Senator of Maine

One Hundred and Twenty-Ninth Legislature
First Regular Session

Advance Journal and Calendar

57th Legislative Day

In Senate Chamber, Monday, June 17, 2019.

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

Prayer by Senator Eloise A. Vitelli of Sagadahoc.

Pledge of Allegiance led by Senator Michael E. Carpenter of Aroostook County.

Reading of the Journal of Friday, June 14, 2019.
Non-Concurrent Matter

(1-1) 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)

In Senate, June 13, 2019, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-536) AS AMENDED BY HOUSE AMENDMENT "A" (H-593)** thereto in **NON-CONCURRENCE**.

Non-Concurrent Matter

(1-2) HOUSE REPORTS - from the Committee on TAXATION on Bill "An Act To Exempt Overtime Pay from Individual Income Tax"

H.P. 718  L.D. 963

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-259)** (3 members)

In Senate, June 12, 2019, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-259) AS AMENDED BY SENATE AMENDMENT "A" (S-256)** thereto in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.
Non-Concurrent Matter

(1-3) An Act Regarding Consent by a Motor Vehicle Operator to a Blood Test
H.P. 567  L.D. 762

In Senate, June 13, 2019, FAILED ENACTMENT in NON-CONCURRENCE.

Comes from the House, that Body having INSISTED on its former action whereby the Bill was PASSED TO BE ENACTED.

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-4) Carly Warn, of Winslow, a student at Winslow High School, who won the triple jump at the Class B Girls State Track and Field Championship. We extend our congratulations and best wishes;

HLS 556

(1-5) Sharon Beaver, of Augusta, who is retiring from teaching music at Farrington Elementary School and Hussey Elementary School after 46 years of service. We extend our congratulations and best wishes;

HLS 557

(1-6) Marcia Hughes, of Augusta, who is retiring from teaching fourth grade at Farrington Elementary School after 48 years of service. We extend our congratulations and best wishes;

HLS 558

(1-7) Elizabeth Chadwick, of Augusta, who is retiring from teaching fifth grade at Farrington Elementary School after 47 years of service. We extend our congratulations and best wishes;

HLS 559

(1-8) the Mattanawcook Academy Girls Tennis Team, of Lincoln, which won the 2019 Class C State Tennis Championship. This is the team's second consecutive state title. We extend our congratulations and best wishes;

HLS 560

Come from the House, READ and PASSED.
Joint Resolution in Memoriam:

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

(1-9) Jeffrey Paradis, of Augusta. Mr. Paradis was one of Maine's most effective advocates for veterans struggling with post-traumatic stress disorder after service overseas. He was one of the first soldiers to deploy to Afghanistan in support of Operation Enduring Freedom on October 7, 2001. He produced a video that has been shared over 100,000 times and viewed over 4 million times, and he can easily be credited with saving dozens of lives by showing veterans "You're worth it." He worked as the friendly and outgoing bartender at The Black & Tan in Augusta, where he greeted locals and legislators with genuine hospitality. Mr. Paradis will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

HLS 555

Comes from the House READ and ADOPTED.
COMMUNICATIONS

(2-1) The Following Communication:

S.C. 610

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

June 14, 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. 218 An Act To Prohibit a Person from Collecting Contributions under the Maine Clean Election Act at a Polling Place

This is notification of the Committee’s action.

Sincerely,

Senate Chair House Chair
Expressions of Legislative Sentiment recognizing:

(4-1) James H. Page, of Old Town, who is retiring as Chancellor of the University of Maine System. Dr. Page is the first University of Maine System Chancellor to be born in Maine and to have been educated at one of the System's universities, the University of Maine at Fort Kent, where he received his bachelor's degree before obtaining his postgraduate education at the University of St. Andrews in Scotland and the Massachusetts Institute of Technology. After a career at several universities and in the private sector, he led the repositioning of the System to meet the State's 21st century higher education needs. We extend our congratulations and best wishes;

SLS 671

Sponsored by Senator DILL of Penobscot.
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(4-2) Jack West, of Winthrop, a member of Troop No. 622, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

Sponsored by Senator BELLOWS of Kennebec.
Cosponsored by Representative: HICKMAN of Winthrop.

(4-3) the Ellsworth High School Baseball Team, which won the Class B North Championship. We extend our congratulations and best wishes;

Sponsored by Senator LUCHINI of Hancock.
Cosponsored by Representative: GROHOSKI of Ellsworth.

(4-4) Bud's Shop 'n Save, in Pittsfield, which celebrated its 60th Anniversary on January 22, 2019. For 60 years, the commitment of Bud's Shop 'n Save to the store's customers, communities, farmers, suppliers and producers has remained strong. We extend our congratulations and best wishes;

Sponsored by Senator FARRIN of Somerset.
Cosponsored by Representative: STROM of Pittsfield.
REPORTS OF COMMITTEES

House

Ought to Pass As Amended

(5-1) The Committee on TAXATION on Bill "An Act To Amend the Maine Tax Laws"

H.P. 1279  L.D. 1798

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-596).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-596) AND HOUSE AMENDMENT "A" (H-598).
(5-2) The Majority of the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY on Bill "An Act To Amend the Laws Governing the Maine Uniform Building and Energy Code To Ensure It Is Consistent with Current Standards and Applies to Small Municipalities"

H.P. 1101  L.D. 1509

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-592).**

Signed:

Senators:

- DESCHAMBAULT of York
- CARPENTER of Aroostook
- ROSEN of Hancock

Representatives:

- WARREN of Hallowell
- BEEBE-CENTER of Rockland
- COOPER of Yarmouth
- COREY of Windham
- COSTAIN of Plymouth
- MORALES of South Portland
- PICKETT of Dixfield
- RECKITT of South Portland
- SHARPE of Durham

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass.**

Signed:

Representative:

- JOHANSEN of Monticello

Comes from the House with the Majority **OUT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-592).**
(5-3) The Majority of the Committee on EDUCATION AND CULTURAL AFFAIRS on Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY) H.P. 1080  L.D. 1478

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-597).

Signed:

Senators:
   MILLETT of Cumberland
   CARSON of Cumberland

Representatives:
   KORNFIELD of Bangor
   BRENNAN of Portland
   DODGE of Belfast
   FARNSWORTH of Portland
   INGWERSEN of Arundel
   McCREA of Fort Fairfield

The Minority of the same Committee on the same subject reported that the same Ought Not To Pass.

Signed:

Senator:
   POULIOT of Kennebec

Representatives:
   DRINKWATER of Milford
   FECTEAU of Augusta
   RUDNICKI of Fairfield
   SAMPSON of Alfred

Comes from the House with the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Resolve PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-597).
(5-4) Senator DILL for the Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Bill "An Act To Amend the State's Hemp Laws"

S.P. 585  L.D. 1749

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-299).

Divided Report

(5-5) The Majority of the Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Resolve, Authorizing the Transfer of a Plot of Land from the State to the Town of Allagash

S.P. 594  L.D. 1762

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-301).

Signed:

Senators:
  DILL of Penobscot
  BLACK of Franklin
  DIAMOND of Cumberland

Representatives:
  HICKMAN of Winthrop
  HALL of Wilton
  KINNEY of Knox
  KRYZAK of Acton
  McCREA of Fort Fairfield
  PLUECKER of Warren
  SKOLFIELD of Weld

The Minority of the same Committee on the same subject reported that the same Ought To Pass as Amended by Committee Amendment "B" (S-302).

Signed:

Representatives:
  MAXMIN of Nobleboro
  O'NEIL of Saco
  ROBERTS-LOVELL of South Berwick
(5-6) The Majority of the Committee on ENERGY, UTILITIES AND TECHNOLOGY on Bill "An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine" S.P. 565  L.D. 1711

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-295).**

Signed:

Senators:
- LAWRENCE of York
- MIRAMANT of Knox
- WOODSOME of York

Representatives:
- BERRY of Bowdoinham
- CAIAZZO of Scarborough
- DOUDERA of Camden
- GROHOSKI of Ellsworth
- KESSLER of South Portland
- RILEY of Jay
- RYKERSON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass.**

Signed:

Representatives:
- FOSTER of Dexter
- HANLEY of Pittston
(5-7) The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend the Licensing Laws of Certain Professions and Occupations"

S.P. 580  L.D. 1746

Reported that the same **Ought to Pass as Amended by Committee Amendment "A"** (S-303).

Signed:

Senator:

HERBIG of Waldo

Representatives:

DAUGHTRY of Brunswick
BABINE of Scarborough
CROCKETT of Portland
FECTEAU of Biddeford
HANDY of Lewiston
PERRY of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B"** (S-304).

Signed:

Representatives:

AUSTIN of Gray
HARRINGTON of Sanford
HIGGINS of Dover-Foxcroft
STETKIS of Canaan
The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

**Acts**

(7-1) An Act To Require the State To Distribute 12 Percent of Adult Use Marijuana Retail Sales and Excise Tax Revenue to Generating Municipalities  
H.P. 260  L.D. 335  
(S "A" S-287 to C "A" H-484)

(7-2) An Act To Provide Relief to Survivors of Economic Abuse  
H.P. 553  L.D. 748  
(C "A" H-585)

(7-3) An Act Concerning Pavement Sealing Products  
H.P. 670  L.D. 906  
(C "A" H-166; H "A" H-225)

(7-4) An Act To Amend the Laws Governing Foreclosure To Ensure Timely Completion  
H.P. 1020  L.D. 1405  
(C "A" H-584)

(7-5) An Act To Increase Protections for Land Installment Contracts  
H.P. 1039  L.D. 1426  
(C "A" H-582)

(7-6) An Act To Eliminate Profiling in Maine  
H.P. 1077  L.D. 1475  
(C "A" H-581)

(7-7) An Act To Provide Maine Children Access to Affordable Health Care  
H.P. 1122  L.D. 1539  
(C "A" H-578)

(7-8) An Act To Amend the Maine Uniform Building and Energy Code  
S.P. 480  L.D. 1543  
(C "A" S-235)
(7-9) An Act To Amend Certain Education Laws

H.P. 1270  L.D. 1785
(C "A" H-583)

(7-10) An Act To Amend the Laws Governing Veterans' Services

H.P. 1286  L.D. 1806
(C "A" H-532; S "A" S-279)

(7-11) An Act To Amend the Laws Governing Investigations by School Entities into Holders of Credentials

H.P. 1297  L.D. 1820
(C "A" H-591)

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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

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
2.

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

3.

Tabled and Later Assigned

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)

Tabled - June 13, 2019 by Senator LIBBY of Androscoggin

Pending - FURTHER CONSIDERATION

(In Senate, June 5, 2019, on motion by Senator DILL of Penobscot, 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.)

(In House, PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-430) AND HOUSE AMENDMENT "A" (H-541) in NON-CONCURRENCE.)
4.

Tabled and Later Assigned

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)

Tabled - June 13, 2019 by Senator LIBBY of Androscoggin

Pending - FURTHER CONSIDERATION

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

(In House, House INSISTED on its former action whereby the Resolve FAILED FINAL PASSAGE.)

5.

Tabled and Later Assigned

SENATE REPORTS - from the Committee on JUDICIARY on Bill "An Act Regarding Access to Firearms by Extremely Dangerous and Suicidal Individuals"

S.P. 408 L.D. 1312

Report "A" - Ought to Pass as Amended by Committee Amendment "A" (S-285) (6 members)

Report "B" - Ought Not to Pass (6 members)

Report "C" - Ought to Pass as Amended by Committee Amendment "B" (S-286) (1 member)

Tabled - June 14, 2019 by Senator CARPENTER of Aroostook

Pending - ACCEPTANCE OF ANY REPORT
6.

Tabled and Later Assigned

An Act To Allow Public Employers of Teachers to Negotiate Regarding Planning and Preparation Periods

H.P. 203  L.D. 240
(C "A" H-518)

Tabled - June 14, 2019 by Senator LIBBY of Androscoggin

Pending - ENACTMENT

(In House, PASSED TO BE ENACTED.)

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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

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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.
Resolve, To Establish the Committee To Study and Develop Recommendations To Address Guardianship Challenges That Delay Patient Discharges from Hospitals

H.P. 890  L.D. 1229
(C "A" H-452)

Tabled - June 7, 2019 by Senator VITELLI of Sagadahoc
Pending - FINAL PASSAGE

8.
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
9.

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

10.

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

11.

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
<table>
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<tr>
<th>Bill</th>
<th>Date of Introduction</th>
<th>Stage in Committee</th>
<th>Reference</th>
<th>Stage in Senate</th>
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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)