

# 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  
Tuesday  
February 5, 2019

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

Prayer by Senator Michael E. Carpenter of Aroostook County.

**SENATOR CARPENTER:** Let us pray. Heavenly Father, as we begin another legislative session please keep us ever mindful of why we're here. Please keep our emotions in check. Please always remind us about Your golden rule and let us treat the others that we work with here as we would wish to be treated ourselves and keep us ever mindful of Your watchful gaze over us and keep us all safe this week. Thank you.

Pledge of Allegiance led by Senator Eloise A. Vitelli of Sagadahoc County.

Reading of the Journal of Thursday, January 31, 2019.

Doctor of the day, Karen Saylor, M.D. of Cumberland.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

Bill "An Act To Increase Funding for the St. Croix International Waterway Commission"

S.P. 128 L.D. 450

In Senate, January 29, 2019, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

On motion by Senator **DILL** of Penobscot, the Senate **RECEDED** and **CONCURRED**.

**House Papers**

Bill "An Act To Increase the Minimum Grant Amount under the Maine State Grant Program"

H.P. 366 L.D. 509

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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

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

Bill "An Act To Require Ingredient Lists at Certain Retail Food Locations"

H.P. 372 L.D. 515

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

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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

Bill "An Act To Allow Fair Access to Child Advocacy Center Records"

H.P. 318 L.D. 409

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 Expand Adult Dental Health Insurance Coverage"

H.P. 376 L.D. 519

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

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

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

Signed,

S/Susan Deschambault  
Senate Chair

S/Charlotte May Warren  
House Chair

**READ and ORDERED PLACED ON FILE.**

**THE PRESIDENT:** The Chair recognizes the Senator from Kennebec, Senator Cyrway.

Senator **CYRWAY**: Thank you, Mr. President. I rise to speak, ladies and gentlemen of the Senate, on behalf of Randall Liberty as a friend, a neighbor, a coworker, and a boss. I've been fortunate to have a man to have my back in serious situations, as well as I've had his. He's worked with the jails, law enforcement, prisons, and politics. He's like a brother and I had the privilege to have him as a next door neighbor. This man is a can-do type of guy. I'd like to paint a picture of his attitude. When you leave work you go home and you tend to lay back in a chair and put your feet up and you get a controller for the TV set and you go get that channel selector and you click and you're looking at the channels and saying 'No, I don't want to watch that. Nope, don't want to watch that,' and you click again and you say, 'Oh, that's disgusting,' and then you change the channel. What you'd see if you put the channel on Randall Liberty is a positive attitude. He's got a positive channel and that's the type of guy I think you really want in this position. He's got the experience and he'd do a great job and he has the can-do attitude and a positive channel. So with that, I would certainly be honored to have him as a Commissioner. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT**: Thank you, Mr. President. It does work. How wonderful. I'd like to speak against this nomination because we cannot afford to lose Randall Liberty at the Maine State Prison. This man has been so impressive with initiating policies and procedures, getting the respect of the workers and the prisoners. When one of the inmates was sick, terminally, he set it up in the sickbay for him to have a pretty good end of life. He invited me in to check that because some people were concerned. The discussions we've had, his support for prisoner reentry into the community, I could go on, I won't because I hate that. But thank you. Support him and support the committee in this nomination. Thank you.

The Chair noted the absence of the Senator from Penobscot, Senator **GUERIN**, and further excused the same Senator from today's Roll Call votes.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** be overridden?"

## COMMUNICATIONS

The Following Communication: S.C. 100

### STATE OF MAINE ONE HUNDRED AND TWENTY NINTH LEGISLATURE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

February 1, 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 Criminal Justice and Public Safety has had under consideration the nomination of Randall A. Liberty of Clinton, for appointment as the Commissioner of the Department of Corrections.

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	Deschambault of York, Carpenter of Aroostook, Rosen of Hancock
	Representatives	10	Warren of Hallowell, Beebe- Center of Rockland, Cooper of Yarmouth, Corey of Windham, Costain of Plymouth, Galgay Reckitt of South Portland, Johansen of Monticello, Morales of South Portland, Pickett of Dixfield, Sharpe of Durham
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 Randall A. Liberty of Clinton, for appointment as the Commissioner of the Department of Corrections be confirmed.

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

# **ROLL CALL (#10)**

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, HAMPER, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: GUERIN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Randall A. Liberty** of Clinton for appointment as the Commissioner of the Department of Corrections was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 116

## **STATE OF MAINE ONE HUNDRED AND TWENTY-NINTH LEGISLATURE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

February 1, 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 Criminal Justice and Public Safety has had under consideration the nomination of Michael J. Sauschuck of Windham, for appointment as the Commissioner of the Department of Public Safety.

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	2	Deschambault of York, Carpenter of Aroostook
	Representatives	6	Warren of Hallowell, Beebe- Center of Rockland, Cooper of Yarmouth, Galgay Reckitt of South Portland, Morales of South Portland, Sharpe of Durham
NAYS	Senators	1	Rosen of Hancock
	Representatives	4	Corey of Windham, Costain of Plymouth, Johansen of Monticello, Pickett of Dixfield

ABSENT 0

Eight members of the Committee having voted in the affirmative and five in the negative, it was the vote of the Committee that the nomination of Michael J. Sauschuck of Windham, for appointment as the Commissioner of the Department of Public Safety be confirmed.

Signed,

S/Susan Deschambault  
Senate Chair

S/Charlotte May Warren  
House Chair

## **READ and ORDERED PLACED ON FILE.**

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. Mr. President, I stand here today in support of the nominee for Commissioner of Public Safety, Chief Michael Sauschuck. As Chair of the Criminal Justice and Public Safety Committee, my colleagues and I voted to support Chief Sauschuck after we examined the job description and reviewed hours of heartfelt testimony on both sides. There were many compelling points. Many people who came to testify at the hearing on Friday talked about their Second Amendment rights. Responsible gun ownership is a longstanding part of our tradition and history. As lawmakers, however, it is our job and our responsibility to create and support laws consistent with the United States and Maine Constitution. What will Chief Sauschuck's role be as Public Safety Commissioner? He will oversee the State's public safety bureaus, which include the Capitol Police, consolidated emergency communications, the Maine Criminal Justice Academy, drug enforcement, emergency medical services, Fire Marshal's Office, gambling control, highway safety, and the Maine State Police. The Department of Public Safety also consists of management office and legal personnel. It's a vital role to keep Maine families and communities safe, secure, and thriving. In the Senate, it's our job to properly vet each nominee to be sure that they have the appropriate background, experience, and qualifications for this important role. As the Chief of Police in Portland, Chief Sauschuck led the largest municipal police

department in the state with authority over 223 personnel and a budget of \$16.6 million. He worked to orient the department towards a community policing model geared to create partnerships. As Police Chief he also served as the Department's primary point of contact for the City Manager, department heads, the media, and government officials from State, local, and federal governments. He also twice worked for the Maine Drug Enforcement, focused on investigating and suppressing illegal narcotic activity. Therefore, Chief Sauschuck is an extraordinarily, well qualified individual whose work to combat the opioid crisis and implement effective community policing practices has gained him the respect and admiration of many in the law enforcement community and the community itself. We look forward to him aptly protecting the safety of the Maine people as the Commissioner of Public Safety. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Androscoggin, Senator Timberlake.

Senator **TIMBERLAKE:** Senate President Jackson and fellow colleagues of the Maine Senate, I would like to begin my comments today by thanking Mr. Sauschuck for the many years of dedicated service, first to our country as a United States Marine and to the citizens of our state as a law enforcement officer for the last few decades. I have no doubt that Mr. Sauschuck is passionate about what he does and that he is a valued member of his community and a great husband and father. While I have no question that Mr. Sauschuck is an outstanding man, I'm troubled by his nomination to serve as the Commissioner of Public Safety. On December 5<sup>th</sup> Senator Dow, Senator Hamper, and I placed our hands on the bible and swore an oath to uphold the Constitution of the State of Maine. Article I, Section 16 clearly states that every citizen has the right to keep and bear arms and this right shall never be questioned. During the committee process Mr. Sauschuck expressed that he doesn't believe that our constitutionally protected rights are unlimited and that the right to bear arms should have limits. This is a cause for concern for many Mainers who believe, as our Constitution states, that our rights shall never be questioned. Also during the hearing Mr. Sauschuck said that many anti-Second Amendment stances that he took on behalf of the City of Portland were actually his personal beliefs and that he was not directed to advocate for gun control or set on the board of gun control groups. These actions were of his own freewill and accord. While his personal views weren't very far off base in Portland, they don't reflect the value of Mainers statewide. In 2016, the voters of Maine voted against gun control when they turned down Michael Bloomberg's firearms transfer referendum that Mr. Sauschuck publicly supported. In my own district an overwhelming 65% of the voters said no to unnecessary gun control. Maine is the safest state in the country and our residents have some of the highest rates of gun ownership in the country. We value our rights and our heritage, which is why so many Maine people traveled to Augusta to express their concerns on Friday. Trust between those doing the policing and those being policed is critical, especially in this day and age. That is why I urge my colleagues to follow my light and vote yes in opposition of the nomination of Mr. Sauschuck. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I will be brief. I also sat through a long committee hearing on Friday. I also placed my hand on the bible back in December and swore allegiance to the Constitution of the State of Maine and I don't believe that my vote here today, or my vote in the committee, is violative of that oath in any way. As the Senator from Androscoggin, Senator Timberlake, expressed a moment ago, Mr. Sauschuck did indicate that he believes that our Constitutional rights, be it the First Amendment, the Second Amendment, or any other part of the Constitutions, are not unlimited and that is absolutely consistent with what the United States Supreme Court has ruled. We don't allow people to buy machine guns. We don't allow felons to carry weapons. We take weapons away from people who are the subject of protection orders in some cases. I've always been a supporter of the Second Amendment and I don't think my vote here today in any way impairs my belief. I don't agree with some of the positions that Mr. Sauschuck has taken in the past but I would like to think that as we look at the positions of people, and I tried to do this over the last two years when I was considering the appointments of former Governor Paul LePage, that we try to look at the whole person. I don't think I voted against any of his nominees even though some of them had expressed positions that were antithetical to myself. This is a position for which Mr. Sauschuck is eminently qualified, which everybody admits to. The only issue that any of them had had to do with statements that he had made, or positions he had taken, with regards to some gun issues. So unfortunately, this has now turned into a debate on gun control. I don't support any abrogation to the Second Amendment. Have not and don't expect to in the future. However, when I look at the whole person, I look at a person who's worked collaboratively. I look at a person who has tremendous respect in the law enforcement community and the community which he policed in the City of Portland. I cannot not vote for a person who I think is this qualified and will do a great job with the Department of Public Safety. As the Commissioner of Public Safety, as it was pointed out over and over at the committee hearing, he does not have independent policy making authority. He's there to carry out the laws that relate to the Department of Public Safety and is directed by his boss, who is our Governor, who's made herself very clear on some of these issues. So if you want to vote against Mr. Sauschuck that's your right. It is unfortunate that we've turned this into a political referendum about gun control because I don't think that's really what it's about. We'll have issues later on during this session, I'm sure, that we can debate the whole issue of the Second Amendment and gun control. This is not where that flag should be planted and I urge you to follow my light and vote no on the nomination. Thank you.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#11)**

YEAS: Senators: BLACK, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, HAMPER, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, HERBIG, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: GUERIN

13 Senator having voted in the affirmative and 21 Senators having voted in the negative, with 1 Senator being excused, and 13 being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Michael J. Sauschuck** of Windham for appointment as the Commissioner of the Department of Public Safety was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber Michael Sauschuck, Commissioner of Public Safety. Would he please rise and accept the greetings of the Maine Senate.

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Off Record Remarks

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The Following Communication: S.C. 101

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON HEALTH AND HUMAN SERVICES**

January 31, 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 Health and Human Services has had under consideration the nomination of Jeanne M. Lambrew of Augusta, for appointment as the Commissioner of the Department of Health and Human Services.

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	Gratwick of Penobscot, Claxton of Androscoggin, Moore of Washington
	Representatives	10	Hymanson of York, Craven of Lewiston, Griffin of Levant, Javner of Chester, Madigan of Waterville, Meyer of Eliot, O'Connor of Berwick, Perry of Calais, Stover of Boothbay, Talbot Ross of Portland

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 Jeanne M. Lambrew of Augusta, for appointment as the Commissioner of the Department of Health and Human Services be confirmed.

Signed,

S/Geoff Gratwick  
Senate Chair

S/Patty Hymanson  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **HEALTH AND HUMAN SERVICES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#12)**

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, HAMPER, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: GUERIN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Jeanne M. Lambrew** of Augusta for appointment as the Commissioner of the Department of Health and Human Services was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

The Following Communication: S.C. 102

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

January 31, 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 Education and Cultural Affairs has had under consideration the nomination of A. Pender Makin of Scarborough, for appointment as the Commissioner of the Department of Education.

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	Millett of Cumberland, Carson of Cumberland, Pouliot of Kennebec
	Representatives	10	Kornfield of Bangor, Brennan of Portland, Dodge of Belfast, Drinkwater of Milford, Farnsworth of Portland, Fecteau of Augusta, Ingwersen of Arundel, McCrea of Fort Fairfield, Rudnicki of Fairfield, Sampson of Alfred
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 A. Pender Makin of Scarborough, for appointment as the Commissioner of the Department of Education be confirmed.

Signed,

S/Rebecca Millett  
Senate Chair

S/Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#13)**

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN,  
CARPENTER, CARSON, CHENETTE, CHIPMAN,  
CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT,  
DIAMOND, DILL, DOW, FARRIN, FOLEY,  
GRATWICK, HAMPER, HERBIG, KEIM,  
LAWRENCE, LIBBY, LUCHINI, MILLETT,  
MIRAMANT, MOORE, POULIOT, ROSEN,  
SANBORN H, SANBORN L, TIMBERLAKE, VITELLI,  
WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: GUERIN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **A. Pender Makin** of Scarborough for appointment as the Commissioner of the Department of Education was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber A. Pender Makin, the new Commissioner of Education. Would she please rise and accept the greetings of the Maine Senate.



The Following Communication: S.C. 103

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON HEALTH COVERAGE, INSURANCE AND  
FINANCIAL SERVICES**

January 31, 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 Health Coverage, Insurance and Financial Services has had under consideration the nomination of Anne L. Head of Yarmouth, for appointment as the Commissioner of the Department of Professional and Financial Regulation.

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	Sanborn of Cumberland, Foley of York, Gratwick of Penobscot
	Representatives	10	Tepler of Topsham, Blier of Buxton, Brennan of Portland, Brooks of Lewiston, Foley of Biddeford, Mastraccio of Sanford, Melaragno of Auburn, Morris of Turner, Prescott of Waterboro, Swallow of Houlton

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 Anne L. Head of Yarmouth, for appointment as the Commissioner of the Department of Professional and Financial Regulation be confirmed.

Signed,

S/Heather B. Sanborn  
Senate Chair

S/Denise A. Tepler  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** be overridden?"

In accordance with 3 M.R.S.A., Chapter 6, Section 158, and with Joint Rule 506 of the 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#14)**

YEAS: Senators: None

NAYS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, HAMPER, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

EXCUSED: Senators: GUERIN

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Anne L. Head** of Yarmouth for appointment as the Commissioner of the Department of Professional and Financial Regulation was **CONFIRMED**.

The Secretary has so informed the Speaker of the House of Representatives.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber Anne L. Head, the new and former Commissioner of Professional and Financial Regulations. Would she please rise and accept the greetings of the Maine Senate.

The Following Communication: S.C. 99

**OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE**

February 1, 2019

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

RE: Appointment of Robert S. Duchesne of Old Town to the Board of Environmental Protection

Dear President Jackson:

This is to inform you that I am today nominating Robert S. Duchesne of Old Town for appointment to the Board of Environmental Protection.

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

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 104

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
OFFICE OF THE PRESIDENT  
AUGUSTA MAINE**

January 30, 2019

Honorable Janet T. Mills  
Governor  
#1 State House Station  
Augusta, Maine 04333

Dear Governor Mills:

On behalf of the 129<sup>th</sup> Maine Legislature, we would like to invite you to deliver your State of the Budget Address. At your direction, we will call for a Joint Convention of the Legislature on Monday, February 11<sup>th</sup> at 7:00 p.m.

We look forward to coordinating any details necessary to see that your Address is received by the Legislature.

Sincerely,

S/Troy D. Jackson                      S/Sara Gideon  
President of the Senate              Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 105

**OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE**

January 31, 2019

The Honorable Troy D. Jackson  
President of the Senate  
Augusta, ME 04330

The Honorable Sara Gideon  
Speaker of the House  
Augusta, ME 04330

Dear President Jackson and Speaker Gideon:

I am pleased to accept your invitation to deliver the State of the Budget Address at a Joint Session of the 129th Maine Legislature on Monday, February 11th, 2019, at 7:00 PM.

I look forward to seeing you then!

Sincerely,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

---

The Following Communication: S.C. 95

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON HEALTH COVERAGE,  
INSURANCE AND FINANCIAL SERVICES**

January 29, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Foley of York, to report the following bill Leave to Withdraw:

L.D. 367      An Act To Amend the Definition of "Insurer"  
under the Maine Guaranteed Access  
Reinsurance Association Act

Sincerely,

S/Sen. Heather B. Sanborn, Senate Chair

S/Rep. Denise A. Tepler, House Chair

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

The Following Communication: S.C. 97

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON INNOVATION, DEVELOPMENT,  
ECONOMIC ADVANCEMENT AND BUSINESS**

January 29, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Breen of Cumberland, to report the following bill Leave to Withdraw:

L.D. 105      An Act To Establish the Office of Outdoor Recreation

Sincerely,

S/Sen. Erin Herbig, Senate Chair

S/Rep. Matthea Elisabeth Larsen-Daughtry, House Chair

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

---

The Following Communication: S.C. 98

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON INNOVATION, DEVELOPMENT,  
ECONOMIC ADVANCEMENT AND BUSINESS**

January 29, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Sen. Guerin of Penobscot, to report the following bill Leave to Withdraw:

L.D. 106      An Act To Amend the Maine Veterinary Practice Act Relating to Alternative Therapy or Collaborative Treatment

Sincerely,

S/Sen. Erin Herbig, Senate Chair

S/Rep. Matthea Elisabeth Larsen-Daughtry, House Chair

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

---

The Following Communication: S.C. 96

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON TRANSPORTATION**

January 31, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. McCrea of Fort Fairfield, to report the following bill Leave to Withdraw:

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

Sincerely,

S/Sen. Bill Diamond, Senate Chair

S/Rep. Andrew McLean, House Chair

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

---

The Following Communication: S.C. 106

**MAINE COMMUNITY COLLEGE SYSTEM  
OFFICE OF THE PRESIDENT  
AUGUSTA, MAINE**

January 29, 2019

Honorable Sara Gideon Speaker of the House  
State House Station Augusta, Maine 04333

Honorable Troy D. Jackson President of the Senate  
State House Station Augusta, ME 04333-0002

Dear Speaker Gideon and President Jackson:

On behalf of the Board of Trustees of the Maine Community College System (MCCS), I respectfully submit the attached report on certain procurements, contributions, and policy changes for the period July 1, 2017 through June 30, 2018 as required by 5 M.R.S.A. § 12023.

To compile this report, MCCS used customized reporting features built into our business management systems. We then tested the validity of those reports and reviewed several transactions with college personnel. Combined, the seven colleges and the MCCS System Office make thousands of purchases each year.

While reporting is complex, our review indicates that the colleges' compliance with existing policies is extremely high, and expenditures are consistently mission related. In those few areas where we have identified need for improvement, refinements have been made or are under way.

MCCS will continue to use its internal controls and annual outside audit to adapt its systems to changing needs, and our Board of Trustees will continue to monitor compliance through regular reporting and an ongoing dialogue with auditors.

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

Sincerely yours,

S/David Daigler  
President

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

---

The Following Communication: S.C. 107

**MAINE TECHNOLOGY INSTITUTE  
BRUNSWICK, MAINE**

January 30, 2019

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

Dear President Jackson:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Technology Institute (MTI) due by February 1, 2019.

Please do not hesitate to contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Brian Whitney  
President

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

---

The Following Communication: S.C. 108

**MAINE TURNPIKE AUTHORITY  
PORTLAND, MAINE**

January 30, 2019

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

Re: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear President Jackson,

Enclosed are the reports required under 5 M.R.S.A. §12023, due February 1, 2019. The reports include: a list of all procurements in 2018 exceeding \$10,000 for which competitive procurement was waived; a list of contributions made in 2018 that exceed \$1,000. Section 12023(2c) requires a description of changes to the written policies and procedures required by Section 12022. There were no changes to the policies and procedures required by this section in 2018, therefore, there is nothing to report.

In 2018, the Maine Turnpike Authority made \$99 million in payments to approximately 681 vendors. The vast majority of these payments, approximately \$86 million, were for competitively bid products or services or were legally or legislatively required. The Authority sole-sourced approximately \$12 million in 2018. Most of these products or services were either proprietary in nature or were procured under long-term contracts. As these long-term contracts expire, the Authority will seek competitive bids.

Respectfully,

S/Peter Mills  
Executive Director

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

The Following Communication: S.C. 109

**MAINE GOVERNMENTAL FACILITIES AUTHORITY  
AUGUSTA, MAINE**

January 30, 2019

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

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Governmental Facilities Authority due by February 1, 2019.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at mrg@mgfa.com.

Sincerely Yours,

S/Michael R. Goodwin  
Executive Director

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

---

The Following Communication: S.C. 110

**MAINE MUNICIPAL BOND BANK  
AUGUSTA, MAINE**

January 30, 2019

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

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Municipal Bond Bank due by February 1, 2019.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-9386 or by email at mrg@mmbb.com.

Sincerely Yours,

S/Michael R. Goodwin  
Executive Director

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

---

The Following Communication: S.C. 111

**MAINE HEALTH AND HIGHER  
EDUCATIONAL FACILITIES AUTHORITY  
AUGUSTA, MAINE**

January 30, 2019

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

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Health and Higher Educational Facilities Authority due by February 1, 2019.

Please feel free to contact me with any questions or if you need additional information. I can be reached at 622-1958 or by email at mrg@mhhefa.com.

Sincerely Yours,

S/Michael R. Goodwin  
Executive Director

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

---

The Following Communication: S.C. 112

**MAINE STATE  
HOUSING AUTHORITY  
AUGUSTA, MAINE**

January 31, 2019

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

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine State Housing Authority due by February 1, 2019.

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

Thank you.

Sincerely,

S/Daniel Brennan  
Director

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

---

The Following Communication: S.C. 113

**MAINE PUBLIC  
EMPLOYEES RETIREMENT SYSTEM  
AUGUSTA, MAINE**

January 30, 2019

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

Dear President Jackson:

The Maine Public Employees Retirement System (MainePERS) is submitting the enclosed report pursuant to 5 M.R.S. § 12023 to provide information on procurement, contributions, and changes to relevant policies and procedures by MainePERS during Fiscal Year 2018.

We would be pleased to respond to any questions you might have about the report.

Sincerely,

S/Sandra J. Matheson  
Executive Director

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

---

The Following Communication: S.C. 114

**STATE OF MAINE  
WORKERS' COMPENSATION BOARD  
AUGUSTA, MAINE**

January 31, 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 Workers' Compensation Board due by February 1, 2019.

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

Thank you.

Sincerely,

S/John C. Rohde  
Executive Director

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

---

The Following Communication: S.C. 115

**STATE OF MAINE  
CHILD DEVELOPMENT SERVICES  
AUGUSTA, MAINE**

January 31, 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 Child Development Services due by February 1, 2019.

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

Thank you.

Sincerely,

S/Roy K. Fowler  
State Director  
Child Development Services

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

---

### SENATE PAPERS

Bill "An Act To Protect Animals in Unattended Vehicles"  
S.P. 178 L.D. 556

Presented by Senator CARPENTER of Aroostook.  
Cosponsored by Senator: DILL of Penobscot, Representatives: BAILEY of Saco, CARDONE of Bangor, WARREN of Hallowell.

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 Authorize a General Fund Bond Issue To Support Research and Development in Maine"  
S.P. 189 L.D. 602

Presented by Senator DILL of Penobscot.  
Cosponsored by Representative HUBBELL of Bar Harbor and Senators: BLACK of Franklin, CARPENTER of Aroostook, MIRAMANT of Knox, Representative: HICKMAN of Winthrop.

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 Provide Funding for a Correctional Facility in Downeast Maine"  
S.P. 195 L.D. 608

Presented by Senator MOORE of Washington.  
Cosponsored by Representative TUELL of East Machias and Representatives: ALLEY of Beals, JAVNER of Chester, PERRY of Calais.

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

Sent down for concurrence.

---

Bill "An Act To Create and Fund the School Revolving Maintenance Fund To Support the Usefulness and Longevity of Public School Buildings" (EMERGENCY)  
S.P. 179 L.D. 557

Presented by Senator MOORE of Washington.  
Cosponsored by Representative TUELL of East Machias.

Bill "An Act To Improve Antihunger Programs in Maine Schools"  
S.P. 192 L.D. 605

Presented by Senator MOORE of Washington.  
Cosponsored by Representative PERRY of Calais.

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 Amend the Laws Governing Funding for Landfill Closure Costs"  
S.P. 190 L.D. 603

Presented by Senator DILL of Penobscot.  
Cosponsored by Representative DUNPHY of Old Town and Senators: CARPENTER of Aroostook, GRATWICK of Penobscot, MIRAMANT of Knox, Representatives: DRINKWATER of Milford, TIPPING of Orono.

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 Stabilize the Behavioral Health Workforce and Avert More Expensive Treatments (EMERGENCY)  
S.P. 180 L.D. 593

Presented by Senator BREEN of Cumberland.  
Cosponsored by Representative MADIGAN of Waterville and Senators: FOLEY of York, MOORE of Washington, Representatives: BICKFORD of Auburn, BROOKS of Lewiston, MILLETT of Waterford, MORALES of South Portland, PEOPLES of Westbrook, TUELL of East Machias.

Resolve, To Require the Department of Health and Human Services To Provide Cost-based Reimbursement to Maine Veterans' Homes

S.P. 193 L.D. 606

Presented by Senator LUCHINI of Hancock.  
Cosponsored by Representative GATTINE of Westbrook and Senators: CARPENTER of Aroostook, GRATWICK of Penobscot, HAMPER of Oxford, President JACKSON of Aroostook, SANBORN, L. of Cumberland, Representatives: HUBBELL of Bar Harbor, MILLETT of Waterford, SCHNECK of Bangor.

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 Reduce Colorectal Cancer Incidence and Mortality by Updating Screening Coverage"

S.P. 177 L.D. 555

Presented by Senator DAVIS of Piscataquis.  
Cosponsored by Representative TEPLER of Topsham and Senators: BLACK of Franklin, BREEN of Cumberland, CLAXTON of Androscoggin, GRATWICK of Penobscot, SANBORN, L. of Cumberland, TIMBERLAKE of Androscoggin, Representatives: GRIGNON of Athens, KESCHL of Belgrade.

Bill "An Act To Promote Individual Savings Accounts through a Public-Private Partnership"

S.P. 181 L.D. 594

Presented by Senator VITELLI of Sagadahoc.  
Cosponsored by Representative TEPLER of Topsham and Senators: BREEN of Cumberland, FOLEY of York, SANBORN, H. of Cumberland, Representatives: BRENNAN of Portland, McCREA of Fort Fairfield, STANLEY of Medway.

Bill "An Act Regulating Employee Benefit Excess Insurance"

S.P. 185 L.D. 598

Presented by Senator LAWRENCE of York.  
Cosponsored by Representative: TEPLER of Topsham.

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 Amend the Laws Governing the Unlawful Cutting of Trees"

S.P. 182 L.D. 595

Presented by Senator TIMBERLAKE of Androscoggin.  
Cosponsored by Representative MORRIS of Turner and Senator: DAVIS of Piscataquis.

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

Sent down for concurrence.

---

Bill "An Act To Achieve Mental Health Parity in Workers' Compensation"

S.P. 187 L.D. 600

Presented by Senator BELLOWS of Kennebec.  
Cosponsored by Representative SYLVESTER of Portland and Senators: CARPENTER of Aroostook, President JACKSON of Aroostook, MOORE of Washington, Representatives: BAILEY of Saco, GRAMLICH of Old Orchard Beach, RECKITT of South Portland.

Bill "An Act To Create Fairness by Reinstating the Cost-of-living Adjustment for Workers' Compensation Benefits"

S.P. 188 L.D. 601

Presented by Senator BELLOWS of Kennebec.  
Cosponsored by Representative SYLVESTER of Portland and Senators: President JACKSON of Aroostook, LAWRENCE of York, Representatives: DOORE of Augusta, FECTEAU of Biddeford, HANDY of Lewiston.

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

Sent down for concurrence.

---

Bill "An Act To Prevent the Closure of Maine Businesses"

S.P. 183 L.D. 596

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative SYLVESTER of Portland and Senator: BELLOWS of Kennebec.

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

Sent down for concurrence.

---

Bill "An Act To Create an Electric Vehicle Tax Credit"

S.P. 191 L.D. 604

Presented by Senator CHENETTE of York.  
Cosponsored by Representative TERRY of Gorham and Senators: CHIPMAN of Cumberland, MIRAMANT of Knox, Representatives: COLLINGS of Portland, DENK of Kennebunk.



Bill "An Act To Provide Equitable Taxation for the Food and Beverage Industry"

S.P. 194 L.D. 607

Presented by Senator GUERIN of Penobscot.  
Cosponsored by Senators: FOLEY of York, LUCHINI of Hancock, POULIOT of Kennebec, Representatives: AUSTIN of Gray, STANLEY of Medway.

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

Sent down for concurrence.

---

Resolve, To Establish a Pilot Project Authorizing the Use of Traffic Surveillance Cameras on Castine Road in Orland  
S.P. 184 L.D. 597

Presented by Senator ROSEN of Hancock. (BY REQUEST)  
Cosponsored by Representative CAMPBELL of Orrington and Senators: BREEN of Cumberland, DIAMOND of Cumberland, FARRIN of Somerset, Representatives: PERKINS of Oakland, SCHNECK of Bangor, VEROW of Brewer.

Bill "An Act To Ensure Fair Access and Pricing for Residents Who Use the Maine State Ferry Service"

S.P. 186 L.D. 599

Presented by Senator HERBIG of Waldo.  
Cosponsored by Representative DOUDERA of Camden and Senators: DIAMOND of Cumberland, MIRAMANT of Knox, Representatives: BEEBE-CENTER of Rockland, DODGE of Belfast, ZEIGLER of Montville.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** 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 **BREEN** of Cumberland (Cosponsored by Speaker GIDEON of Freeport and Senators: DOW of Lincoln, LUCHINI of Hancock, MILLETT of Cumberland, SANBORN, H. of Cumberland, Representatives: DILLINGHAM of Oxford, GATTINE of Westbrook, McCREIGHT of Harpswell, PIERCE of Falmouth), the following Joint Resolution:

S.P. 196

## JOINT RESOLUTION RECOGNIZING FEBRUARY 6, 2019 AS NATIONAL GIRLS AND WOMEN IN SPORTS DAY

**WHEREAS**, the National Girls and Women in Sports Day Coalition celebrates National Girls and Women in Sports Day in Washington, D.C. and encourages its celebration in communities across the nation; and

**WHEREAS**, this day exists to recognize the past and current sports achievements of girls and women, the positive influence of sports participation and the continuing struggle for equality and access for girls and women in sports; and

**WHEREAS**, National Girls and Women in Sports Day began in 1987 as a day to remember Olympic volleyball player Flo Hyman for her athletic achievements and her commitment to ensure equality for women's sports; and

**WHEREAS**, despite the history of impressive successes of girls and women in sports, there has been little national recognition of the significance of girls' and women's athletic achievements; and

**WHEREAS**, at all levels of athletics, girls and women develop self-discipline, initiative, confidence and leadership skills regardless of background; and

**WHEREAS**, the bonds girls and women build through athletics help to break down the social barriers of racism and prejudice, and the communication and cooperation skills learned through sports play a key role in the athletes' contributions at home, at work and to society; and

**WHEREAS**, a need for increased opportunities exists for girls to participate in and pursue physical activity in the community and at the scholastic level so that they may, beginning at an early age, improve their health and well-being on a daily basis and develop lifelong fitness habits; 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 February 6, 2019 as National Girls and Women in Sports Day.

### READ.

On motion by Senator **BREEN** of Cumberland, **TABLED** until Later in Today's Session, pending motion by same Senator to **ADOPT**.

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### Off Record Remarks

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Senate at Ease.

The Senate was called to order by the President.

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

## PAPERS FROM THE HOUSE

### House Papers

Bill "An Act To Change the Composition of the Maine Land Use Planning Commission"

H.P. 412 L.D. 568

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Submit to the United States Secretary of Agriculture a Plan for Continued Implementation of the Maine Industrial Hemp Program (EMERGENCY)

H.P. 413 L.D. 569

Bill "An Act Regarding Licensing of Land-based Aquaculture Facilities"

H.P. 448 L.D. 620

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 Provide Supplemental Appropriations and Allocations for the Operations of State Government"

H.P. 439 L.D. 611

Comes 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 Ensure Comprehensive Access to Menstrual Products in All Maine's Jails, County Correctional Facilities and State Correctional and Detention Facilities"

H.P. 457 L.D. 628

Comes 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.

---

Resolve, Directing the Department of Education To Develop and Implement an Online Learning Platform for Students and Educators

H.P. 420 L.D. 576

Bill "An Act To Increase Access to Nutritious Foods in Schools by Implementing an After-school Food Program for At-risk Students" (EMERGENCY)

H.P. 421 L.D. 577

Bill "An Act To Require Career Options Education for High School Students"

H.P. 431 L.D. 587

Resolve, Directing the State Board of Education To Adopt Rules Prohibiting Teachers in Public Schools from Engaging in Political, Ideological or Religious Advocacy in the Classroom

H.P. 433 L.D. 589

Bill "An Act To Provide Funding for Maine Public"

H.P. 438 L.D. 610

Bill "An Act To Provide Funding for the Naval Museum and Gardens in Brunswick"

H.P. 454 L.D. 626

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 Direct Electric Utilities To Provide Comparative Usage Data on Customer Billing Statements"

H.P. 425 L.D. 581

Bill "An Act To Provide Purchase Rebates for Battery Electric Vehicles"

H.P. 442 L.D. 614

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

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

---

Bill "An Act To Restore Regular Mapping of Eelgrass Beds in the State"

H.P. 403 L.D. 559

Bill "An Act To Improve Shoreland Zoning Rules and Enforcement To Support Municipalities"

H.P. 406 L.D. 562

Bill "An Act To Establish the Maine Coastal Risks and Hazards Commission"

H.P. 409 L.D. 565

Bill "An Act To Increase the Bottle Redemption Deposit and the Amount Retained by Bottle Redemption Centers"

H.P. 419 L.D. 575

Bill "An Act To Update Beverage Container Deposits and Redemption Values"

H.P. 423 L.D. 579

Bill "An Act To Increase Vegetative Buffers in the Shoreland Zone"

H.P. 426 L.D. 582

Bill "An Act To Promote Climate Resiliency Measures To Protect Beaches and Near-shore Infrastructure"

H.P. 434 L.D. 590

Bill "An Act To Prohibit Extruded Polystyrene Food Service Containers"

H.P. 449 L.D. 621

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.

---

Resolve, To Create a Pilot Program To Assist the Transition to Recovery of Persons Suffering from Opioid Use Disorder

H.P. 422 L.D. 578

Resolve, Directing the Department of Health and Human Services To Study the State's Long-term Services and Supports System for Older Adults

H.P. 427 L.D. 583

Resolve, Concerning the Adoption of Rules To Carry Out the Purpose of the Bridging Rental Assistance Program

H.P. 441 L.D. 613

Bill "An Act To Protect the Integrity of the MaineCare Program"

H.P. 443 L.D. 615

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.

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Bill "An Act To Amend the Continuing Education Requirements for Prescribers of Opioid Medication"

H.P. 402 L.D. 558

Bill "An Act To Protect Vulnerable Adults from Financial Exploitation"

H.P. 410 L.D. 566

Bill "An Act To Create Uniform Practices for Medicare Beneficiaries in Small Group Plans"

H.P. 444 L.D. 616

Come 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.

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Bill "An Act To Increase to 3 the Number of Youth Deer Hunting Days"

H.P. 445 L.D. 617

Comes 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.

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Bill "An Act To Facilitate the Purchase of Textbooks for Low-income College Students"

H.P. 452 L.D. 624

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.

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Bill "An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement"

H.P. 417 L.D. 573

Bill "An Act To Clarify That Petitions for Certiorari to the Supreme Court of the United States Are Included within the Definition of Indigent Legal Services"

H.P. 418 L.D. 574

Bill "An Act To Confer Maine Jurisdiction in Civil Suits Involving Certain Contracts"

H.P. 432 L.D. 588

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.

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Bill "An Act To Create a Universal Basic Income"  
H.P. 411 L.D. 567

Bill "An Act To Improve the Advocate Program Established by the  
Workers' Compensation Board"  
H.P. 424 L.D. 580

Bill "An Act To Convert Stipends to Base Pay for Child Protective  
Workers"  
H.P. 428 L.D. 584

Bill "An Act To Create Flexibility in Affordable Housing  
Calculations"  
H.P. 435 L.D. 591

Bill "An Act To Promote Youth Employment"  
H.P. 440 L.D. 612

Bill "An Act To Improve Public Sector Labor Relations"  
H.P. 450 L.D. 622

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.

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Bill "An Act To Remove Nighttime Restrictions on Lobster Fishing  
in a Certain Area in the Bay of Fundy" (EMERGENCY)  
H.P. 446 L.D. 618

Bill "An Act To Ensure a Seat on the Shellfish Advisory Council Is  
Held by a Person with a Background and Credentials in a Field of  
Marine Science"  
H.P. 458 L.D. 629

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.

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Bill "An Act To Help Municipalities Prepare for Sea Level Rise"  
H.P. 407 L.D. 563

Bill "An Act Regarding the State Bird"  
H.P. 416 L.D. 572

Bill "An Act To Allow the Adoption of Ordinances Prohibiting the  
Accumulation of Trash on Private Property in Plantations and  
Unorganized Territories"  
H.P. 429 L.D. 585

Resolve, To Establish a Background Check Consolidation  
Commission (EMERGENCY)  
H.P. 436 L.D. 592

Bill "An Act To Amend the Charter of the City of Brewer High  
School District"  
H.P. 451 L.D. 623

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.

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Bill "An Act To Improve Access to Property Tax Exemptions for  
New Homeowners"  
H.P. 404 L.D. 560

Bill "An Act To Exempt from Taxation Certain Out-of-state  
Pensions"  
H.P. 405 L.D. 561

Bill "An Act To Encourage the Installation of Solar Panels on  
Residential Property"  
H.P. 408 L.D. 564

Bill "An Act To Provide Municipalities Additional Sales Tax  
Revenue from Lodging Sales"  
H.P. 437 L.D. 609

Bill "An Act To Phase Out the Insurance Premium Tax on  
Annuities"  
H.P. 453 L.D. 625

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.

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Resolve, Directing the Department of Transportation To Initiate a  
Service Development Plan for Commuter and Passenger Train  
Service between Portland and the Lewiston and Auburn Area  
H.P. 415 L.D. 571

Bill "An Act Regarding the Department of Transportation's Use of  
Sediment Erosion Control Systems"  
H.P. 430 L.D. 586

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.

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RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

H.P. 447 L.D. 619

Comes 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.

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**Pursuant to Statute  
Criminal Law Advisory Commission**

The **Criminal Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 17-A, section 1354, subsection 2 asked leave to report that the accompanying Bill "An Act Regarding Portable Electronic Device Content, Location Information and Tracking Devices"

H.P. 455 L.D. 627

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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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. 456

**JOINT RESOLUTION  
RECOGNIZING FEBRUARY AS 2-1-1 MONTH**

WHEREAS, 2-1-1 Maine is a comprehensive statewide directory of more than 8,000 health and human services available in the State; and

WHEREAS, in order to promote the 2-1-1 Maine health and human services and emergency preparedness helpline, which provides Maine citizens free and confidential referrals to needed resources, we recognize February 2019 as 2-1-1 Month; and

WHEREAS, 2-1-1 Maine helps to identify existing gaps in health and human services; and

WHEREAS, throughout the State, 2-1-1 Maine provides around-the-clock service through efficient and effective responses to questions arising from the growing complexities and needs in health, financial and human services; and

WHEREAS, 2-1-1 Maine provides emergency operations during times of natural and other disasters, including providing accurate and timely information for preparations and longer-term referrals for follow-up services, as evidenced by its role in supporting the Maine Emergency Management Agency during the agency's responses to the 2016 drought and the October 2017 wind storm, as well as its support of seasonal needs such as warming and cooling centers; and

WHEREAS, during this past year, 2-1-1 Maine has directed over 7,300 Maine citizens to heating and utility assistance services, which may have prevented people from contacting the wrong agency for a federal Low-Income Home Energy Assistance Program benefit, prevented utility shutoffs and saved people from spending winter nights without fuel; and

WHEREAS, since 2006, 2-1-1 Maine call specialists have assisted with more than 700,000 requests to locate health and human services information, fielding over 38,500 calls and over 4,000 text messages and e-mails in 2018 from people looking for help for themselves or someone they know; and

WHEREAS, 2-1-1 Maine handles a number of specialized services, including the opiate helpline and the gambling helpline, and is also a resource for finding information about such needs as tax preparation and mental health services; 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 February 2019 as 2-1-1 Month.

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

The Joint Resolution was **READ**.

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

Senator **CHENETTE:** Thank you, Mr. President. Men and women of the Senate, Representative Stewart and I are really excited today to acknowledge the impact of the 2-1-1 program by recognizing February as 2-1-1 Month. So in addition to all that the Secretary has stated today, the 2-1-1 program is a free, confidential service that connects people all over Maine to needed resources in their area. It is an initiative created by the United Ways of Maine in collaboration with the State of Maine and Opportunity Alliance. 2-1-1 employs specialists here in Maine that assist people in finding local services that help them stay healthy, safe, and independent. This includes everything from heating assistance, mental health resources, food pantries, housing, veteran's assistance, and more. It's available 24 hours a day, 7 days a week, 365 days a year here in Maine. One initiative I'd like to draw your attention to is the Maine Opiate Helpline. 2-1-1 works in partnership with the Maine Department of Health and Human Services to provide a toll-free, statewide help line for

individuals seeking services from opiate use, and if you contact 2-1-1 you can connect to the Opiate Helpline and receive referrals to treatment options right in your area, right in your districts for your constituents. Really important information to pass along. You'll see a handout on your desk with some very critical information. If you have any questions about the services and how it can help our constituents you can contact Nikki Busmanis, who is the 2-1-1 Maine Program Manager. 2-1-1 is known as the place to go when you don't know where else to go and we are celebrating today as February as 2-1-1 Maine Month to raise awareness for this important resource. Thank you, Mr. President.

The Joint Resolution **ADOPTED**, in concurrence.

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

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Clarify That Food and Food Products Containing Hemp-derived Cannabidiol Produced and Sold within the State Are Not Adulterated and To Match the State's Definition of 'Hemp' to the Definition in Federal Law" (EMERGENCY)  
H.P. 459 L.D. 630

Comes 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.

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

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**Off Record Remarks**

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On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, February 7, 2019 at 10:00 in the morning.