Senate of Maine

One Hundred and Twenty-Ninth Legislature
First Regular Session

Advance Journal and Calendar

55th Legislative Day

In Senate Chamber, Thursday, June 13, 2019.

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

Prayer by Pastor Henry Cooper, Fayette Baptist Church.

Pledge of Allegiance led by Senator Erin D. Herbig of Waldo County.

Reading of the Journal of Wednesday, June 12, 2019.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

http://legislature.maine.gov/senate
Printed on recycled paper
Non-Concurrent Matter

(1-1) RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food

H.P. 583  L.D. 795
(C "A" H-430)

In Senate, June 5, 2019, on motion by Senator DILL of Penobscot, the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the RESOLUTION PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-430) in concurrence.

Comes from the House, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-430) AND HOUSE AMENDMENT "A" (H-541) in NON-CONCURRENCE.

Non-Concurrent Matter

(1-2) Bill "An Act To Create an Additional Pathway To Certify Industrial Arts Teachers To Foster Career and Technical Subjects in Maine Schools"

H.P. 991  L.D. 1369
(C "A" H-473)

In Senate, June 12, 2019, PASSED TO BE ENACTED in NON-CONCURRENCE.

Comes from the House, that Body having INSISTED on its former action whereby FAILED ENACTMENT.

Non-Concurrent Matter

(1-3) Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps

H.P. 107  L.D. 125
(C "A" H-303)

In Senate, June 12, 2019, FINALLY PASSED in NON-CONCURRENCE.

Comes from the House, that Body having INSISTED on its former action whereby the Resolve FAILED FINAL PASSAGE.
COMMUNICATIONS

(2-1) The Following Communication:          S.C. 599

STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

June 12, 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 Energy, Utilities and Technology has had under consideration the nomination of Philip Bartlett, II of Portland, for appointment to the Public Utilities Commission.

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 Lawrence, M. of York, Miramant, D. of Knox, Woodsome, D. of York

NAYS Senators 0
Representatives 1 Hanley, J. of Pittston

ABSENT 1 Rep. Grignon, C. of Athens

Eleven members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Philip Bartlett, II of Portland, for appointment to the Public Utilities Commission be confirmed.

Signed,

S/Mark W. Lawrence             S/Seth A. Berry
Senate Chair                  House Chair
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 Richard Rosen of Bucksport, for appointment to the Maine Indian Tribal-State Commission.

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, M. of Aroostook, Bellows, S. of Kennebec, Keim, L. of Oxford


NAYS 0

ABSENT 0

Thirteen 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 Richard Rosen of Bucksport, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair
The Following Communication:

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

June 12, 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 Robert Checkoway of Freeport, for appointment to the Maine Indian Tribal-State Commission.

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, M. of Aroostook, Bellows, S. of Kennebec, Keim, L. of Oxford

Representatives 10


NAYS 0

ABSENT 0

Thirteen 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 Robert Checkoway of Freeport, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Michael E. Carpenter S/Donna Bailey
Senate Chair House Chair
June 12, 2019

The Honorable Darek Grant
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Grant:

Pursuant to my authority under House Rule 201.1 (I) (a), I have appointed Representative Stephen W. Moriarty of Cumberland to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business replacing Representative Ryan M. Fecteau of Biddeford, effective immediately.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

S/Sara Gideon
Speaker of the House
Darek M. Grant  
Secretary of the Senate  
3 State House Station  
Augusta, ME 04333

Dear Secretary Grant:

Pursuant to my authority under Title 29-A MRSA, Chapter 11, §1402-B, I am pleased to appoint John Coniaris to seat number 6 on the Organ Donation Advisory Council. His appointment is effective the date of this letter.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Troy D. Jackson  
President of the Senate
(4-2) Charles Thomas Jagger and Judith Stansfield Jagger, of Springvale, who are celebrating their 60th Wedding Anniversary on June 20, 2019. We extend our congratulations and best wishes;

Sponsored by Senator WOODSOME of York.
Cosponsored by Representative: HARRINGTON of Sanford.

(4-3) Valerianne Hinkley, of Farmington, who won the Foundations George Washington Honor Medal and Certificate in the Your Community Category of the Freedoms Foundation National Awards for her anti-bullying advocacy. We extend our congratulations and best wishes;

Sponsored by Senator BLACK of Franklin.
Cosponsored by Representative: LANDRY of Farmington.

(4-4) Kahryn Cullenburg, of Chesterville, who won the 3,200-meter run at the Class B State Track and Field Championship. We extend our congratulations and best wishes;

Sponsored by Senator BLACK of Franklin.
Cosponsored by Representative: HALL of Wilton.

(4-5) Arthur Thomas Kiskila, of Cushing, for his lifetime of service. Mr. Kiskila is a veteran of the United States Army and served for 3 years in Korea after enlisting in 1964. He served for 30 years at the Maine State Prison, working his way up through the ranks as a sergeant, lieutenant, captain and major before retiring as deputy warden. He has also served on the Rockland Police Department and the Knox County Sheriff's Department and as a constable for the Town of Cushing, as well as with numerous civic, fraternal and professional associations. He continues to serve on the Knox County Emergency Management Agency, which he joined in 1973, and as Fire Chief of the Town of Cushing's volunteer fire department, which he joined in 1958. We extend our appreciation and our best wishes;

Sponsored by Senator MIRAMANT of Knox.
Cosponsored by Representative: MATLACK of St. George.

(4-6) the Belfast Area High School Boys Indoor Track Team, which won the Kennebec Valley Athletic Conference Class B Championship. We extend our congratulations and best wishes;

Sponsored by Senator HERBIG of Waldo.
Cosponsored by Representative: DODGE of Belfast.
(4-7) the Belfast Area High School Boys Swim Team, which won the Kennebec Valley Athletic Conference Class B Championship. The team's Fletcher Marriner won the 500 freestyle event, and Coach Bob Winslow has been named the KVAC Class B Coach of the Year. We extend our congratulations and best wishes;

Sponsored by Senator HERBIG of Waldo.
Cosponsored by Representative: DODGE of Belfast.

SLS 666

(4-8) Kathryn Williams Hicks, of Bangor, who is celebrating her 90th Birthday on August 4, 2019. We extend our congratulations and best wishes;

Sponsored by Senator ROSEN of Hancock.
Cosponsored by Senator: GRATWICK of Penobscot, Representatives: CARDONE of Bangor, KORNFIELD of Bangor, PERRY of Bangor, SCHNECK of Bangor.

SLS 667

(4-9) Jerry Day Mason, of Westport Island, who is celebrating her 100th Birthday. We extend our congratulations and best wishes;

Sponsored by Senator DOW of Lincoln.
Cosponsored by Representative: STOVER of Boothbay.

SLS 668
Joint Resolution

(4-10) On motion by Senator FARRIN of Somerset (Cosponsored by Representative STROM of Pittsfield and Senators: CYRWAY of Kennebec, DAVIS of Piscataquis, DOW of Lincoln, FOLEY of York, MOORE of Washington, ROSEN of Hancock, TIMBERLAKE of Androscoggin, WOODSOME of York), the following Joint Resolution:

S.P. 626

JOINT RESOLUTION COMMEMORATING THE BICENTENNIAL OF PITTSFIELD

WHEREAS, the Town of Pittsfield was originally incorporated as Warsaw, Massachusetts in 1819 and was renamed Pittsfield in 1824 in honor of William Pitts of Boston, a large landowner in the town; and

WHEREAS, early settlers made their money as farmers, blacksmiths and sawmill workers; and

WHEREAS, Maine Central Institute was established in 1866 by the Reverend Oren B. Cheney and the Reverend Ebenezer Knowlton and continues to serve as the local school for area students as well as boarding students; and

WHEREAS, in 1855 a railroad came to town, playing a significant role in the growth of the town; and

WHEREAS, in 1869 one of the State's earliest woolen mills was established in Pittsfield, and later woodworking and canning factories were established, providing jobs to local residents; and

WHEREAS, in 1895 water service was established through the creation of Pittsfield Water Works, and in 1900 electric power was brought to the region through the formation of the Pittsfield Electric Light and Power Company; and

WHEREAS, the Civil Works Administration assisted the town as part of the New Deal by providing $25,000 to construct an airport that was used by the United States Navy for training from 1943 through the end of World War II; and

WHEREAS, during the 1930s Cianbro, a bridge-building firm, opened in Pittsfield and continues to be a well-respected construction company, managing projects as far away as Texas; and

WHEREAS, Peltoma Acres, a housing development for workers, was built in 1946; and

WHEREAS, Sebasticook Valley Hospital was built on Grove Hill in the 1960s and continues to provide health care services to the community; and

WHEREAS, Interstate 95 was constructed in 1964, making Pittsfield a prime location for rest stops between southern and northern Maine, and a motel, restaurant, gas station, shopping center and large park remain in existence today for the use of residents and people passing through; and

WHEREAS, Pittsfield is home to the Central Maine Egg Festival, which is celebrating its 47th year; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to commemorate the 200th anniversary of the Town of Pittsfield; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Pittsfield Town Office.

_________________________________
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 Concerning Pavement Sealing Products"

H.P. 670  L.D. 906

Tabled - May 14, 2019 by Senator LIBBY of Androscoggin

Pending - FURTHER CONSIDERATION

(In Senate, May 2, 2019, Minority OUGHT NOT TO PASS Report READ and ACCEPTED in NON-CONCURRENCE.)

(In House, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166) AND HOUSE AMENDMENT "A" (H-225) in NON-CONCURRENCE.)

2.

Tabled and Later Assigned

An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States

S.P. 80  L.D. 268

(C "A" S-218)

Tabled - June 7, 2019 by Senator VITELLI of Sagadahoc

Pending - ENACTMENT

(In House, PASSED TO BE ENACTED.)
3.  

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on TAXATION on Bill "An Act To Require the State To Distribute 25 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities"

H.P. 260  L.D. 335

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-484) (7 members)

Minority - Ought Not to Pass (6 members)

Tabled - June 10, 2019 by Senator CHIPMAN of Cumberland

Pending - ACCEPTANCE OF EITHER REPORT

(In House, Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-484).)

4.  

Tabled and Later Assigned

SENATE REPORTS - from the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Prohibit the Sale and Distribution of Flavored Tobacco Products"

S.P. 364  L.D. 1190

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-238) (10 members)

Minority - Ought to Pass as Amended by Committee Amendment "B" (S-239) (3 members)

Tabled - June 10, 2019 by Senator GRATWICK of Penobscot

Pending - ACCEPTANCE OF EITHER REPORT
5.

Tabled and Later Assigned

SENATE REPORT - from the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Support Early Intervention and Treatment of Mental Health Disorders" (EMERGENCY)

S.P. 446  L.D. 1461

Report - Ought to Pass as Amended by Committee Amendment "A" (S-244)

Tabled - June 10, 2019 by Senator LIBBY of Androscoggin

Pending - ACCEPTANCE OF REPORT

6.

Tabled and Later Assigned

Bill "An Act To Limit the Amount of Money That May Be Retained on Construction Contracts"

H.P. 636  L.D. 862

Tabled - June 11, 2019 by Senator LIBBY of Androscoggin

Pending - FURTHER CONSIDERATION

(In Senate, June 10, 2019, Majority OUGHT NOT TO PASS Report READ and ACCEPTED in NON-CONCURRENCE.)

(In House, House INSISTED on its former action whereby Minority OUGHT TO PASS Report was READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.)
7.

Tabled and Later Assigned

HOUSE REPORT - from the Committee on VETERANS AND LEGAL AFFAIRS on Bill "An Act To Amend the Laws Governing Veterans' Services"

H.P. 1286  L.D. 1806

Report - Ought to Pass as Amended by Committee Amendment "A" (H-532)

Tabled - June 11, 2019 by Senator LIBBY of Androscoggin

Pending - ACCEPTANCE OF REPORT

(In House, Report READ and ACCEPTED.)

8.

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Enact Laws Governing Private Vehicle Rentals"

H.P. 1167  L.D. 1615

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-540) (11 members)

Minority - Ought Not to Pass (1 member)

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

Pending - ACCEPTANCE OF EITHER REPORT

(In House, Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-540).)
9.

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on TAXATION on Bill "An Act To Authorize a Local Option Sales Tax on Meals and Lodging and Provide Funding To Treat Opioid Use Disorder"

H.P. 915  L.D. 1254

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-536) (7 members)

Minority - Ought Not to Pass (6 members)

Tabled - June 12, 2019 by Senator CHIPMAN of Cumberland

Pending - ACCEPTANCE OF EITHER REPORT

(In House, Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-536).)

10.

Tabled and Later Assigned

SENATE REPORTS - from the Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Bill "An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation"

S.P. 556  L.D. 1691

Majority - Ought to Pass as Amended by Committee Amendment "A" (S-262) (7 members)

Minority - Ought to Pass as Amended by Committee Amendment "B" (S-263) (6 members)

Tabled - June 12, 2019 by Senator DILL of Penobscot

Pending - motion by same Senator to ACCEPT the Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262) Report
11.

Tabled and Later Assigned

An Act Regarding Consent by a Motor Vehicle Operator to a Blood Test

H.P. 567  L.D. 762
(C "A" H-284; S "A" S-198
and to C "A" H-284)

Tabled - June 12, 2019 by Senator LIBBY of Androscoggin

Pending - ENACTMENT

(In House, PASSED TO BE ENACTED.)

SPECIAL STUDY TABLE

1.

Resolve, To Establish a Background Check Consolidation Commission

H.P. 436  L.D. 592
(C "A" H-35)

Tabled - April 11, 2019 by Senator VITELLI of Sagadahoc

Pending - FINAL PASSAGE

2.

Emergency

Resolve, To Establish the Commission To Study Children's Mental Health

H.P. 41  L.D. 40
(C "A" H-246)

Tabled - May 29, 2019 by Senator LIBBY of Androscoggin

Pending - FINAL PASSAGE in concurrence
3.

Emergency
Resolve, To Reestablish the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners

H.P. 603  L.D. 829
(C "A" H-320)

Tabled - May 29, 2019 by Senator LIBBY of Androscoggin

Pending - FINAL PASSAGE in concurrence

4.

JOINT ORDER - Requiring the Joint Standing Committee on Criminal Justice and Public Safety To Study the Stabilization of Funding for the County Jails and the Regional Jail

H.P. 1277

Tabled - May 30, 2019 by Senator LIBBY of Androscoggin

Pending - PASSAGE

5.

Resolve, To Establish the Committee To Study the Feasibility of Creating Basic Income Security

S.P. 412  L.D. 1324

Tabled - June 4, 2019 by Senator VITELLI of Sagadahoc

Pending - FINAL PASSAGE
6.

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry

H.P. 1166  L.D. 1614
(C "A" H-433)

Tabled - June 6, 2019 by Senator VITELLI of Sagadahoc

Pending - FINAL PASSAGE in concurrence

7.

JOINT ORDER - Establishing the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act

H.P. 1307

Tabled - June 10, 2019 by Senator LIBBY of Androscoggin

Pending - PASSAGE in concurrence

8.

Emergency

Resolve, Establishing the Working Group on Mental Health

S.P. 508  L.D. 1602
(C "A" S-213)

Tabled - June 10, 2019 by Senator VITELLI of Sagadahoc

Pending - FINAL PASSAGE in concurrence
9. **Emergency**

Resolve, Establishing a Task Force To Study the Creation of a Comprehensive Career and Technical Education System and Increased Crosswalks for Academic Credit between Secondary Schools and Career and Technical Education Programs

H.P. 766  L.D. 1036  
(C "A" H-506)

Tabled - June 10, 2019 by Senator LIBBY of Androscoggin

Pending - **FINAL PASSAGE** in concurrence

10.

Resolve, To Establish the Work Group To Study the Use of Body Cameras by Law Enforcement Officers

S.P. 198  L.D. 636  
(C "A" S-236)

Tabled - June 11, 2019 by Senator VITELLI of Sagadahoc

Pending - **FINAL PASSAGE** in concurrence

**SPECIAL APPROPRIATIONS TABLE**

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**L.D.** = House of Representatives   **H.P.** = Joint Committee on Appropriations   **S.P.** = Senate of the State of Maine   **C "A"** = C "A" H-506
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<td>C &quot;A&quot; S-33</td>
<td>709</td>
<td>S. P. 514</td>
<td>C &quot;A&quot; H-328</td>
</tr>
<tr>
<td>761</td>
<td>H. P. 566</td>
<td>C &quot;A&quot; H-404</td>
<td>775</td>
<td>H. P. 580</td>
<td>C &quot;A&quot; H-403</td>
</tr>
</tbody>
</table>

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**SPECIAL HIGHWAY TABLE**

L.D. 49 - H.P. 50 (C "A" H-519)
L.D. 945 - H.P. 700 (C "A" H-557)
L.D. 1207 - H.P. 871 (C "A" H-497)
L.D. 1487 - H.P. 1089 (C "A" H-444)