill "An Act Regarding the Taking of a Blood Sample from an Operator of a Motor Vehicle Involved in a Fatal Accident"

Presented by Senator CYRWAY of Kennebec.

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

(3-5) Bill "An Act To Secure the Future of the Frances Perkins Homestead"

Presented by Senator DOW of Lincoln.
Cosponsored by Speaker GIDEON of Freeport and Senator: President JACKSON of Aroostook, Representatives: DEVIN of Newcastle, KORNFIELD of Bangor, STOVER of Boothbay.

(3-6) Bill "An Act To Increase the Amount of Time School Counselors and Social Workers Spend Providing Students Direct and Indirect Counseling"

Presented by Senator MILLETT of Cumberland.
Cosponsored by Senators: BREEN of Cumberland, VITELLI of Sagadahoc, Representatives: McCREIGHT of Harpswell, PIERCE of Falmouth.

(3-7) Bill "An Act To Require the State To Meet the Mandatory 55 Percent Contribution to Schools"

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and Senators: DILL of Penobscot, MILLETT of Cumberland, Representatives: DODGE of Belfast, DOUGERA of Camden, HOBB of Wells, LANDRY of Farmington, PLUECKER of Warren, RISEMAN of Harrison.

Committee on EDUCATION AND CULTURAL AFFAIRS suggested and ordered printed.
(3-8) Bill "An Act Regarding a Transmission and Distribution Utility's Use of the Right of Eminent Domain To Locate Its Transmission Lines"
S.P. 83  L.D. 271

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and Senator: DAVIS of Piscataquis, Representatives: BERRY of Bowdoinham, HUBBELL of Bar Harbor, RISEMAN of Harrison, RYKERSON of Kittery.

(3-9) Bill "An Act To Require Transmission and Distribution Utilities To Purchase Electricity from Renewable Resources at Certain Prices"
S.P. 85  L.D. 273

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representatives: DOUDERA of Camden, EVANGELOS of Friendship, HUBBELL of Bar Harbor, MASTRACCIO of Sanford, PLUECKER of Warren, RISEMAN of Harrison.

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

(3-10) Bill "An Act To Increase the Handling Fee for Beverage Containers Reimbursed to Redemption Centers"
S.P. 60  L.D. 248

Presented by President JACKSON of Aroostook.
Cosponsored by Representative TUCKER of Brunswick and Senators: CARSON of Cumberland, FOLEY of York, Representatives: CAMPBELL of Orrington, DEVIN of Newcastle, SKOLFIELD of Weld.

(3-11) Bill "An Act To Allow the Sale of Ethanol-free Gasoline Statewide"
S.P. 86  L.D. 274

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and Representatives: BERRY of Bowdoinham, FAULKINGHAM of Winter Harbor, HOBB of Wells, LANDRY of Farmington, PLUECKER of Warren, RYKERSON of Kittery.

Committee on ENVIRONMENT AND NATURAL RESOURCES suggested and ordered printed.
Bill "An Act To Eliminate the 2-year Limit on MaineCare Coverage for Approved Drugs for Opioid Use Disorder"

S.P. 78  L.D. 266

Presented by Senator SANBORN, L. of Cumberland.
Cosponsored by Representative HYMANSON of York and Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, MOORE of Washington, Representative: PERRY of Calais.

Committee on HEALTH AND HUMAN SERVICES suggested and ordered printed.

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

S.P. 54  L.D. 242

Presented by Senator SANBORN, H. of Cumberland.

Bill "An Act To Ensure Protection of Patients in Medical Reviews by Health Insurance Carriers"

S.P. 61  L.D. 249

Presented by Senator GRATWICK of Penobscot.
Cosponsored by Representative PERRY of Calais and Senators: CLAXTON of Androscoggin, DAVIS of Piscataquis, LIBBY of Androscoggin, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: McCREIGHT of Harpswell, MEYER of Eliot, TEPLER of Topsham.

Bill "An Act To Permit Disability Insurance To Be Offered through the Surplus Lines Market"

S.P. 72  L.D. 260

Presented by Senator FOLEY of York.
Cosponsored by Representative PRESCOTT of Waterboro and Senators: GUERIN of Penobscot, SANBORN, H. of Cumberland, Representative: MAREAN of Hollis.

Committee on HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES suggested and ordered printed.
(3-16) Bill "An Act To Establish and Coordinate a Volunteer Corps of Search and Rescue Specialists within the Department of Inland Fisheries and Wildlife"

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative DOUDERA of Camden and Senators: BELLOWS of Kennebec, CYRWAY of Kennebec, Representatives: DODGE of Belfast, EVANGELOS of Friendship, HOBB of Wells, LANDRY of Farmington, PLUECKER of Warren, RISEMAN of Harrison.

(3-17) Bill "An Act To Increase Opportunities for Hunters, Anglers and Sporting Camps by Extending the Seasons on Upland Game"

Presented by Senator BLACK of Franklin.
Cosponsored by Representative LANDRY of Farmington and Senators: DAVIS of Piscataquis, President JACKSON of Aroostook, LUCHINI of Hancock, Representatives: COSTAIN of Plymouth, DUNPHY of Old Town, HALL of Wilton, MARTIN of Eagle Lake, MARTIN of Sinclair.

(3-18) Bill "An Act To Change the Bag Limits on Wild Turkey"

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and Senators: BELLOWS of Kennebec, CYRWAY of Kennebec, President JACKSON of Aroostook, Representatives: BERRY of Bowdoinham, LANDRY of Farmington, MASTRACCIO of Sanford, PLUECKER of Warren, RISEMAN of Harrison.

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

(3-19) Bill "An Act To Amend the Laws Governing the Practice of Pharmacy"

Presented by Senator SANBORN, L. of Cumberland.
(3-20) Bill "An Act To Ban Telephone Solicitations Using an Artificial or Prerecorded Voice and Enhance Caller Identification"

Presented by Senator CHENETTE of York.
Cosponsored by Representative NADEAU of Winslow and Senator: MIRAMANT of Knox, Representatives: CAIAZZO of Scarborough, RILEY of Jay.

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

(3-21) Bill "An Act To Establish the Statute of Limitations in Product Liability Cases"

Presented by Senator DAVIS of Piscataquis. (BY REQUEST)

(3-22) Bill "An Act To Amend the Maine Condominium Act by Extending the Lien Period for Nonpayment of Assessments"

Presented by Senator FOLEY of York.
Cosponsored by Senators: BLACK of Franklin, FARRIN of Somerset, GUERIN of Penobscot, Representatives: MAREAN of Hollis, PRESCOTT of Waterboro.

(3-23) Bill "An Act To Raise Juror Pay to $50 per Day"

Presented by Senator DAVIS of Piscataquis.

Committee on JUDICIARY suggested and ordered printed.
(3-24) Bill "An Act To Create an Hourly Rate Compensation System for Loggers and Truckers"
S.P. 55  L.D. 243

Presented by President JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and Senators: BELLOWS of Kennebec,
DIAMOND of Cumberland, DILL of Penobscot, LAWRENCE of York, Representative:
SYLVESTER of Portland.

(3-25) Bill "An Act Regarding Pay Equality"
S.P. 90  L.D. 278

Presented by Senator BREEN of Cumberland.
Cosponsored by Senator CHIPMAN of Cumberland, Representative MOONEN of Portland and
Senators: President JACKSON of Aroostook, MILLETT of Cumberland, ROSEN of Hancock,
SANBORN, L. of Cumberland, VITELLI of Sagadahoc, WOODSOME of York,
Representatives: BRYANT of Windham, McCREIGHT of Harpswell.

Committee on LABOR AND HOUSING suggested and ordered printed.

(3-26) Bill "An Act To Ensure That the Legislature Has the Information Necessary To Do the
Work of the People of Maine"
S.P. 69  L.D. 257

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative EVANGELOS of Friendship and Representatives: DODGE of
Belfast, HOBBS of Wells, LANDRY of Farmington, PLUECKER of Warren, RISEMAN of
Harrison.

Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.
(3-27) Bill "An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States"

Presented by President JACKSON of Aroostook.
Cosponsored by Representative TIPPING of Orono and Senators: CARPENTER of Aroostook, CHIPMAN of Cumberland, DAVIS of Piscataquis, Representatives: MARTIN of Eagle Lake, STANLEY of Medway.

S.P. 80  L.D. 268

(3-28) Bill "An Act To Provide Equity in the State Income Tax Deduction for Maine Public Employees Retirement System Pensions"

Presented by Senator MIRAMANT of Knox.

S.P. 88  L.D. 276

Committee on TAXATION suggested and ordered printed.

(3-29) Resolve, To Rename the Stinson Bridge the Woodsome-Carroll Bridge

Presented by Senator WOODSOME of York.
Cosponsored by Senator: DIAMOND of Cumberland.

S.P. 56  L.D. 244

(3-30) Bill "An Act To Restrict the Authority for Posting of Roads"

Presented by Senator BLACK of Franklin.

S.P. 73  L.D. 261
(3-31) Bill "An Act To Eliminate Certain Motor Vehicle Inspections in the State"
S.P. 82  L.D. 270

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative FAULKINGHAM of Winter Harbor and Senator:
DESCHAMBAULT of York, Representatives: CEBRA of Naples, EVANGELOS of Friendship,
HOBBS of Wells, PLUECKER of Warren.

(3-32) Bill "An Act To Improve Public Safety by Restricting the Use of Distracting Electronic
Devices While Operating a Motor Vehicle"
S.P. 92  L.D. 280

Presented by Senator CLAXTON of Androscoggin.
Cosponsored by Senator: GRATWICK of Penobscot, Representative: CARNEY of Cape
Elizabeth.

Committee on TRANSPORTATION suggested and ordered printed.

(3-33) Bill "An Act To Reestablish a Presidential Primary System in Maine"
S.P. 57  L.D. 245

Presented by Senator LUCHINI of Hancock.
Cosponsored by Representative MOONEN of Portland.

(3-34) RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit New
or Increased Fees or Taxes by Means of Direct Initiatives of Legislation
S.P. 64  L.D. 252

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative DILLINGHAM of Oxford and Senator: DOW of Lincoln,
Representatives: BICKFORD of Auburn, STEWART of Presque Isle.

(3-35) Bill "An Act To Remove the Bet Limit for Winner-take-all Hands in Games of Chance
Tournament Games"
S.P. 65  L.D. 253

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative HICKMAN of Winthrop and Senators: CYRWAY of Kennebec,
FARRIN of Somerset, LUCHINI of Hancock, Representatives: SCHNECK of Bangor, SHEATS
of Auburn.
(3-36) Bill "An Act To Clarify Liquor Label Approval and Registration Requirements"
S.P. 66  L.D. 254

Presented by Senator DILL of Penobscot.
Cosponsored by Representative DUNPHY of Old Town and Senators: BLACK of Franklin,
DIAMOND of Cumberland, GRATWICK of Penobscot, TIMBERLAKE of Androscoggin,

(3-37) Bill "Resolution, Proposing an Amendment to the Constitution of Maine To Require That
Signatures on a Direct Initiative of Legislation Come from Each Congressional District"
S.P. 67  L.D. 255

Presented by Senator FARRIN of Somerset.
Cosponsored by Representative STROM of Pittsfield, Representative STETKIS of Canaan and
Senators: CARPENTER of Aroostook, LUCHINI of Hancock, TIMBERLAKE of
Androscoggin, Representatives: ARATA of New Gloucester, BRADSTREET of Vassalboro,
DILLINGHAM of Oxford, GRIGNON of Athens, HANINGTON of Lincoln.

(3-38) Bill "An Act To Ban the Use of Leadership Political Action Committees for Personal
Profit"
S.P. 68  L.D. 256

Presented by Senator CHENETTE of York.
Cosponsored by Representative SCHNECK of Bangor and Senators: President JACKSON of
Aroostook, LUCHINI of Hancock.

(3-39) Bill "An Act To Allow Voting by Mail"
S.P. 84  L.D. 272

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representatives: EVANGELOS of Friendship, HUBBELL of Bar Harbor,
MASTRACCIO of Sanford, McCREIGHT of Harpswell, PLUECKER of Warren, RISEMAN of
Harrison, RYKERSON of Kittery.

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

Joint Order

An Expression of Legislative Sentiment recognizing:

(4-1) Jim Baillargeon, of Castle Hill, former energy and housing director at Aroostook County Action Program, who has received the 2018 Stephen B. Mooers Award from MaineHousing for his commitment to assisting people in obtaining and maintaining high-quality affordable housing and services. We extend our congratulations and best wishes;

Sponsored by President JACKSON of Aroostook.
Cosponsored by Representative: WHITE of Washburn.

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.)
2.

Tabled and Later Assigned

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

Tabled - January 17, 2019 by Senator LIBBY of Androscoggin

Pending - REFERENCE

(In House, REFERRED to the Committee on JUDICIARY and ordered printed.)

3.

Tabled and Later Assigned

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

Tabled - January 17, 2019 by Senator LIBBY of Androscoggin

Pending - REFERENCE

(Committee on LABOR AND HOUSING suggested and ordered printed.)

(In House, REFERRED to the Committee on JUDICIARY.)
4.

**Tabled and Later Assigned**

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

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

Pending - **REFERENCE**

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

5.

**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.)