

# 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  
April 4, 2019

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

**THE PRESIDENT:** The Chair would ask that the Senate pause in a moment of silence to pray and remember Maine State Police Detective Benjamin Campbell of Millinocket who lost his life yesterday in a tragic accident in the line of duty.

The Senate observed a moment of silence, remembrance, and prayer for Detective Benjamin Campbell and his entire family.

Prayer by Reverend Dr. Brittany Longsdorf, Bates College Multifaith Church in Lewiston.

**REVEREND LONGSDORF:** Please join me in a word of prayer in whatever manner is most at home for you. Sacred One, Holy Many, we gather today from different sacred and secular perspectives for a moment of centering and instance of reflection and a breath of connection before the day's legislation begins. As we inhale may we remember all those who formed us and called us to this vocation: our families who love us and support us and listen as we sift through complex decisions, our teachers and mentors who showed us how to be and become all the good things we are capable of, our colleagues who push us to think harder and dig deeper for the causes we care about, and our communities that look towards us for guidance, support, and advocacy. As we exhale may we ask for what is needed to do this work well: for compassion in our hearing and understanding, for warmth and passion in our speaking, for attentiveness to emotions and relationships in the room, for vigilance in our efforts to bring forth justice, and for kindness in our caring for the issues at hand. May we, with each breath in this Chamber, be reminded of something bigger than us, be reminded of what roots us to purpose and meaning, as we work together today. In the name of all that is holy, may it be so. Amen.

Pledge of Allegiance led by Senator Mark W. Lawrence of York County.

Reading of the Journal of Tuesday, April 2, 2019.

Doctor of the day, Donald Medd, M.D. of Portland.

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Off Record Remarks

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Out of order and under suspension of the Rules, on motion by Senator **LIBBY** of Androscoggin, the following Joint Order:  
S.P. 455

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 9, 2019 at 10:00 in the Morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

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**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Ensure Water Equity and Accountability for the People of the State"

H.P. 1076 L.D. 1474

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

Comes from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

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

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**COMMUNICATIONS**

The Following Communication: S.C. 246

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

April 3, 2019

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

Dear Secretary Grant:

Pursuant to my authority under House Rule 201.1 (I) (a), I have temporarily appointed Representative Ryan Fecteau of Biddeford to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, replacing former Representative Dale Denno, effective immediately.

Please do not hesitate to contact me should you have any questions regarding this temporary appointment.

Sincerely,

S/Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 247

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

April 3, 2019

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

Dear Secretary Grant:

Pursuant to my authority under House Rule 201.1 (I) (a), I have appointed Representative Sean C. Paulhus of Bath to the Joint Standing Committee on Inland Fisheries and Wildlife replacing Representative Stanley P. Zeigler of Montville, effective immediately.

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

Sincerely,

S/Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 243

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

April 1, 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. Sanborn of Cumberland, to report the following bill Leave to Withdraw:

L.D. 266      An Act To Eliminate the 2-year Limit on  
MaineCare Coverage for Approved Drugs for  
Opioid Use Disorder

Sincerely,

S/Sen. Geoff Gratwick  
Senate Chair

S/Rep. Patty Hymanson  
House Chair

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

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The Following Communication: S.C. 242

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

April 1, 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. Mastraccio of Sanford, to report the following bill Leave to Withdraw:

L.D. 1303      An Act To Establish the State Board of Dental  
Hygiene

Sincerely,

S/Sen. Heather B. Sanborn  
Senate Chair

S/Rep. Denise A. Tepler  
House Chair

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

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The Following Communication: S.C. 244

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

March 25, 2019

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

Dear President Jackson and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Energy Utilities and Technology has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- |          |   |
|----------|---|
| L.D. 743 | An Act To Create Local Options in E-9-1-1 Protocol Mandates   |
| L.D. 980 | An Act To Amend Provisions of the Maine Energy Cost Reduction Act Regarding Assessments on Ratepayers |

This is notification of the Committee's action.

Sincerely,

S/Sen. Mark W. Lawrence Senate Chair	S/Rep. Seth A. Berry House Chair
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**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 245

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

March 28, 2019

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

Dear President Jackson and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Veterans and Legal Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- |           |   |
|-----------|---|
| L.D. 501  | An Act To Provide Funding for the Homeless Veterans Center in Caribou   |
| L.D. 631  | An Act To Fund the Operations of the Tick Identification Laboratory in the University of Maine Cooperative Extension Diagnostic and Research Laboratory |
| L.D. 1020 | An Act to Modify the Number of Retail Liquor Licenses Allowed in Certain Municipalities   |
| L.D. 1068 | An Act To Increase the Number of Agency Liquor Stores Permitted in Municipalities with 10,000 to 20,000 Residents                                       |

This is notification of the Committee's action.

Sincerely,

S/Sen. Louis J. Luchini Senate Chair	S/Rep. John C. Schneck House Chair
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**READ** and with accompanying papers **ORDERED PLACED ON FILE.**

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**SENATE PAPERS**

Bill "An Act To Reform Maine's Renewable Portfolio Standard"  
S.P. 457 L.D. 1494

Presented by Senator VITELLI of Sagadahoc.  
Cosponsored by Representative PLUECKER of Warren and Senators: BREEN of Cumberland, CARPENTER of Aroostook, CHIPMAN of Cumberland, MILLETT of Cumberland, POULIOT of Kennebec, SANBORN, H. of Cumberland, SANBORN, L. of Cumberland, WOODSOME of York.

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

Sent down for concurrence.

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Bill "An Act To Establish the Maine False Claims Act"  
S.P. 465 L.D. 1503

Presented by Senator CARPENTER of Aroostook.  
Cosponsored by Representatives: BRADSTREET of Vassalboro, CARDONE of Bangor, EVANGELOS of Friendship.

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

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

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Bill "An Act To Establish the Maine Prescription Drug Affordability Board"

S.P. 461 L.D. 1499

Presented by President JACKSON of Aroostook.  
Cosponsored by Speaker GIDEON of Freeport and Senators: CLAXTON of Androscoggin, FOLEY of York, GRATWICK of Penobscot, SANBORN, H. of Cumberland, VITELLI of Sagadahoc, Representatives: FECTEAU of Biddeford, MOONEN of Portland, TEPLER of Topsham.

Bill "An Act To Protect Consumers from Unfair Practices Related to Pharmacy Benefits Management"

S.P. 466 L.D. 1504

Presented by Senator SANBORN, H. of Cumberland.  
Cosponsored by Representative TEPLER of Topsham and Senators: CLAXTON of Androscoggin, GRATWICK of Penobscot, President JACKSON of Aroostook, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representative: FOLEY of Biddeford.

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.

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Bill "An Act To Expand Access to the Workforce through Apprenticeships"

S.P. 464 L.D. 1502

Presented by Senator FARRIN of Somerset.  
Cosponsored by Representative HIGGINS of Dover-Foxcroft and Senators: GUERIN of Penobscot, HERBIG of Waldo, KEIM of Oxford, VITELLI of Sagadahoc, Representatives: AUSTIN of Gray, STETKIS of Canaan.

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 Improve Workers' Compensation Protection for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance"

S.P. 462 L.D. 1500

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative CUDDY of Winterport and Representatives: SYLVESTER of Portland, TUCKER of Brunswick.

Bill "An Act To Change the Law Governing Occupational Disease Claims under the Maine Workers' Compensation Act of 1992"

S.P. 463 L.D. 1501

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative CUDDY of Winterport and Representatives: SYLVESTER of Portland, TUCKER of Brunswick.

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

Sent down for concurrence.

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Bill "An Act To Provide Equity for Commercial Vehicles on Roads and Bridges in Maine"

S.P. 460 L.D. 1498

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative McLEAN of Gorham and Senator: FARRIN of Somerset.

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

Sent down for concurrence.

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Bill "An Act To Exempt Cribbage and Other Card Games from Licensing and Regulation When Conducted by Certain Organizations"

S.P. 456 L.D. 1493

Presented by Senator SANBORN, H. of Cumberland. (BY REQUEST)

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

Sent down for concurrence.

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

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## ORDERS

### Joint Order

Expression of Legislative Sentiment recognizing:

The Honorable Betheda G. Edmonds, of Freeport, former member of the Maine State Senate and two-term Senate President, who has been named Freeport Citizen of the Year for substantively contributing to the quality of the town, the well-being of the citizens and the reputation of Freeport and for causing a measurable improvement in the circumstances of a significant number of townspeople. We extend our congratulations and best wishes;

SLS 96

Sponsored by Senator CARSON of Cumberland.  
Cosponsored by Representatives: BRENNAN of Portland,  
Speaker GIDEON of Freeport.

The Joint Order was **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Carson.

Senator **CARSON:** Thank you, Mr. President. I rise to speak briefly in support of this legislative sentiment and on behalf of my friend, constituent, colleague, and former President of this Body, Beth Edmonds. I would like to read the Freeport Citizens Resolution by which she was named Citizen of the Year.

'Beth Edmonds has lived in Freeport with her husband, Dan, since 1980. From that time forward Beth has continually shown her commitment to the wellbeing and improvement of the town and its citizens. Her activism has ranged from volunteering at the Bartol Library beginning in 1982 to serving as the Maine Senate President for two terms in the 2000's. While she worked at the State level she always kept closely rooted to her hometown. That local connection helped her apply what she knew was right for her neighbors, as well as for the people throughout the state. Although Beth is modest,' this is continuing the honor she received in Freeport, 'about her public service and about her role as Senate President, she recognized the magnitude of the position she has held. She stated that the role of Senate President is, 'A balancing act. You have to listen to everyone equally while remaining true to your core values.' She has carried that philosophy close to her heart in all her endeavors. Beth's integrity and unwavering commitment to the people of Freeport and Maine has made her a leader and an exemplary role model. She has acted as a mentor for many women, successfully encouraging them to become influential members of the community.'

Just a footnote, I was present at the Freeport Town Council and a gathering of Freeport residents when Beth received the honor of being named Freeport Citizen of the Year and there were at least a half-a-dozen young women in the room, some of whom were Town Councilors, other who had become business leaders, other of whom had been active in the community, and each of them stood and said that, as a teenager, they always knew there was somebody that they could talk to when there were family difficulties or anything else was going on where they really needed someone who would listen and support them and many had actually spoken and confided in Beth Edmonds. She is

truly an extraordinary person and a great leader and someone of whom all of us in this Body and in the state of Maine can be justifiably proud. We salute you. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. I served as a Republican Floor Leader when President Edmonds was the leader and I've got to tell you it was one of the best times that I spent here in this Body, even though we hadn't agreed on anything. Her personality and how she reached out clearly showed what a great leader, as my good friend, Senator Carson, just said, she is. She absolutely is. It was my last term in the Senate that time around and we had just come off a very contentious session, and that is an understatement to describe it. She, President Edmonds, was exactly what we needed. She reached out to me. We had dinner every week on Wednesday and she was so good at it, Mr. President, there were times when I paid. I couldn't be happier to stand and give a tribute to somebody. She's a dear friend and I'm very, very happy for her. Congratulations. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Mr. President. I haven't had the opportunity to know Senate President Beth Edmonds as long as some of you have but I just want to report my experiences as a freshman legislator. Back in the days when we came in as a freshman and we actually thought that you were supposed to listen to the speeches and then determine how you were going to vote. You talk about wet behind the ears. Everybody is when they come in for the first time. I had the honor of a gift from Senate President Edmonds. I was speaking on the Equal Rights Amendment and I sat over in this section over here and a reporter from the Kennebec Journal got around and took a picture of me so that Abraham Lincoln was in the background. Our good Senate President Edmonds got ahold of the original copy of that and put it in a frame. All framed up. Not just a little picture, all framed up. Wonderfully done. She and the Secretary of the Senate gave that to me as a gift. I proudly display that picture and it's on my father's Senate desk, which I have because they redid the Senate a couple of times and they gave the Senate desks to the Senator that was here last before they redid it. So that Senate desk sits in the entrance to my house and that picture is proudly displayed on it, and so when I walk in I have a chance to think about my days as a freshman Senator and my father all at the same time, and thanks for the gift from a former Senate President Beth Edmonds. I thank you very much for that kindness.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, had an opportunity to serve with President Edmonds in the 122nd and 123rd, and I had just come back from a hiatus of several years out of here. Senator Davis mentioned about her ability to bring people across the aisle to at least talk, which she did. But I would suggest maybe the biggest fighting she had to deal with was within our caucus and she was

excellent as smoothing those waters, brought everybody back together, and did some things, we got some things done as a result of that. So I just wanted to stand and congratulate her and say she was an excellent President of the Senate, had all the skills, and I'm so glad that she's being recognized today. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber the very Honorable, amazing person, my first Senate Chair of Labor, the Honorable Beth Edmonds. Would she please rise and accept the greetings of the Maine State Senate. We definitely look forward to having President Edmonds here on Welcome Back Day, standing back up at her old rostrum.

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Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (3/14/19) matter:

**JOINT ORDER** - Expression of Legislative Sentiment recognizing Michael J. Tarpinian of Westbrook, who is retiring as President and Chief Executive Officer of The Opportunity Alliance, the Community Action Agency for Cumberland County, after over 40 years of public service working on behalf of children, youth, adults and families. Mr. Tarpinian oversaw the merger of Youth Alternatives Ingraham and People's Regional Opportunity Program to create The Opportunity Alliance, worked for many years at the State's Bureau of Mental Retardation and served on many committees and task forces. We extend our congratulations and best wishes;

SLS 128

Tabled - March 14, 2019 by Senator **LIBBY** of Androscoggin

Pending - **PASSAGE**

The Joint Order was **READ**.

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Breen.

Senator **BREEN:** Mr. President, men and women of the Senate, it's a bittersweet honor today to recognize the retirement of Mike Tarpinian, President and CEO of the Opportunity Alliance, the Community Action Agency for Cumberland County, and to celebrate Mike's 40 years working on behalf of Maine children, youth, adults, and families. Mike started his career as a caseworker in the Maine Department of Mental Health and Mental Retardation, which is now known as Developmental Disabilities. After ten years there he was hired as Executive Director at a community organization serving at-risk youth and their families. Over the next 30 years Mike served in executive positions in numerous social service organizations, leading several significant mergers that resulted in lower administrative costs and more direct services to clients. This is why Maine Biz Magazine named him Non-Profit Leader of the Year in 2012. Mike is credited with expanding the Opportunity Alliance's services to benefit

Cumberland County's most vulnerable and resilient population through heating assistance, summer food programs for kids, mental health services, early childhood programs, and more. Opportunity Alliance also staffs Maine's statewide 2-1-1 service, providing 25,000 referrals to local programs every year, and it operates our statewide mental health crisis line. Under Mike's leadership all are welcome. Opportunity Alliance has a 'no wrong door' approach to access its services and it often meets clients in their own homes and communities if that's what works for the clients. Mike is co-founder of the Maine Behavioral Health Collaborative, a statewide association working together for child welfare and behavioral health for adults and children in Maine. He also serves, or has served, on the boards of the Child Welfare League of America, the Maine Equal Justice Partners, the Maine Community Action Association, the Greater Portland Addiction Collaborative, and Portland's Homeless Prevention Taskforce, among many other committees and taskforces aimed at improving Mainer's quality of life. As Mike exits the Maine stage he leaves quite a legacy. One of his daughters is a social worker at Maine Medical Center, the other works at Long Creek Youth Development Center. His successor at the Opportunity Alliance, Joe Everett, is someone Mike has mentored for many years. Lastly, during my 20 years in Maine Mike has become one of my personal heroes as well as beloved constituent. Since our professional and personal paths have crossed I've grown to admire Mike's courage, his compassion, and his perseverance, and I'll always be inspired by his lifelong commitment to serving our families and neighbors with humility, dignity, and grace. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Chamber Michael and Nancy Tarpinian and board members and staff of the Opportunity Alliance. They are all from Westbrook and they are the guests today of the Senator from Cumberland, Senator Breen. Would they please rise and accept the greetings of the Maine State Senate.

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## ORDERS

### Joint Resolutions

On motion by Senator **CARSON** of Cumberland (Cosponsored by Speaker GIDEON of Freeport and Senators: CHENETTE of York, FOLEY of York, President JACKSON of Aroostook, MOORE of Washington, VITELLI of Sagadahoc, Representatives: CAMPBELL of Orrington, COREY of Windham, TUCKER of Brunswick) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 454



**JOINT RESOLUTION**

**MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO EXPRESS THE STATE'S OPPOSITION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S REVISED SUPPLEMENTAL COST FINDING FOR THE MERCURY AND AIR TOXICS STANDARDS**

**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 President of the United States as follows:

**WHEREAS**, under the United States Clean Air Act Amendments of 1990, the United States Environmental Protection Agency finalized the Mercury and Air Toxics Standards to protect air quality and promote public health by reducing emissions of hazardous air pollutants from coal-fired and oil-fired power plants; and

**WHEREAS**, coal-fired power plants represent the largest source of mercury in the United States and were responsible for nearly half of all mercury emissions in 2015; and

**WHEREAS**, mercury, once released into the environment, can become methylmercury, which accumulates in living tissue and causes serious health effects, including neurological and reproductive disorders in humans and wildlife; and

**WHEREAS**, coal-fired and oil-fired power plants emit significant amounts of toxic metal particles, including arsenic, beryllium, chromium, cadmium, lead and nickel; and

**WHEREAS**, coal-fired and oil-fired power plants emit large amounts of acid gases and organic pollutants that are listed as hazardous air pollutants under the United States Clean Air Act; and

**WHEREAS**, mercury levels in Maine fish, loons and eagles are among the highest in North America, leading to a statewide advisory regarding mercury and fish consumption that has remained in effect since 1994; and

**WHEREAS**, our communities, businesses and industries depend on clean air and a healthy environment for the benefit of current and future residents, property owners and visitors; and

**WHEREAS**, in Maine, commercial fishing contributed over \$500 million to the State's economy in 2017; and

**WHEREAS**, pollution from coal-fired and oil-fired power plants threatens the quality of life and the livelihoods of Maine citizens, important Maine industries, such as commercial and recreational fishing and tourism, and small businesses that rely on a clean and healthy environment; and

**WHEREAS**, hazardous pollution from coal-fired and oil-fired power plants can travel significant distances and across state borders; and

**WHEREAS**, the United States Environmental Protection Agency reports that between December 2014 and April 2016, the deadline to achieve compliance with the Mercury and Air Toxics Standards, coal-fired power plants in the United States made investments in control technologies and other related changes for over 112 gigawatts of capacity; and

**WHEREAS**, the United States Environmental Protection Agency states that the Mercury and Air Toxics Standards have already reduced mercury emissions from the power sector by 86%, acid gases by 96% and toxic metals by 81% and protected public health and the environment accordingly; and

**WHEREAS**, controlling and reducing emissions of all air pollutants from coal-fired and oil-fired power plants, including pollutants not directly regulated by the Mercury and Air Toxics

Standards but nevertheless reduced by the controls installed to implement the Mercury and Air Toxics Standards, is providing improvements in the quality of the air and environment, to the benefit of Maine citizens; and

**WHEREAS**, the United States Environmental Protection Agency issued a proposed revised Supplemental Cost Finding for the Mercury and Air Toxics Standards on December 27, 2018 that puts the Mercury and Air Toxics Standards in jeopardy; and **WHEREAS**, this resolution must be initiated before the 60-day period expires following publication of the proposal in the Federal Register in order that opposition to the proposal may be communicated to the United States Environmental Protection Agency forthwith; now, therefore, be it

**RESOLVED**: That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States direct the United States Environmental Protection Agency to withdraw the revised Supplemental Cost Finding for the Mercury and Air Toxics Standards; and be it further

**RESOLVED**: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Donald John Trump, President of the United States, to the Administrator of the United States Environmental Protection Agency, Andrew Wheeler, and to the Assistant Administrator for the Office of Air and Radiation, William Wehrum.

The Joint Resolution was **READ**.

**THE PRESIDENT**: The Chair recognizes the Senator from Cumberland, Senator Carson.

Senator **CARSON**: Thank you, Mr. President. Before us today is a Joint Resolution which I hope will be adopted in both Bodies, first in the Senate, and be sent down to the EPA Administrator, Mr. Wheeler, and to President Trump. I suspect that everyone in this Chamber understands the kind of threat that mercury poses to the health of our children, the health of everybody, our wildlife, our waters. I won't read the Resolution and I want to speak to you briefly. What has happened over the last roughly nine years is that EPA, pursuant to the Clean Air Act Amendments of 1990, adopted mercury reduction and toxic air pollution reduction standards in a program in which the electric power industry in this country has invested an enormous amount of money and the yield has been extraordinary. Over 80% of mercury has been reduced from the emissions of power plants and equally large percentages of toxic air pollutants have been reduced. The investment has yielded results that are greater than even the scientists dare project and the cost was actually substantially lower than was originally estimated by the Environmental Protection Agency. We fast forward to 2018. A proposal was made at the EPA to weaken these regulations in products that we all use occasionally, to roll back these regulations and to make it easier going ahead in the future to set weaker standards that would not protect the health of our people, our wildlife, our land, and our water. It is my hope that you will all join with me today, that this Resolution be enacted under the hammer, and that we will send a strong and clear message down to Washington, where too often partisan politics can get in the way of environmental protection, and that we convey a message from the people of the state of Maine that we want to see the current mercury and air toxic standards remain in place so that our people and our land will be protected. I thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

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

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On motion by Senator **POULIOT** of Kennebec (Cosponsored by Representative DOUDERA of Camden and Representatives: COSTAIN of Plymouth, HEAD of Bethel, MORRIS of Turner, WADSWORTH of Hiram) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.), the following Joint Resolution:

S.P. 459

**JOINT RESOLUTION  
RECOGNIZING MAINE'S REALTORS**

**WHEREAS**, the Maine Association of REALTORS® has more than 4,500 members actively involved in the business of real estate and it has approximately 450 affiliate members, including lenders, appraisers, title companies, building inspectors, surveyors and insurance providers; and

**WHEREAS**, the not-for-profit association provides each member with an equal voice and representation in the real estate profession, serving members in all 16 Maine counties and in their communities; and

**WHEREAS**, real estate transactions stimulate Maine's economy and include not only the money spent and reinvested in the sale price of a property but all those services and expenditures that occur in relation to a property transaction, both for a buyer and a seller; and

**WHEREAS**, according to national statistics, it is estimated that one job is generated for every 2 home sales, each home sale contributes about \$72,760 to the economy and the real estate industry accounts for 18.4% of the gross state product; and **WHEREAS**, the real estate market in Maine is strong, as evidenced by the number of home sales increasing by more than 1.6% to 20,923 homes sold in 2018 with a value of nearly \$5,400,000,000; and

**WHEREAS**, real estate ownership is an investment in the future and one of the best ways to build financial security through equity accumulation and for many in Maine their home represents their life savings; and

**WHEREAS**, expanding home ownership will strengthen our State and its families and communities, enhance our economy and create jobs; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, take this opportunity to recognize the Maine Association of REALTORS® and its members for their positive contributions to and the significant role they play in the lives of Maine citizens and their communities and that their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Association of REALTORS® and Maine's 13 local association REALTOR® boards and councils.

The Joint Resolution was **READ**.

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

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, Regarding Legislative Review of Portions of Chapter 38: Suicide Awareness and Prevention in Maine Public Schools, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 83 L.D. 97

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-45)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-45)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-45) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Restore Regular Mapping of Eelgrass Beds in the State"

H.P. 403 L.D. 559

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-48)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-48)**.

Report **READ**.

On motion by Senator **LIBBY** of Androscoggin, **TABLED** until Later in Today's Session, **ACCEPTANCE OF THE REPORT**, in concurrence.

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The Committee on **LABOR AND HOUSING** on Bill "An Act To Protect Job Applicants from Identity Theft"

H.P. 229 L.D. 305

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-47)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-47)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-47) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Archives and Records Management Law"

H.P. 378 L.D. 521

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-52)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-52)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-52) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

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#### Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Transportation Management Software and School Bus Replacement"

H.P. 188 L.D. 225

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

MILLETT of Cumberland  
CARSON of Cumberland

Representatives:

KORNFELD of Bangor  
BRENNAN of Portland  
DODGE of Belfast  
FARNSWORTH of Portland  
INGWERSEN of Arundel  
McCREA of Fort Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-46)**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

On motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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#### Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Resolve, To Expedite the Processing of Applications for Certification under the Federal Work Opportunity Tax Credit  
H.P. 539 L.D. 734

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-51)**.

Signed:

Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
DOORE of Augusta  
PEOPLES of Westbrook  
RYKERSON of Kittery

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

Signed:

Senator:  
GUERIN of Penobscot

Representatives:  
AUSTIN of Gray  
BRADSTREET of Vassalboro  
LOCKMAN of Bradley  
MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-51)**.

Reports **READ**.

On motion by Senator **BELLOWS** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-51) **READ** and **ADOPTED**, in concurrence.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

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**Senate**

**Ought to Pass Pursuant to Joint Order**

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes  
S.P. 458 L.D. 1495

Reported that the same **Ought to Pass**, pursuant to Joint Order, S.P. 381.

Report **READ** and **ACCEPTED**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

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**Ought to Pass**

Senator CARSON for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Allow the Sale of Ethanol-free Gasoline Statewide"  
S.P. 86 L.D. 274

Reported that the same **Ought to Pass**.

Report **READ** and **ACCEPTED**.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**.

Sent down for concurrence.

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**Ought to Pass As Amended**

Senator CHIPMAN for the Committee on **TAXATION** on Bill "An Act To Provide an Income Tax Exemption for Military Pay without Regard to Where the Military Service Was Performed"  
S.P. 25 L.D. 72

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-31)**.

Report **READ**.

On motion by Senator **LIBBY** of Androscoggin, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#36)**

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

NAYS: Senators: None

35 Senators having voted in the affirmative and no Senator having voted in the negative, the **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-31)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-31) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

## SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

### Senate As Amended

Bill "An Act To Align State Law with Current Practice Regarding Required School Attendance"

S.P. 38 L.D. 151  
(C "A" S-30)

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**.

Sent down for concurrence.

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

## ENACTORS

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

### Act

An Act To Secure the Future of the Frances Perkins Homestead  
S.P. 58 L.D. 246  
(C "A" S-15)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **ENACTMENT**, in concurrence.

### Resolve

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

H.P. 197 L.D. 234  
(C "A" H-22)

On motion by Senator **BREEN** of Cumberland, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE**, in concurrence.

## ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Today Assigned matter:

JOINT RESOLUTION - Recognizing Maine's Realtors  
S.P. 459

Tabled - April 4, 2019, by Senator **POULIOT** of Kennebec

Pending - motion by same Senator to **ADOPT**

The Joint Resolution was **READ**.

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

Senator **POULIOT:** Thank you, Mr. President. Men and women of the Senate, today is one of my favorite days because it's Realtor Rally Day. Two years ago for Christmas my wife got me a wonderful Christmas gift. It was these cufflinks. This one here says For Sale and this other one here says Sold. As a realtor I couldn't be more proud than to be able to wear these cufflinks today, Maine's Realtor Rally Day. As you heard in the announcement, the real estate industry accounts for \$11.4 billion, or 18.4%, of Maine's GDP. I think that is an astoundingly significant number. I would encourage all of you to spend some time at lunch today to go and meet with your realtors from your districts. Many of them are here today to speak with you. They would love just a moment of your time and thank you for all supporting the real estate industry across our state. It is an integral part of Maine's economy. Thank you, Mr. President.

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

Senator **BELLOWS:** Thank you, Mr. President. I rise in support of this Joint Resolution. The CEO of Maine Association of Realtors, Suzanne Guild, lives in my district and I have been so grateful to the Maine Association of Realtors for their collaboration on a number of issues, their dedication to private property rights, and the Constitution; to environmental stewardship, because they understand that protecting Maine's waters and lands improves homeownership values and the lives of our whole state; support for road maintenance agreements and student loan debt relief and communications infrastructure and it's just wonderful that my good colleague from Kennebec County is hosting them today and to be able to have those conversations and work in collaboration to move Maine forward and to recognize their contribution to our state's economy. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair would like to recognize in the rear of the Chamber and up in the balcony members of the Maine Realtors. Would they please rise and accept the greetings of the Maine State Senate.

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

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The Chair laid before the Senate the following Tabled and Later Assigned (3/21/2019) matter:

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Change the Name of Columbus Day to Indigenous Peoples Day"

H.P. 142 L.D. 179

Majority - **Ought to Pass** (7 members)

Minority - **Ought Not to Pass** (5 members)

Tabled - March 21, 2019 by Senator **VITELLI** of Sagadahoc

Pending - motion by Senator **CLAXTON** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS** Report, in concurrence

(In House, the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.)

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. Mr. President and ladies and gentlemen of the Senate, I stand to oppose the Ought To Pass motion. The title of the bill is 'An Act To Change The Name of Columbus Day to Indigenous Peoples Day'. However I do not oppose, in fact I applaud, similar ordinances passed in cities and towns in the state of Maine that have changed the National Columbus day, the holiday, in honoring Indigenous People's Day, and in Maine the towns are Belfast, Bangor, Bar Harbor, Brunswick, Gouldsboro, Portland, and Starks. But how did we get to this point of having a holiday called Columbus Day, which in part honors Italian Americans. Why this group? I want to say here that, as a member of the State and Local Government Committee, this bill came before us a couple of years ago and I voted against it. This year, when it came back, I said, 'I've got to educate myself' and I spent a whole Sunday afternoon, the only time I had off to myself, to just research briefly. It was quite interesting how Christopher Columbus Day came about. I kept turning pages and learning more. So I want to share this with you. According to articles I read, one explanation is that from 1880 to 1920 four million Italian immigrants came to the U.S. fleeing poverty. Not different to what's happening now. In America they encountered religious discrimination and a culture of anti-Italianism that viewed them as inferior and associated Italians with organized crime. I surely am not minimizing the horrors experienced by other nationalities or indigenous people during this period or even now. But let's stick with this group, Italians. A turning point of this discrimination against Italians was a most infamous crime in New Orleans in 1891 when Italian American men, 11 of them, were shot to death and mutilated by a mob. Soon after a New York news article appeared describing victims as desperate ruffians and murderer's, with little mention they were targeted because of their nationality. President Benjamin Harrison therefore in that year called that 1891 crime deplorable and on the 400<sup>th</sup> anniversary of Columbus' arrival to the Americas he designated Oct 21, 1892 as a general holiday, not a national holiday, and he described at that time Christopher Columbus as a pioneer of progress and enlightenment, not what we're talking about today but you've got to put yourself in that time. Fast forward this, however, to 1937. President Franklin Delano Roosevelt, after much lobbying by the Knights of Columbus, which is a Catholic fraternal organization, proclaimed Christopher Columbus Day a national holiday, 1937.

See what happens when legislators get involved in things. The debate over celebrating Columbus Day began decades ago, gaining steam in the 1990's in towns and cities like Boston, Denver, Philadelphia, Berkley, and other college towns. Now it gets even better. President Ronald Reagan and President George H.W. Bush designated American Indian Week as requested by Congress. In 1990 President George H.W. Bush also was the first President to proclaim the month of November Native American Heritage Month. Again, in 2005, his son, President George W. Bush, signed into law, legislation introduced by Democratic Congressman Joe Baca from California. He, George W. Bush, proclaimed the day after Thanksgiving as Native American Heritage Day. This didn't pick up any steam at all.

Why am I telling you this? Because you cannot legislate respect and honor. Five Presidents have tried and Congress has tried and it hasn't picked up steam. Currently four states celebrate Indigenous Day instead of Columbus Day; that's Alaska, Minnesota, Vermont. But in South Dakota they call it Native American Day. At least seven states don't recognize Columbus Day at all; again Alaska, Florida, Hawaii having their own indigenous people, Oregon, Minnesota, South Dakota, North Carolina, and Vermont don't recognize it.

I want to quote from testimony that was given to us in State and Local Government by members of the Midcoast Indigenous Awareness group, a group of people that wanted Indigenous Day and they have it in Brunswick. Quote: 'We want to share with you what has happened in our local community in the past few years. On September 18, 2017, the Brunswick Town Council passed a resolution proposed by MIAG,' their group, 'declaring the second Monday in October Indigenous People Day. In the months leading up to the name change and in the year and a half since, there have been many educational programs in the Brunswick area about Wabanaki people, local pre-colonial history, Indigenous cultures, and current challenges. Every presentation has been surprisingly well attended. More and more people are seeking knowledge and understanding.' Right here in Maine, under the Dome, in 2015 in Maine Public Law Chapter 19 established March 20 as Native American Heritage and Cultural Day. One phrase I have often heard repeatedly in State and Local when discussing bills is Home Rule. Therefore, what I do support is that this issue is best left to our cities and towns. Here in Maine we legislators have a chance to promote continued local discussion groups in schools, in churches, in libraries, and in town meetings such as has been held in the cities that I have mentioned before. This allows communities to proceed at their own pace and embrace a day honoring all Indigenous People. Thank you.

**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. Colleagues in the Maine State Senate, I rise to speak in opposition to this bill and I only hope that, as my good friend was so eloquent, I can come close to the words she said. While proponents may see the passage of this legislation as a means of speaking out against Columbus and heinous acts and the terrible things that he did to people, I see this legislation a bit different and a little bit different than my colleague, although I agree with what she had to say this morning. I see this legislation as a way to try to rewrite history. Over the past few years we've seen more and more people often

trying to take down monuments or change the names of holidays and even buildings. Sometimes it's because they dislike the people and, in years past, it has been so that we could have long weekends. Let's be clear, all of this does not change history. Rather than try to cover up what has happened in the past let's educate our children on the actions, both positive and negative, of those who have come before us and what has happened in the past. As we learn from our mistakes, and surely we should, we also need to learn from the mistakes of others and the mistakes of what has occurred. There are two sides, as we all know, to every story and I believe that we too quickly forget one side of history when we are so focused on another. While we speak out against the terrible things Christopher Columbus did please don't forget the hardships that the Italian-Americans went through when they immigrated to America. Columbus Day was named after those people as Columbus, himself, was Italian. If we want to create a separate day for the Indigenous People as my good friend has spoken about the months and the years and weeks and days that had been by local people, I agree with her. Right now, as she said, late September is there. The day after Thanksgiving is one of the days. Let's move it if need be, if there are problems with these days. By replacing a day for the explorer and the Italian-Americans who came here we're trying to take a part of the group's history and heritage away. I know we, as a society, all can do better working to educate our young people and our communities without trying to cover up what I believe is a cover up of history. Thank you very much, Mr. President.

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

Senator **CLAXTON:** Thank you, Mr. President. I rise in support of this motion. I congratulate the local communities for having some important, illuminating, conversations that they're having. If this was a bill to change Columbus Day to Italian-American Day I wouldn't be speaking in opposition to it but I'd be wondering why there wasn't a Scottish Day and a Franco-American Day and all the other various immigrant groups that have come to this country and why they aren't being recognized. As I was growing up I was raised on the myths of Columbus. I believed those and understood those to be the truth and as time has passed on I've continued to learn a bit about history. One of the most important lessons I've learned is that the victors write history. There are alternative stories, and they sometimes get lost, and I know the alternative stories are not without their own blemishes. I don't dispute that. But as I listened to testimony the perspective from a few decades later, a few hundred years later, led me to believe that we are not ignoring history but we're improving our perspective and our understanding of history by making such a change. The other reason I support this as it comes from a significant session in our committee, listening to how Native American people respond to this holiday. It may be uncomfortable to hear the stories about how devastating European conquest was to the cultures and how unsettling and disorienting it is now to celebrate a national holiday that honors an individual who was an important part of that destruction and devastation. My feeling is that for the Native Americans to see the rest of America celebrate a day that honors a man who contributed to the destruction of their community is not a fair choice and does not serve well the people that we need to be including in our communities. The myth, my final comment is that the myth of the man does not deserve its own national holiday. I

respect what he did. I respect what he accomplished. He was given credit for more than he did accomplish. But I do not believe that he, as an individual, deserves a day of national or state holiday. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Washington, Senator Moore.

Senator **MOORE:** Thank you, Mr. President. Ladies and gentlemen of the Senate, in my testimony about changing the current Columbus Day holiday I asked the Committee to consider designating a separate holiday to honor the Indigenous People to compliment the national Native American Heritage Day. Honoring Indigenous People opens up the opportunities to learn about the people who inhabited this territory first, about their history and their current culture, their achievements, and their struggle as they work towards fair treatment and tribal sovereignty. Thank you.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, outside this building I serve as the Executive Director of a the Holocaust and Human Rights Center of Maine and our mission is to inspire people to reflect and act to confront prejudice, intolerance, and discrimination in our communities. We work with children in schools and we work to try to help every child feel safe, welcome, and respected in school. It is in that spirit and in solidarity with Maine's Wabanaki nations that I share this statement from Penobscot Nation Tribal Ambassador, Maulian Dana. Ambassador Dana writes: 'The Penobscot Nation is one of five Wabanaki Indigenous Nations that span all corners of Maine. Our people have lived here for thousands of years and made countless contributions in both historical and modern contexts. Our stewardship of the lands and waters are part of what makes our state pristine and worthy of the name Vacation Land. We have humbly requested that these contributions be acknowledged and appreciated in a way that may seem symbolic but is very significant in correcting the narrative of history and validating truth and what is worth honoring. Replacing Columbus Day with Indigenous Peoples Day is a national movement that has occurred in upwards of 50 cities. A handful of states are considering it at the state level, with a few already making the change. Maine towns and cities have been moving in this direction as well, with Belfast, Orono, Starks, Gouldsboro, Portland, Bangor, Brunswick, and Bar Harbor all making change over the last few years. This is important because Christopher Columbus, while making an important impact on history, was also a war criminal and is the symbolic genesis of the idea that Indigenous People of the Americas were a savage and inferior race that should be exterminated in order for progress and colonization. Also he did not discover anything because there were people already here. He did not actually step foot in North America, so having a holiday that credits him with the founding of our country is not only outdated but deeply offensive and hurtful to the descendants of the Indigenous People that were targeted for systemic genocide not only in the settling of America but in the generations that followed threw attacks on our identity and culture. Native children being removed from families and placed in government-run boarding schools to 'kill the Indian to save the man' is another form of genocide. We are still living

with the intergenerational trauma of the hundreds of years of assault on our numbers, resources, heritage, traditions, and the fact that a professional football team in our nation's capital calls themselves a mascot is a slur against our race. Celebrating a man that used unspeakably cruelty against Indigenous People and saw us as less than human sends a message to us that we are invisible and still inferior in our homeland. This is the change of a name of a holiday but it is so much more. Symbols, names, and what is validated by institutions and government are significant and have real impact because they shape the attitudes and behaviors of groups and society and can lead to inequality and racism. When a group is seen as less human than another group it becomes more acceptable to discriminate against them. We would never give Hitler a holiday but we all learn about him. The same theme should be taken with Columbus. I ask you to be good neighbors to the Indigenous Nations in your state and districts. I ask you to help us on our journey to healing. I ask you to celebrate the beauty and rich heritage we bring to Maine. I ask you to come to terms with the realities of history and not gloss over them to make them more palatable. I ask you to place the wellbeing of the Indigenous Nations over the need for the comfort of the colonizers that have written history. When we walk forward in truth and mutual respect the unity will make us all stronger and a better state and country.' Those are the words of Ambassador Dana, the Penobscot Nation Tribal Ambassador. I want to thank her for taking the time to write that statement and thank you all for listening.

The Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

**ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.**

The Chair laid before the Senate the following Tabled and Later Assigned (3/26/2019) matter:

Bill "An Act To Clarify the Laws Governing the Licensing of Paramedics"

H.P. 897 L.D. 1236

Tabled - March 26, 2019 by Senator **VITELLI** of Sagadahoc

Pending - **FURTHER CONSIDERATION**

(In Senate, March 19, 2019, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby the Bill was **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.)

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

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

## PAPERS FROM THE HOUSE

### House Papers

Bill "An Act To Protect the Maine Budget Stabilization Fund"  
H.P. 1095 L.D. 1496

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 Clarify Guardianship over Detainees under 18 Years of Age Regarding Mental Health Care"  
H.P. 1081 L.D. 1479

Bill "An Act To Create an At-risk Persons Program in Maine"  
H.P. 1087 L.D. 1485

Bill "An Act To Reform Drug Sentencing Laws"  
H.P. 1094 L.D. 1492

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 Recognize High-performing, Efficient School Districts with Regard to the System Administration Allocation" (EMERGENCY)  
H.P. 1096 L.D. 1497

Comes 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 Strengthen Supports for Adults with Intellectual Disabilities or Autism in Crisis"  
H.P. 1088 L.D. 1486

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 **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

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Bill "An Act To Create a System Using the Permit for Disposition of Human Remains To Track the Burial of Cremated Remains in a Public Cemetery"

H.P. 1086 L.D. 1484

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

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

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Bill "An Act To Allow Holders of Gold Star Family Registration Plates To Be Issued Complimentary Licenses To Hunt, Trap and Fish"

H.P. 1090 L.D. 1488

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

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

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Bill "An Act To Establish the Big Moose Mountain Regional Development Authority" (EMERGENCY)

H.P. 1083 L.D. 1481

Resolve, Directing the Department of Economic and Community Development To Facilitate the Creation of a Strategic Economic Plan (EMERGENCY)

H.P. 1098 L.D. 1506

Come 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 Clarify the Disposition of Funds Presumed Abandoned in a Lawyer's Trust Account"

H.P. 1085 L.D. 1483

Bill "An Act To Enhance Tribal-State Collaboration in the Enforcement of Child Support"

H.P. 1092 L.D. 1490

Bill "An Act Relating to Amateur Radio Service"

H.P. 1099 L.D. 1507

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

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

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Bill "An Act To Modify Retirement Plans for Fire Investigators and Sergeants"

H.P. 1082 L.D. 1480

Comes 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 Establish the Maine Work Tax Credit"

H.P. 1093 L.D. 1491

Comes 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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Bill "An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees"

H.P. 1089 L.D. 1487

Comes 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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**Pursuant to Statute  
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1080 L.D. 1478

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.

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**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 and approved for introduction by a majority of the Legislative Council asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services and Appendices B, C, D, E and F, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1102 L.D. 1510

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.

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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:

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Statute**

The Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions"

H.P. 1103 L.D. 1511

Reported that the same be **REFERRED** to the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

Bill and accompanying papers **REFERRED** to the Committee on **JUDICIARY**, 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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**THE PRESIDENT:** The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. Mr. President, I stand up here today with a broken heart. I think of the young man that was killed in Bangor today, excuse me, yesterday. Police officers are a close-knit group. Those of us that have been through it and retired are even closer. When something like this happens, a tragic thing, we feel like we've lost one of our own, whether we knew them or not. He was one of ours and he died. He died doing what we all have done many, many, many times before, and that's to help, to stop and help a citizen that had a problem. Whoever it was, they were going down the road and they slid off the road and Detective Campbell stopped to help them. As I said, I'm sure he'd done that many times, as I have many, many times. I can tell you that old habits are hard to break, I still do it. Old habits are real hard to break. When he did this he paid for doing this kindness with his life. He's gone. Snuffed out at 31 years old. He leaves his wife, Hillary, and a six month old son, Everett. I can tell you honestly that but for God's grace there go I. There is no question. I'd like to read this poem, Mr. President, if I might. It says: 'I am the officer. I have been where you fear to be. I have seen what you fear to see. I have done what you fear to do. All these things I have done for you. I am the person you lean upon. The one you cast your scorn upon. The one you bring your troubles to. All these people I've been for you. The one you ask to stand apart. The one you feel should have no heart. The one you call the Officer in Blue, but I'm just a person just like you and through the years I've come to see that I'm not always what you ask of me. So take this badge, take this gun. Will you take it? Will anyone? When you watch a person die, when you hear a battered baby cry, and do you think that you can be all that you ask of me.' The author is unknown. Mr. President, I've never stood here and talked from my heart like I have today. I am so

saddened this has happened and, Mr. President, when you adjourn the Senate today please do so in honor of Detective Benjamin Campbell. Thank you very much.

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

Senator **BELLOWS:** Thank you, Mr. President, I, too, rise with some grief. The Bangor Daily News published an article and I wanted to just quote. I've distributed it to everyone on their desks. I just want to quote the first sentence. 'Since January of 2017 at least 22 children between the ages of 20 days and 10 years old died after the State's Child Protective Services System received concerns about abuse or neglect involving their families.' That's since 2017, two years ago, 22 children. I share that. This is an article written in the Bangor Daily News. They did an information request to the Maine Department of Health and Human Services. This is data from the Maine Department of Health and Human Services because I had a constituent who had the courage to suggest this to the Government Oversight Committee and I want to thank my colleagues on Government Oversight and Health and Human Services, my colleagues on Judiciary, who are working on these issues that I think we really must approach these topics with urgency because that is simply unacceptable. Thank you.

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Off Record Remarks

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On motion by Senator **DAVIS** of Piscataquis, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, April 9, 2019 at 10:00 in the morning in memory of and lasting tribute to Detective Benjamin Campbell of Millinocket.