

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Ninth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 5, 2018

beginning at Page 1

STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE

In Senate Chamber
Thursday
January 24, 2019

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

Prayer by Reverend Vanessa Betancourt, Gardiner Church of the Nazarene.

REVEREND BETANCOURT: Let us pray. Father, God, it is so good to be in Your presence and with the men and women here, Lord, who have been appointed to serve the people of Maine. What a great state we are blessed with. I pray, Father, for a spirit of cooperation and collaboration. Father, will they see to the needs of all people of Maine? Father, we just pray that the decisions would be guided with wisdom and discernment from Your holy spirit and, Father, I pray that in all things You would lead them in truth according to Your will and, Father, we ask for safety for them as they travel back and forth to their districts. Watch over their families and thank You for their service, Lord, and all the things that they miss in their families, Lord, to serve this great state. Watch over them today and in all days, and we ask this in the mighty name of Jesus. Amen.

Pledge of Allegiance led by Senator Russell J. Black of Franklin County.

Reading of the Journal of Tuesday, January 22, 2019.

Doctor of the day, Clota Snow, M.D. of Topsham.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **LIBBY** of Androscoggin, the following Joint Order:
S.P. 93

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 29, 2019 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Provide Funding for a Ranger Pilot Position in the Maine Forest Service"

H.P. 167 L.D. 204

Bill "An Act To Move the Bureau of Parks and Lands from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife"

H.P. 196 L.D. 233

Bill "An Act To Feed Maine's Residents by Allowing Dairy Dealers and Producers in the State To Donate Fresh Milk to Food Banks in the State"

H.P. 216 L.D. 292

Come from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Increase Rural Maine's Access to Broadband Internet Service"

H.P. 219 L.D. 295

Bill "An Act To Authorize a General Fund Bond Issue To Assist Schools, Municipalities and Counties in Using Emerging Technologies and Energy Alternatives to Fossil Fuels in Heating, Electrical and Other Utility Systems"

H.P. 223 L.D. 299

Bill "An Act Making Certain Supplemental Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government" (EMERGENCY)

H.P. 234 L.D. 310

Bill "An Act Making Certain Appropriations and Allocations and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government" (EMERGENCY)

H.P. 235 L.D. 311

Come from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **BREEN** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Add Work Assignments to the Law Regarding Notification of a Defendant's Release or Escape"
H.P. 168 L.D. 205

Bill "An Act Regarding Community Service Sentencing"
H.P. 186 L.D. 223

Resolve, Requiring the Department of Public Safety To Study and Determine What Constitutes a Violation of Air Space by a Drone
H.P. 230 L.D. 306

Bill "An Act To Protect Adults 66 Years of Age and Older from Financial and Other Types of Exploitation through Theft by Deception"
H.P. 240 L.D. 316

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Raise the University of Maine System Debt Ceiling"
H.P. 169 L.D. 206

Bill "An Act To Increase Technology and Engineering Education for Grades 7 to 12"
H.P. 173 L.D. 210

Bill "An Act Regarding Transportation Management Software and School Bus Replacement"
H.P. 188 L.D. 225

Bill "An Act Regarding the Use of Unanticipated State Aid for Kindergarten to Grade 12 Education"
H.P. 199 L.D. 236

Bill "An Act To Appropriate Funds for Coaching Services for Existing and New Prekindergarten Programs"
H.P. 200 L.D. 237

Bill "An Act Regarding Student Privacy with Respect to Video Recordings"
H.P. 220 L.D. 296

Bill "An Act To Limit the Number of Charter Schools in Maine"
H.P. 231 L.D. 307

Bill "An Act To Eliminate the Regional Adjustment for Public School Systems"
H.P. 233 L.D. 309

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Fund the Municipal Gigabit Broadband Network Access Fund"
H.P. 187 L.D. 224

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act To Protect Water Quality by Standardizing the Law Concerning Septic Inspection in the Shoreland Zone"
H.P. 179 L.D. 216

Bill "An Act To Reduce the Cost of Automobile Repairs by Eliminating the Aftermarket Catalytic Converter Requirement"
H.P. 184 L.D. 221

Bill "An Act To Prohibit the Use of Certain Disposable Food Service Containers"
H.P. 213 L.D. 289

Come from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **CARSON** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Restore the Laws Governing the Reunification of Parents and Children"
H.P. 150 L.D. 187

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

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

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Increase the Reimbursement Rate for Ambulance Service Paid by the Department of Corrections"
H.P. 178 L.D. 215

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Prohibit Child Care Providers from Requiring Payment during Vacation Closures"

H.P. 185 L.D. 222

Bill "An Act To Strengthen Maine's Public Health Infrastructure"

H.P. 190 L.D. 227

Bill "An Act To Improve Access to Preventive, Cost-saving Dental Services"

H.P. 193 L.D. 230

Bill "An Act To Improve Public Health by Maximizing Federal Funding Opportunities"

H.P. 194 L.D. 231

Bill "An Act To Change the Process by Which Designated Nonstate Mental Health Institutions Petition the District Court To Admit Certain Patients to a Progressive Treatment Program"

H.P. 195 L.D. 232

Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program

H.P. 197 L.D. 234

Bill "An Act To Increase the Minimum Area of Usable Space per Child Required in the Outdoor Area of a Child Care Center"

H.P. 201 L.D. 238

Resolve, Directing the Department of Health and Human Services To Explore the Development of a Behavioral Health Unit at the Cumberland County Jail

H.P. 202 L.D. 239

Bill "An Act To Improve Care Provided to Forensic Patients"

H.P. 208 L.D. 284

Bill "An Act To Strengthen Brain Injury Resources for Underserved Populations, Including Opioid Overdose Brain Injury Survivors"

H.P. 221 L.D. 297

Bill "An Act To Require Housing Facilities for Persons with Substance Use Disorder Be Equipped with Naloxone"

H.P. 227 L.D. 303

Bill "An Act To Improve Stroke Care in Maine"

H.P. 228 L.D. 304

Bill "An Act To Promote Healthy Living in Maine"

H.P. 239 L.D. 315

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act Regarding Responsibility for the Overpayment of Claims"

H.P. 215 L.D. 291

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

On motion by Senator **H. SANBORN** of Cumberland, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Impose on Mental Health Professionals a Duty To Warn and Protect"

H.P. 211 L.D. 287

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

On motion by Senator **H. SANBORN** of Cumberland, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Provide a Source of Funding for the ATV Recreational Management Fund"

H.P. 175 L.D. 212

Bill "An Act To Increase Funding To Contain and Manage the Spread of Invasive Aquatic Species"

H.P. 198 L.D. 235

Bill "An Act To Increase Access to Moose and Doe Permits for Combat-injured Veterans"

H.P. 237 L.D. 313

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Resolve, Establishing the Commission To Create a Statewide Economic Development Plan (EMERGENCY)

H.P. 212 L.D. 288

Comes from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed, in concurrence.

Bill "An Act To Expedite the Issuance of Alcohol and Drug Counseling Licenses"

H.P. 191 L.D. 228

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

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

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act Regarding Small Claims Court Jurisdiction"

H.P. 171 L.D. 208

Bill "An Act To Increase Funding for Civil Legal Services"

H.P. 177 L.D. 214

Bill "An Act To Increase the Safety of Home Buyers Concerning Chimney Inspections"

H.P. 192 L.D. 229

Bill "An Act To Amend the Laws Governing Post-conviction Review in Order To Facilitate the Fair Hearing of All Evidence in Each Case Involving a Claim of Innocence"

H.P. 226 L.D. 302

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

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Protect Jobs in the State by Requiring Advance Notice of Closure of Call Centers"

H.P. 164 L.D. 201

Bill "An Act To Improve Working Conditions for Maine's Veterans and Immigrants"

H.P. 182 L.D. 219

Bill "An Act To Improve Pay for Certain Maine Workers"

H.P. 183 L.D. 220

Bill "An Act To Allow Public Employers of Teachers to Negotiate Regarding Educational Policies"

H.P. 203 L.D. 240

Bill "An Act To Establish a Conditional Presumption of Compensability for Corrections Employees in Cases of Impairment from Hypertension or Heart Disease"

H.P. 222 L.D. 298

Bill "An Act To Protect Hourly School Personnel Pay During School Days Missed Due to Weather or Emergency Closures"

H.P. 224 L.D. 300

Bill "An Act To Protect Job Applicants from Identity Theft"

H.P. 229 L.D. 305

Bill "An Act To Amend the Laws Governing Appointees to the Maine Labor Relations Board"

H.P. 241 L.D. 317

Come from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

On motion by Senator **BELLOWS** of Kennebec, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed, in concurrence.

Bill "An Act To Increase Notification Time Periods for Rent Increases and Terminations of Tenancies at Will"

H.P. 232 L.D. 308

Come from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

On motion by Senator **BELLOWS** of Kennebec, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Reduce the Cost of Workers' Compensation Insurance for Small Employers"

H.P. 236 L.D. 312

Come from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

Senator **BELLOWS** of Kennebec moved to **REFER** to the Committee on **LABOR AND HOUSING**, in concurrence.

Same Senator requested and received leave of the Senate to withdraw her motion to **REFER** to the Committee on **LABOR AND HOUSING**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Prohibit Motor Vehicle Use in the Intertidal Zone"
H.P. 214 L.D. 290

Bill "An Act To Simplify Apprenticeship Requirements for Student and Apprentice Lobster and Crab Fishing License Holders"
H.P. 238 L.D. 314

Come from the House, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed.

On motion by Senator **MIRAMANT** of Knox, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Prohibit Municipalities from Prohibiting Short-term Rentals"
H.P. 172 L.D. 209

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

Comes from the House, **REFERRED** to the Committee on **LABOR AND HOUSING**.

On motion by Senator **CLAXTON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in **NON-CONCURRENCE**.

Sent down for concurrence.

Bill "An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects"
H.P. 189 L.D. 226

Bill "An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act"
H.P. 209 L.D. 285

Bill "An Act To Help Older Adults Age in Place through Comprehensive Planning"
H.P. 225 L.D. 301

Come from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **CLAXTON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

Bill "An Act To Adjust the Personal Property Tax Exemption for Farm Machinery"
H.P. 204 L.D. 241

Bill "An Act To Provide a Sales Tax Exemption for Feminine Hygiene Products"
H.P. 210 L.D. 286

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

On motion by Senator **CHIPMAN** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

Resolve, To Add a Safety Fence to the Penobscot Narrows Bridge
H.P. 166 L.D. 203

Resolve, To Rename the Stillwater Bridges in Old Town the Llewellyn Estes Bridge
H.P. 170 L.D. 207

Bill "An Act To Require Snow Tires or All-weather Tires on Automobiles from October through April"
H.P. 176 L.D. 213

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act To Increase the Required Number of Qualifying Contributions Gubernatorial Candidates Must Obtain To Qualify as Maine Clean Election Act Candidates"
H.P. 165 L.D. 202

Bill "An Act To Open Maine's Primaries and Permit Unenrolled Voters To Cast Ballots in Primary Elections"
H.P. 174 L.D. 211

Bill "An Act To Aid Certain Veterans' Organizations"
H.P. 180 L.D. 217

Bill "An Act To Prohibit a Person from Collecting Contributions under the Maine Clean Election Act at a Polling Place"
H.P. 181 L.D. 218

Bill "An Act Regarding Early Voting in Person"
H.P. 217 L.D. 293

Bill "An Act To Require the Fiscal Impact Estimate of a Direct Initiative of Legislation To Be Included on the Ballot"
H.P. 218 L.D. 294

Come from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

On motion by Senator **LUCHINI** of Hancock, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 207 L.D. 283

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Environmental Protection**

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 692: Siting of Oil Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 205 L.D. 281

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Health and Human Services**

The **Department of Health and Human Services**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 206 L.D. 282

Be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 57

**MIDCOAST REGIONAL
REDEVELOPMENT AUTHORITY
BRUNSWICK, MAINE**

January 16, 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 Midcoast Regional Redevelopment Authority.

MRRA was created in 2006 by the Maine Legislature (5 MRSA §13083-6) as a municipal corporation charged with the responsibility to implement the reuse master plans for Naval Air Station Brunswick (NAS Brunswick) and the Topsham Annex,

which closed as a result of the 2005 Base Realignment and Closure (BRAC) process.

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

Sincerely,

S/Jeffrey K. Jordan
Deputy Director

READ and with accompanying papers **ORDERED PLACED ON FILE**.

SENATE PAPERS

Bill "An Act To Exclude Domesticated Species Used for Agricultural Purposes from the Laws Governing Permits To Possess Wildlife in Captivity"

S.P. 95 L.D. 355

Presented by Senator BLACK of Franklin.
Cosponsored by Representative MARTIN of Sinclair and Senators: DAVIS of Piscataquis, DILL of Penobscot, TIMBERLAKE of Androscoggin, Representatives: DUNPHY of Old Town, HALL of Wilton, LANDRY of Farmington, NADEAU of Winslow, SKOLFIELD of Weld.

On motion by Senator DILL of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Sustain Maine's Forest Products Industry by Implementing Certain Existing Solid Waste Management Policies"

S.P. 96 L.D. 356

Presented by Senator DILL of Penobscot.
Cosponsored by Representative DUNPHY of Old Town and Senators: BLACK of Franklin, DAVIS of Piscataquis, President JACKSON of Aroostook, KEIM of Oxford, LUCHINI of Hancock, Representative: DRINKWATER of Milford.

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

On motion by Senator DILL of Penobscot, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Authorize a General Fund Bond Issue To Encourage the Provision of Reliable High-speed Internet in Rural Underserved Areas of Maine"

S.P. 94 L.D. 354

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative GATTINE of Westbrook and Senators: KEIM of Oxford, LUCHINI of Hancock, POULIOT of Kennebec, SANBORN, L. of Cumberland, Representatives: HUBBELL of Bar Harbor, MARTIN of Eagle Lake, MAXMIN of Nobleboro, RILEY of Jay.

On motion by Senator BREEN of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Fully Fund Career and Technical Education for Fiscal Year 2018-19" (EMERGENCY)

S.P. 98 L.D. 358

Presented by Senator WOODSOME of York.
Cosponsored by Representative SAMPSON of Alfred and Senator: DESCHAMBAULT of York, Representatives: GRIGNON of Athens, O'CONNOR of Berwick, O'NEIL of Saco, ORDMAN of Standish.

Bill "An Act To Address Student Hunger with a 'Breakfast after the Bell' Program"

S.P. 99 L.D. 359

Presented by Senator MOORE of Washington.
Cosponsored by Representative TUELL of East Machias and Senators: BELLOWS of Kennebec, CLAXTON of Androscoggin, MILLETT of Cumberland, ROSEN of Hancock, VITELLI of Sagadahoc, Representatives: GRIFFIN of Levant, MADIGAN of Waterville.

On motion by Senator MILLETT of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase the Reimbursement to Bottle Redemption Centers" (EMERGENCY)

S.P. 100 L.D. 360

Presented by Senator TIMBERLAKE of Androscoggin.
Cosponsored by Representative TUCKER of Brunswick and Senators: BLACK of Franklin, CARSON of Cumberland, DAVIS of Piscataquis, FARRIN of Somerset, FOLEY of York, KEIM of Oxford, Representatives: CAMPBELL of Orrington, DEVIN of Newcastle.

On motion by Senator **CARSON** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent down for concurrence.

Resolve, To Require the Department of Health and Human Services To Submit a State Plan Amendment To Exempt Retirement and Educational Assets from Calculations for Medicaid Eligibility

S.P. 102 L.D. 362

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative HARNETT of Gardiner and Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, SANBORN, L. of Cumberland, Representatives: HICKMAN of Winthrop, HUBBELL of Bar Harbor, MCCREIGHT of Harpswell, PEBWORTH of Blue Hill, WARREN of Hallowell.

Bill "An Act To Protect Residents of Assisted Living Facilities"
S.P. 103 L.D. 363

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative ALLEY of Beals and Senators: BREEN of Cumberland, GRATWICK of Penobscot, Representatives: DOORE of Augusta, DOUDERA of Camden.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Definition of 'Insurer' under the Maine Guaranteed Access Reinsurance Association Act"
S.P. 108 L.D. 367

Presented by Senator FOLEY of York. (BY REQUEST)

Bill "An Act To Redefine Geographic Association for Multiple-employer Welfare Arrangements"
S.P. 109 L.D. 368

Presented by Senator FOLEY of York.
Cosponsored by Representative PERKINS of Oakland and Senators: CARSON of Cumberland, GUERIN of Penobscot, SANBORN, H. of Cumberland, Representatives: CAMPBELL of Orrington, PRESCOTT of Waterboro, SWALLOW of Houlton, TUELL of East Machias.

On motion by Senator **H. SANBORN** of Cumberland, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

Bill "An Act To Create the Small Communities Tourism Fund"
S.P. 112 L.D. 371

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative FECTEAU of Biddeford and Senators: KEIM of Oxford, LUCHINI of Hancock, Representatives: DAUGHTRY of Brunswick, HANDY of Lewiston, HIGGINS of Dover-Foxcroft, MAXMIN of Nobleboro, RILEY of Jay.

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

Sent down for concurrence.

Bill "An Act To Establish the Right To Practice Complementary and Alternative Health Care Act"
S.P. 104 L.D. 364

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative BROOKS of Lewiston and Senators: BREEN of Cumberland, CHENETTE of York, CLAXTON of Androscoggin, VITELLI of Sagadahoc, Representatives: BEEBE-CENTER of Rockland, BERRY of Bowdoinham, MASTRACCIO of Sanford, TEPLER of Topsham.

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

On motion by Senator **HERBIG** of Waldo, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act Regarding Court Facilities in York County"
S.P. 97 L.D. 357

Presented by Senator WOODSOME of York.
Cosponsored by Representative MASTRACCIO of Sanford and Senators: DESCHAMBAULT of York, FOLEY of York, Representatives: HARRINGTON of Sanford, O'NEIL of Saco.

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Protect Elderly Persons from Financial Abuse"
S.P. 107 L.D. 366

Presented by Senator FOLEY of York.

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

On motion by Senator **LIBBY** of Androscoggin, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act To Support Healthy Workplaces and Healthy Families by Providing Earned Paid Sick Leave to Certain Employees"
S.P. 110 L.D. 369

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: BELLOWS of Kennebec, President JACKSON of
Aroostook, SANBORN, H. of Cumberland, SANBORN, L. of
Cumberland, VITELLI of Sagadahoc, Representatives: CUDDY of
Winterport, DOORE of Augusta, MOONEN of Portland.

On motion by Senator **BELLOWS** of Kennebec, **REFERRED** to
the Committee on **LABOR AND HOUSING** and ordered printed.

Sent down for concurrence.

Bill "An Act To Facilitate State Employee Service in the
Legislature"

S.P. 111 L.D. 370

Presented by Senator POULIOT of Kennebec.
Cosponsored by Representative MARTIN of Sinclair and
Senators: CLAXTON of Androscoggin, KEIM of Oxford,
Representative: REED of Carmel.

On motion by Senator **CLAXTON** of Androscoggin, **REFERRED**
to the Committee on **STATE AND LOCAL GOVERNMENT** and
ordered printed.

Sent down for concurrence.

Bill "An Act To Amend the Laws Governing Political Action
Committees"

S.P. 101 L.D. 361

Presented by Senator CHENETTE of York.
Cosponsored by Representative SYLVESTER of Portland and
Senator: CHIPMAN of Cumberland, Representatives: ACKLEY of
Monmouth, MAXMIN of Nobleboro.

Bill "An Act To Allow Flexible Business Hours for Certain Agency
Liquor Stores"

S.P. 106 L.D. 365

Presented by Senator KEIM of Oxford.
Cosponsored by Representative SCHNECK of Bangor and
Senators: CYRWAY of Kennebec, HERBIG of Waldo, LUCHINI of
Hancock, Representative: HICKMAN of Winthrop.

On motion by Senator **LUCHINI** of Hancock, **REFERRED** to the
Committee on **VETERANS AND LEGAL AFFAIRS** and ordered
printed.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for
concurrence.

ORDERS

Joint Resolution

On motion by Senator **CHENETTE** of York (Cosponsored by
Representative ACKLEY of Monmouth and Representatives:
BAILEY of Saco, BERRY of Bowdoinham, JOHANSEN of
Monticello, KESSLER of South Portland, RYKERSON of Kittery,
STANLEY of Medway), the following Joint Resolution:

S.P. 105

JOINT RESOLUTION

MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO RESTORE FREE AND FAIR ELECTIONS

WHEREAS, the framers of the United States Constitution
intended that the Congress of the United States should be
"dependent on the people alone"; and

WHEREAS, that dependency has evolved from a dependency on
the people alone to a dependency on powerful special interests,
through campaigns or 3rd-party groups, that has created a
fundamental imbalance in our representative democracy; and
WHEREAS, Americans across the political spectrum agree that
elections in the United States of America should be free from the
disproportionate influence of special interests and fair enough that
any citizen can be elected to office; and

WHEREAS, the Constitution of Maine, Article I, Section 2 states
that "All power is inherent in the people; all free governments are
founded in their authority and instituted for their benefit" and that
the people have an unalienable and indefeasible right to reform
the government; and

WHEREAS, under the United States Constitution, Article V, the
Congress of the United States, whenever 2/3 of both Houses
consider it necessary, shall propose amendments to the United
States Constitution, or, on the application of the legislatures of 2/3
of the several states, call a convention for proposing amendments
that, in either case, will be valid to all intents and purposes as part
of the United States Constitution when ratified by the legislatures
of 3/4 of the several states, or by conventions in 3/4 thereof, as
the one or the other mode of ratification may be proposed by the
Congress; now, therefore, be it

RESOLVED: That the Legislature of Maine respectfully applies to
the Congress of the United States to call a convention for the
specific and exclusive purpose of proposing an amendment to the
United States Constitution that will permanently protect free and
fair elections by addressing concerns about the removal of
restrictions on amounts of independent political spending through
Citizens United v. Federal Election Commission, 558 U.S. 310
(2010) and related cases and events including those occurring
long before or afterward or for a substantially similar purpose, and
desires that the requested convention be limited to that purpose;
and be it further

RESOLVED: That this State desires that the delegations to the requested convention be composed equally of individuals currently elected to state and local office or be selected by election in each congressional district for the purpose of serving as delegates and all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the requested convention and that the State intends to retain the ability to restrict or expand the power of its delegates within the limits expressed in this paragraph; and be it further

RESOLVED: That this application by this body constitutes a continuing application in accordance with the United States Constitution, Article V together with similar applications calling for a convention passed in Vermont, California, Illinois, New Jersey and Rhode Island and all other passed, pending and future applications until at least 2/3 of the legislatures of the several states have made similar application pursuant to Article V and the convention is convened by the Congress of the United States; and be it further

RESOLVED: That this application is void, rescinded and of no effect in the event that such a convention is not limited to such a specific and exclusive purpose; and be it further

RESOLVED: That the people of the State speaking through its Legislature, and pursuant to Article V of the United States Constitution, hereby apply to the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the United States Constitution that will restore free and fair elections as described herein, as soon as 2/3 of the several states have applied for a convention for a similar purpose; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Senate and the presiding officers of the houses of the legislature of each of the several states in the nation, the President of the United States, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate and each member of the Maine Congressional Delegation.

READ and REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (1/17/19) matter:

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.)

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (1/17/19) matter:

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**.)

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (1/22/19) matter:

Bill "An Act To Amend the Laws Governing the Practice of Pharmacy"

S.P. 79 L.D. 267

Tabled - January 22, 2019 by Senator **HERBIG** of Waldo

Pending - **REFERENCE**

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

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

Sent down for concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess the Senate was called to order by the President.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Laws Governing Dangerous Dogs and Nuisance Dogs To Allow for Flexibility in Protection Dog Training"
H.P. 258 L.D. 333

Bill "An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry"
H.P. 277 L.D. 351

Come from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

Bill "An Act To Authorize a General Fund Bond Issue for the Construction of a Convention Center in Portland"
H.P. 267 L.D. 341

Bill "An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation"
H.P. 290 L.D. 381

Come from the House, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

On motion by Senator **BREEN** of Cumberland, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act Regarding Forfeiture of Assets of Persons Convicted of Certain Criminal Restraint Offenses, Aggravated Sex Trafficking Offenses and Sex Trafficking Offenses"
H.P. 249 L.D. 324

Bill "An Act To Decriminalize Engaging in Prostitution"
H.P. 251 L.D. 326

Bill "An Act To Exempt from Criminal Liability Persons Reporting a Drug-related Medical Emergency"
H.P. 254 L.D. 329

Bill "An Act To Remove the Statute of Limitations for Certain Sex Crimes"
H.P. 257 L.D. 332

Bill "An Act To Require a Person To Notify Law Enforcement Officers of the Possession of a Hypodermic Needle"
H.P. 268 L.D. 342

Bill "An Act To Classify Recovery Residences as One-family Dwellings for the Purposes of the Fire Code"
H.P. 279 L.D. 353

Bill "An Act To Protect Children by Requiring the Safe Storage of Loaded Firearms"
H.P. 288 L.D. 379

Come from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **DESCHAMBAULT** of York, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

Bill "An Act To Prepare All Students for Work and Life by Requiring That Students Receive Instruction in Vocational Preparation and Practical Life Skills"
H.P. 243 L.D. 318

Bill "An Act To Help New Teachers Succeed"
H.P. 271 L.D. 345

Bill "An Act To Promote the Forest Products Industry in School Construction and Renovation Involving Heating Systems"
H.P. 284 L.D. 375

Bill "An Act To Fund Services for Blind and Visually Impaired Persons at the Maine State Library"
H.P. 291 L.D. 382

Bill "An Act To Base School Funding on the Number of Students Sent by a Town to a Regional School Unit"
H.P. 294 L.D. 385

Bill "An Act To Require Cursive Handwriting Instruction in Grade 3 to Grade 5"
H.P. 296 L.D. 387

Bill "An Act To Recognize Employee Background Checks Conducted for Out-of-state Schools Eligible for Maine Tuition Assistance" (EMERGENCY)

H.P. 297 L.D. 388

Come from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

On motion by Senator **MILLETT** of Cumberland, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Change the Definition of 'Renewable Capacity Resource'"

H.P. 259 L.D. 334

Bill "An Act To Amend the Brunswick Sewer District Charter"

H.P. 272 L.D. 346

Bill "An Act To Provide Sustainable Funding for Drinking Water and Wastewater Infrastructure"

H.P. 273 L.D. 347

Bill "An Act To Increase the Safety of Municipal Residents by Allowing Municipalities To Address Downed Wires in Extended Power Outages"

H.P. 281 L.D. 372

Come from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

Bill "An Act To Standardize the Laws Concerning Property Transfers and To Protect Water Quality"

H.P. 244 L.D. 319

Bill "An Act To Revise Maine's Environmental Laws"

H.P. 252 L.D. 327

Bill "An Act To Allow Flexibility in the Deposit Labeling of Metal Returnable Beverage Containers"

H.P. 263 L.D. 338

Bill "An Act To Protect Small Redemption Centers" (EMERGENCY)

H.P. 286 L.D. 377

Bill "An Act To Amend Maine's Bottle Deposit Law"

H.P. 287 L.D. 378

Come from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **CARSON** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Provide Emergency Funds for Clients of the Adult Protective Services System"

H.P. 250 L.D. 325

Bill "An Act To Require That Notice of Lead Abatement Orders Be Filed with the Registry of Deeds"

H.P. 261 L.D. 336

Bill "An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores"

H.P. 269 L.D. 343

Bill "An Act To Provide MaineCare Coverage for Dental Services to Adults with Intellectual Disabilities or Autism Spectrum Disorder"

H.P. 282 L.D. 373

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

Bill "An Act To Amend the Scope of Practice of Podiatric Medicine"

H.P. 245 L.D. 320

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

On motion by Senator **H. SANBORN** of Cumberland, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

Bill "An Act To Ensure the Continuation of the Landowner Relations Program"

H.P. 246 L.D. 321

Bill "An Act To Start a Spring Bear Hunting Season"

H.P. 262 L.D. 337

Bill "An Act To Prohibit Unattended Watercraft on Open Water"

H.P. 265 L.D. 339

Bill "An Act To Establish a Comprehensive Wildlife Biology Internship Program"

H.P. 295 L.D. 386

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act To Prohibit the Providing of Misleading or Inaccurate Information via Caller Identification Services during Telemarketing Calls"

H.P. 274 L.D. 348

Comes from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed, in concurrence.

Bill "An Act To Institute Safe Children Court Team Programs"

H.P. 253 L.D. 328

Resolve, Directing the Secretary of State To Review the Revised Uniform Law on Notarial Acts

H.P. 293 L.D. 384

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

On motion by Senator **LIBBY** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act To Establish a Temporary Terminal Condition Medical Allowance for Lobster and Crab Fishing License Holders"

H.P. 266 L.D. 340

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

On motion by Senator **MIRAMANT** of Knox, **REFERRED** to the Committee on **MARINE RESOURCES** and ordered printed, in concurrence.

Bill "An Act To Set the Minimum Penalty for Littering on State Highways at \$1,000"

H.P. 248 L.D. 323

Bill "An Act To Prohibit the Operation of Large Commercial Vessels in the Waters of Southern Mount Desert Island"

H.P. 256 L.D. 331

Bill "An Act To Increase the Penalties for Illegally Passing a School Bus"

H.P. 270 L.D. 344

Bill "An Act To Exempt Head Start School Buses from Snow Tire Restrictions"

H.P. 276 L.D. 350

Bill "An Act To Revise the Calculation of Tolls Established for the Maine State Ferry Service"

H.P. 289 L.D. 380

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

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

Bill "An Act To Strengthen Maine's Election Laws by Requiring Photographic Identification for the Purpose of Voting"

H.P. 247 L.D. 322

Bill "An Act To Exempt Veterans' Organizations from Licensing Fees for Certain Games"

H.P. 278 L.D. 352

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each State Senatorial District

H.P. 283 L.D. 374

Come from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

On motion by Senator **LUCHINI** of Hancock, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

Pursuant to Statute ConnectME Authority

The **ConnectME Authority**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: ConnectME Authority, a Major Substantive Rule of the ConnectME Authority (EMERGENCY)

H.P. 292 L.D. 383

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **ACCEPTED**, in concurrence.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218, in concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Resolutions

The following Joint Resolution:

H.P. 242

JOINT RESOLUTION RECOGNIZING JANUARY 25, 2019 AS EITC AWARENESS DAY

WHEREAS, in order to promote the federal and Maine state earned income tax credit, which enhances family household budgets, we recognize January 25, 2019 as EITC Awareness Day; and

WHEREAS, 4 of 5 people eligible for the credit claim it, which demonstrates the importance of raising awareness of this credit and urging individuals to find out if they qualify for it; and

WHEREAS, throughout the State, IRS-certified volunteer tax preparers who are members of CA\$H Maine and AARP Tax-Aide, a collaboration of 10 statewide coalitions including 50 nonprofit and for-profit partners, provide free federal and state tax preparation; and

WHEREAS, since 2003, CA\$H Maine has also educated hard-working families and individuals about programs in the community that can increase their income, reduce debt and build savings; and

WHEREAS, in 2018, these volunteers helped Maine residents save more than \$3,500,000 in tax filing fees and claim over \$4,400,000 in earned income tax credits, returning over \$20,000,000 to Maine residents in federal income tax refunds; 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 recognize January 25, 2019 as EITC Awareness Day; and be it further

RESOLVED: That we send our appreciation to all the volunteers who participate in EITC Awareness Day for the benefit of Maine citizens and we urge participation in this worthy cause.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

The following Joint Resolution:

H.P. 280

JOINT RESOLUTION MEMORIALIZING THE UNITED STATES CONGRESS TO SUPPORT FEDERAL EMPLOYEES IN MAINE AFFECTED BY THE FEDERAL GOVERNMENT SHUTDOWN AND TO TAKE IMMEDIATE CONGRESSIONAL ACTION

WE, your Memorialists, the Members of the One Hundred and Twenty-ninth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

WHEREAS, the longest partial shutdown in the history of the United States government began on December 22, 2018; and

WHEREAS, the federal government shutdown is affecting approximately 800,000 federal employees; and

WHEREAS, in Maine the workers currently affected are employees of the Department of Homeland Security, which includes airport screening personnel and members of the United States Coast Guard, and employees of Acadia National Park; and

WHEREAS, those federal workers who have not been furloughed are obliged to work without pay; and

WHEREAS, the federal government shutdown is also having an effect on other industries in Maine, such as tourism, and small businesses that depend upon federal regulation and loan processing; and

WHEREAS, as the federal government shutdown continues, there is potential for many social and housing services in the State to be negatively affected; and

WHEREAS, it is important for the economic health of the State that the federal government shutdown cease as quickly as possible; now, therefore, be it

RESOLVED: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress take immediate steps to reach a compromise and end the partial shutdown of the Federal Government and restore financial security to the lives of citizens; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

Comes from the House, **READ** and **ADOPTED**.

READ and **ADOPTED**, in concurrence.

All matters thus acted upon were ordered sent down forthwith for concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 264

**JOINT RESOLUTION
MAKING APPLICATION TO THE CONGRESS OF THE UNITED
STATES CALLING A CONSTITUTIONAL CONVENTION
UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION
LIMITED TO PROPOSING AN AMENDMENT TO THE UNITED
STATES CONSTITUTION TO REQUIRE A BALANCED
FEDERAL BUDGET**

WHEREAS, under the United States Constitution, Article V, the Congress of the United States, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the United States Constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments that, in either case, shall be valid to all intents and purposes, as part of the United States Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; and

WHEREAS, with each passing year, this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the public debt now exceeds hundreds of billions of dollars; and

WHEREAS, the annual federal budget is a continual demonstration of an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenues; and

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays that are neither included in the budget nor subject to the legal public debt limit; and

WHEREAS, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all federal spending and be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the inflation that results from this policy, is the greatest threat that faces our nation, we firmly believe that constitutional restraint is necessary to bring about the fiscal discipline needed to restore financial responsibility; and

WHEREAS, we believe action on amendments to the United States Constitution concerning federal expenditures to be vital; now, therefore, be it

RESOLVED: That the Legislature of Maine respectfully applies to the Congress of the United States, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing an amendment to the United States Constitution requiring that, in the absence of a national emergency, the total of all federal outlays made by the Congress of the United States for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints; and be it further

RESOLVED: That this application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including but not limited to previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri,

Nebraska, Ohio, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West Virginia; and this application must be aggregated with same for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing amendments, but may not be aggregated with any applications on any other subject; and be it further

RESOLVED: That this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this Legislature on the same subject; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Senate and presiding officers of both houses of the legislatures of each of the several states in the nation, the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate and each member of the Maine Congressional Delegation.

Comes from the House, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

READ and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

Joint Order

An Expression of Legislative Sentiment recognizing:

Jessica Gagne, of Biddeford, a journalist with WCSH-TV, who was named Maine Sportscaster of the Year by the National Sports Media Association. We extend our congratulations and best wishes;

HLS 33

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

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Deschambault.

Senator **DESCHAMBAULT:** Thank you, Mr. President. It is my distinct pleasure to introduce to you and to this Body, of course, Jessica Gagne. A little bit about Jessica, other than she knows my son and went to school with a lot of young people I know from Biddeford High School. She grew up in Southern Maine and is a proud graduate of Biddeford High School, where she was a volley ball player, a competitive dancer, a former cheerleader, and manager of the Biddeford High School football team. She attended college at Syracuse University before transferring to

Northeastern, where she earned a Bachelor's degree in journalism. During her time at Northeastern Jess traveled to Italy, Jordan, Turkey, working as a producer in foreign correspondence. She was hired as a multi-skilled journalist at News Center Maine in January of '13. She started working with, I guess her boss, Lee Goldberg, who's very well known in the sports field on TV. He said, 'Jessica understands the sports landscape for the whole state and she's a good storyteller, which is what the job has become. It's not just about showing highlights. It's about getting out, meeting people, and sharing stories which, in her own personality, she's very comfortable in doing.' I should say that she was awarded this by the National Sports Media Association. She's named the Maine Sportscaster of the Year. As if that honor wasn't enough, she's the first female to earn the award and, in my admitted bias opinion, it could not be bestowed on a harder working, more talented, and generally nicer person than Jessica. Thank you very much.

The Joint Order was **PASSED**, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the back of the Chamber Jessica Gagne. She is the guest today of the Cumberland delegation: Senator Chipman, Senator Sanborn, but more importantly, the Senator from York, Senator Deschambault. Would the Senate please rise and greet Ms. Gagne.

Off Record Remarks

All matters thus acted upon were ordered sent down forthwith for concurrence.

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, January 29, 2019 at 10:00 in the morning.