

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
May 14, 2019

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

Prayer by Pastor Rick Stoops, First United Pentecostal Church in Augusta.

PASTOR STOOPS: Heavenly Father, we come before You today asking that You would give this Senate Your understanding and Your wisdom; asking, Lord, that You would test these leaders. Give them, I pray Lord, Your direction and Your guidance. We thank You, Lord God, for all the things You have done for us. We know that we live in a pressure cooker society but, God, I'm asking that You would touch these men and these women today and bless them and cause them to stand tall and straight for You, and to do that which is right in the sight of the Lord. We give You praise. We give You glory. We ask You, Lord, that You would bless each and every one, and we thank You, Lord God, for Your blessings upon us and we pray the will of God be done. In the name of our Lord and Savior, Jesus Christ. Amen.

Pledge of Allegiance led by Senator Nathan L. Libby of Androscoggin County.

Reading of the Journal of Thursday, May 9, 2019.

Doctor of the day, Paul A. Liebow, M.D. of Bucksport.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act Concerning Pavement Sealing Products"

H.P. 670 L.D. 906

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-166)** (7 members)

Minority - **Ought Not to Pass** (4 members)

In House, April 30, 2019, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-166)**.

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

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

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

COMMUNICATIONS

The Following Communication: S.C. 387

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

May 7, 2019

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

RE: Appointment of James P. Norris of Winthrop to the Lands for Maine's Future Board

Dear President Jackson:

This is to inform you that I am today nominating James P. Norris of Winthrop for appointment to the Land for Maine's Future Board.

Pursuant to Title 5 MRSA §6204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 388

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

May 7, 2019

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

RE: Appointment of Roger K. Berle of Falmouth to the Lands for
Maine's Future Board

Dear President Jackson:

This is to inform you that I am today nominating Roger K. Berle of
Falmouth for appointment to the Land for Maine's Future Board.

Pursuant to Title 5 MRSA §6204, this appointment is contingent
on the Maine Senate confirmation after review by the Joint
Standing Committee on Agriculture, Conservation and Forestry.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 389

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

May 8, 2019

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

RE: Appointment of Lance Boucher of Manchester to the
Midcoast Regional Redevelopment Authority

Dear President Jackson:

This is to inform you that I am today nominating Lance Boucher of
Manchester for appointment to the Midcoast Regional
Redevelopment Authority.

Pursuant to Title 5, MRSA §13083-I, this appointment is
contingent on the Maine Senate confirmation after review by the
Joint Standing Committee on Innovation, Development, Economic
Advancement and Business.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 401

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

May 8, 2019

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

RE: Appointment of the Honorable Stan Gerzofsky of Brunswick
to the Midcoast Regional Redevelopment Authority

Dear President Jackson:

This is to inform you that I am today nominating the Honorable
Stan Gerzofsky of Brunswick for appointment to the Midcoast
Regional Redevelopment Authority.

Pursuant to Title 5, MRSA §13083-I, this appointment is
contingent on the Maine Senate confirmation after review by the
Joint Standing Committee on Innovation, Development, Economic
Advancement and Business.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 402

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

May 8, 2019

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

Re: Appointment of Casey Maddock of Scarborough to the State Board of Education as the Student Member

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

Dear President Jackson:

May 13, 2019

This is to inform you that I am today nominating Casey Maddock of Scarborough for appointment to the State Board of Education.

Honorable Darek M. Grant
Secretary of the Senate
3 State House Station
Augusta, ME 04333

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Dear Secretary Grant,

Thank you.

Pursuant to my authority under Title 20, Ch. 5, Part 679, Subpart A, §679.110 (b)(2) of federal law, I am pleased to appoint the Honorable Michael Sylvester of Portland to the State Workforce Board effective immediately.

Very truly yours,

If you have any questions, please don't hesitate to contact my office.

S/Janet T. Mills
Governor

Sincerely,

READ and ORDERED PLACED ON FILE.

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 403

**STATE OF MAINE
129TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

The Following Communication: S.C. 400

May 13, 2019

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

**STATE OF MAINE
ONE HUNDRED AND TWENTY NINTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

Dear Secretary Grant:

May 9, 2019

Pursuant to my authority under House Rule 201.1 (I) (a), I have temporarily appointed Representative Scott Landry of Farmington to the Joint Standing Committee on Health Coverage, Insurance and Financial Services, replacing Representative Heidi Brooks of Lewiston, effective immediately.

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

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

Dear President Jackson and Speaker Gideon,

Sincerely,

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

S/Sara Gideon
Speaker of the House

L.D. 1103 An Act To Increase the Number of Members of the Wild Blueberry Commission of Maine

READ and ORDERED PLACED ON FILE.

Sincerely,

The Following Communication: S.C. 404

S/Sen. Jim Dill
Senate Chair

S/Rep. Craig V. Hickman
House Chair

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

The Following Communication: S.C. 385

**STATE OF MAINE
ONE HUNDRED AND TWENTY NINTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

May 8, 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. Deschambault of York, to report the following bill Leave to Withdraw:

L.D. 794 An Act To Authorize a General Fund Bond Issue To Recapitalize the Municipal Investment Trust Fund

Sincerely,

S/Sen. Cathy Breen
Senate Chair

S/Rep. Drew M. Gattine
House Chair

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

The Following Communication: S.C. 386

**STATE OF MAINE
ONE HUNDRED AND TWENTY NINTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

May 8, 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. Deschambault of York, to report the following bill Leave to Withdraw:

L.D. 457 An Act To Authorize a General Fund Bond Issue for Riverfront Community Development

Sincerely,

S/Sen. Cathy Breen
Senate Chair

S/Rep. Drew M. Gattine
House Chair

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

The Following Communication: S.C. 390

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

March 13, 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. Rykerson of Kittery, to report the following bill Leave to Withdraw:

L.D. 933 Resolve, Authorizing Certain Persons To Sue the Town of Kittery

Sincerely,

S/Sen. Ned Claxton
Senate Chair

S/Rep. Danny Martin
House Chair

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

The Following Communication: S.C. 391

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

May 8, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1574 An Act To Continue Authorization of Seaplane Landings on Katahdin Lake

This is notification of the Committee's action.

Sincerely,

S/Sen. Jim Dill Senate Chair S/Rep. Craig V. Hickman House Chair

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

The Following Communication: S.C. 392

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON AGRICULTURE, CONSERVATION AND
FORESTRY**

May 3, 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 Agriculture, Conservation and Forestry has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 840 An Act Regarding the Control of Browntail Moths

L.D. 1114 An Act To Humanely Treat Animals Trapped in Buildings

This is notification of the Committee's action.

Sincerely,

S/Sen. Jim Dill Senate Chair S/Rep. Craig V. Hickman House Chair

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

The Following Communication: S.C. 393

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

April 29, 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 Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 637 An Act Regarding Motor Vehicle Operation and Drug Use

This is notification of the Committee's action.

Sincerely,

S/Sen. Susan Deschambault Senate Chair S/Rep. Charlotte May Warren House Chair

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

The Following Communication: S.C. 394

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

May 3, 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. 271 An Act Regarding a Transmission and Distribution Utility's Use of the Right of Eminent Domain To Locate Its Transmission Lines

L.D. 1558 An Act To Change the Definition of "Gas Utility" in the Laws Governing Public Utilities

This is notification of the Committee's action.

Sincerely,

S/Sen. Mark W. Lawrence Senate Chair S/Rep. Seth A. Berry House Chair

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

The Following Communication: S.C. 395

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

May 3, 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 Health Coverage, Insurance and Financial Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 815 An Act To Regulate the Issuance of Short-term, Limited-duration Health Insurance Policies in the State

L.D. 1236 An Act To Clarify the Laws Governing the Licensing of Paramedics

L.D. 1472 An Act To Create a Commission To Establish a State Bank

This is notification of the Committee's action.

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. 396

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

April 24, 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 Innovation, Development, Economic Advancement and Business has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1502 An Act To Expand Access to the Workforce through Apprenticeships

This is notification of the Committee's action.

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. 397

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

May 06, 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 Taxation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 35 An Act To Exempt All Disabled Veterans in Maine from All Income Tax and To Increase Their Homestead Exemption to \$50,000
- L.D. 922 An Act To Provide a Property Tax Exemption for Renewable Energy Fixtures
- L.D. 1191 An Act To Exempt Solar Energy Equipment from Property Tax
- L.D. 1271 An Act To Exempt Permanently Disabled Veterans from Payment of Property Tax
- L.D. 1326 An Act To Expand Eligibility for the Veterans' Property Tax Exemption
- L.D. 1448 An Act To Expand the Homestead Exemption for Disabled Veterans

This is notification of the Committee's action.

Sincerely,

S/Sen. Ben Chipman Senate Chair
S/Rep. Ryan Tipping House Chair

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

The Following Communication: S.C. 398

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

May 8, 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. 1348 An Act To Authorize Sports Wagering
- L.D. 1515 An Act To Allow Sports Wagering in Maine
- L.D. 1571 An Act To Establish the Exclusive Right of the Federally Recognized Indian Tribes in the State To Conduct All Sports Betting in Maine
- L.D. 1642 An Act Regarding the Regulation of Sports Wagering
- L.D. 1656 An Act To Provide for the Regulation of Sports Wagering
- L.D. 1657 An Act To Regulate Sports Wagering

This is notification of the Committee's action.

Sincerely,

S/Sen. Louis J. Luchini Senate Chair
S/Rep. John C. Schneck House Chair

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

The Following Communication: S.C. 399

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

May 9, 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. 294 An Act To Require the Fiscal Impact Estimate of a Direct Initiative of Legislation To Be Included on the Ballot
- L.D. 1438 An Act To Clarify the Intent of Referendum Questions for Voters

L.D. 1631 RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Early Voting, Voting by Absentee Ballot and Voting by Mail

L.D. 1665 An Act To Automatically Change a Voter Registration Address upon Change of Address for a Driver's License

Bill "An Act To Improve Geographic Information System Data Acquisition and Maintenance" S.P. 568 L.D. 1719

Presented by Senator BLACK of Franklin. Cosponsored by Representative HICKMAN of Winthrop and Senators: CARSON of Cumberland, DAVIS of Piscataquis, MIRAMANT of Knox, Representatives: AUSTIN of Gray, KESCHL of Belgrade.

Bill "An Act To Penalize Violators of Wood Shipment and Quarantine Laws" S.P. 575 L.D. 1726

Presented by Senator BLACK of Franklin. Cosponsored by Representative HICKMAN of Winthrop. Submitted by the Department of Agriculture, Conservation and Forestry pursuant to Joint Rule 204.

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 Allow the Confinement of Female Prisoners at the Long Creek Youth Development Center" (EMERGENCY) S.P. 572 L.D. 1723

Presented by Senator DESCHAMBAULT of York. Submitted by the Department of Corrections pursuant to Joint Rule 204.

Bill "An Act To Amend the Maine Emergency Medical Services Act of 1982 and Related Provisions" S.P. 573 L.D. 1724

Presented by Senator DESCHAMBAULT of York. Submitted by the Department of Public Safety pursuant to Joint Rule 204.

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 Amend the So-called Dig Safe Law" S.P. 569 L.D. 1720

Presented by Senator LAWRENCE of York. Cosponsored by Representative BERRY of Bowdoinham. Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

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

This is notification of the Committee's action.

Sincerely,

S/Sen. Louis J. Luchini Senate Chair

S/Rep. John C. Schneck House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: H.C. 169

STATE OF MAINE CLERK'S OFFICE 2 STATE HOUSE STATION AUGUSTA, MAINE 04333-0002

May 9, 2019

Honorable Darek M. Grant Secretary of the Senate 129th Maine Legislature Augusta, Maine 04333

Dear Secretary Grant:

House Paper 596, Legislative Document 822, "An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

89 voted in favor and 50 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

SENATE PAPERS

Sent down for concurrence.

Bill "An Act To Clarify the Pathway for a Registered Dispensary under the Maine Medical Use of Marijuana Act To Become a For-profit Entity" (EMERGENCY)

S.P. 577 L.D. 1735

Presented by President JACKSON of Aroostook. Cosponsored by Representative O'CONNOR of Berwick and Representatives: BICKFORD of Auburn, HARNETT of Gardiner, HICKMAN of Winthrop, MADIGAN of Waterville, McCREIGHT of Harpswell, PERRY of Calais.

Bill "An Act Relating to the Retention and Hiring of Mental Health Staff at the Department of Health and Human Services"

S.P. 579 L.D. 1737

Presented by President JACKSON of Aroostook.

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 Compensate Corrections and Mental Health Workers for Injuries and Illness Suffered While Working"

S.P. 578 L.D. 1736

Presented by President JACKSON of Aroostook.

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

Sent down for concurrence.

Bill "An Act To Create a Minimum Age To Hold a Limited-purpose Aquaculture License"

S.P. 574 L.D. 1725

Presented by Senator VITELLI of Sagadahoc.

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

Sent down for concurrence.

Bill "An Act To Exempt Purchases by Pet Food Pantries from Sales Tax"

S.P. 567 L.D. 1718

Presented by Senator HERBIG of Waldo. Cosponsored by Representative BICKFORD of Auburn and Senators: CHIPMAN of Cumberland, LUCHINI of Hancock, POULIOT of Kennebec, WOODSOME of York, Representatives: MADIGAN of Waterville, SHEATS of Auburn, STANLEY of Medway, TERRY of Gorham.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Sent down for concurrence.

Bill "An Act To Amend the Campaign Reports and Finances Laws and the Maine Clean Election Act"

S.P. 570 L.D. 1721

Submitted by the Commission on Governmental Ethics and Election Practices pursuant to the Maine Revised Statutes, Title 1, section 1009.

Resolve, Directing the Secretary of State To Develop a Plan for Implementation of Automatic Registration of Nonregistered Persons Qualified To Vote through Records of the Bureau of Motor Vehicles

S.P. 571 L.D. 1722

Presented by Senator LUCHINI of Hancock. Cosponsored by Representative: SCHNECK of Bangor. Submitted by the Secretary of State pursuant to Joint Rule 204.

Bill "An Act To Create a Postsecondary Educational Institution Program License for the Purchase of Liquor for Certain Curricula"

S.P. 576 L.D. 1734

Presented by Senator LUCHINI of Hancock. Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Sent down for concurrence.

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

ORDERS

Joint Order

Expressions of Legislative Sentiment recognizing:

Taylor Davis, of Augusta, a senior at Cony High School enrolled in the Certified Nursing Assistant Program at Capital Area Technical Center, who has been named the center's 2019 Student of the Year. We extend our congratulations and best wishes;

SLS 541

Sponsored by Senator POULIOT of Kennebec.
Cosponsored by Representatives: BRADSTREET of Vassalboro, DOORE of Augusta, FECTEAU of Augusta.

The Joint Order was **READ**.

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

Senator **POULIOT:** Good morning, ladies and gentlemen of the Senate. I am pleased that Taylor Davis of Augusta is able to join us this morning. Taylor was recently named the 2019 Student of the Year at Capital Area Technical Center, my alma mater, in Augusta. Taylor has taken a rigorous high school course load, including four dual enrollment courses. She's used her free periods to aid in the special education program at Cony as a Peer Pal, helping students with their academics and homework. She played on the Unified Basketball Team. She's the Secretary for Cony's National Honor Society. She belongs to the German Honor Society and the National Technical Honor Society. She's volunteered with the Togus V.A. Medical Center, as well as in Florida, with her grandparents, in Hampton's Helping Hands. She has helped with the local youth field hockey and lacrosse camps. She has played field hockey and lacrosse at Cony and also has served in a variety of roles in the annual Chizzle Wizzle production. For any of you who have not been to Chizzle Wizzle, I highly recommend it. It's a lot of fun. According to those who know her, Taylor always has a smile on her face and is one of the most positive students. To describe what type of student she is I'm going to quote her instructor, Bethany Sherman. She said, 'I'm certain Taylor will achieve any and all goals that she sets for herself and will continue to be an asset to her community.' In closing, I would like to congratulate Taylor on becoming Student of the Year at CATC and I would also like to wish her the best of luck as she graduates and continues her studies at Maine College of Health Professions and majors in Radiology. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in rear of the Chamber Taylor Davis; her Mom, Karen Davis; and her teacher, Bethany Sherman. All from the city of Augusta. They are the guests today of the Senator from Kennebec, Senator Pouliot. Would they please rise and accept the greetings of the Maine Senate.

Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Require Professional Licensure for Property Inspectors"

H.P. 492 L.D. 671

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

Signed:

Senators:

HERBIG of Waldo
GUERIN of Penobscot

Representatives:

AUSTIN of Gray
BABINE of Scarborough
FECTEAU of Biddeford
HARRINGTON of Sanford
HIGGINS of Dover-Foxcroft
PERRY of Bangor
STETKIS of Canaan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-223)**.

Signed:

Senator:

MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
CROCKETT of Portland
HANDY of Lewiston

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-223)**.

Reports **READ**.

Senator **HERBIG** of Waldo moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, this bill, in its amended form, simply starts the sunrise review process which had unanimous support of the stakeholder and established by the committee and included a representative from home inspectors, realtors, and the Office for Policy and Legal Analysis. The Maine Realtors Association testified in support saying that they were in support because building inspections play a unique and critical role in most real estate transactions. Indeed, buyers rely on inspection. Brokers have to change disclosures based on it and the buyer and seller negotiate based on the inspection report. Yet there is often confusion about the scope and voracity of the inspections. Increasingly, we are hearing of many poor inspections and even fraudulent inspectors. Although these anecdotal accounts certainly do not implicate every inspector, our primary concern is protecting the consumer. A licensing system would provide accountability for bad actors and protection for consumers. It would produce inspections with better consistency and credibility, thereby improving consumer confidence. It should be noted that our position today reflects a change in the associations opposed to this issue. Indeed, the concept of licensing building inspectors has come up in the past and in the past we have taken the position that less regulation is good and the building inspection industry should be left to self-regulate with their own standards and the business to handle complaints. Unfortunately, that degree of self-regulation in Maine did not develop as expected. The Maine Coalition of Housing Inspection Professionals website currently lists only 24 members, I would add that's out of between 250 and 300, who have met their testing and CE requirements. Another important consideration in this discussion should be how other states approach the regulation of building inspectors. There's a report by the National Association of Realtors that provides a survey and Maine is in the distinct minority. The majority of states have some form of regulation, licensing required services, and delineating liability. New Hampshire passed their home inspector licensing law in 2008. Regulatory consistency between Maine and New Hampshire is helpful because many people operate in Maine and New Hampshire. Many of our members, for example, are licensed and work in both states. This is a \$3.5 billion industry here in Maine. Home inspectors are the only professionals not licensed in this process. I would say that this is one of the most important purchases that any of us, our friends, and family will make in their lifetime. It would only seem logical that we would require licensing of home inspectors as we do everyone else in that process. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#90)

YEAS: Senators: BLACK, CARPENTER, CARSON, DIAMOND, DOW, FARRIN, FOLEY, GUERIN, HAMPER, HERBIG, KEIM, LIBBY, LUCHINI, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

NAYS: Senators: BELLOWS, BREEN, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DILL, GRATWICK, MILLETT, MIRAMANT, SANBORN H., SANBORN L., VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: LAWRENCE

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **HERBIG** of Waldo to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Protect Hourly School Personnel Pay During School Days Missed Due to Weather or Emergency Closures" H.P. 224 L.D. 300

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-220)**.

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 Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-220)**.

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-220) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Laws Governing Appointees to the Maine Labor Relations Board"

H.P. 241 L.D. 317

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-219)**.

Signed:

Senators:

BELLOWS of Kennebec
GUERIN of Penobscot
LAWRENCE of York

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
BRADSTREET of Vassalboro
CARNEY of Cape Elizabeth
CUDDY of Winterport
DUNPHY of Old Town
MORRIS of Turner
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:

Representative:

LOCKMAN of Bradley

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-219)**.

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-219) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act Concerning Liability for Direct Reimbursement of Unemployment Benefits"

H.P. 781 L.D. 1058

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

Signed:

Senators:

BELLOWS of Kennebec
GUERIN of Penobscot
LAWRENCE of York

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
CARNEY of Cape Elizabeth
CUDDY of Winterport
PEOPLES of Westbrook
RYKERSON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-217)**.

Signed:

Representatives:

BRADSTREET of Vassalboro
LOCKMAN of Bradley
MORRIS of Turner

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act Regarding Local Workforce Development Boards" H.P. 981 L.D. 1359

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-218)**.

Signed:

Senator:
BELLOWS of Kennebec

Representatives:
SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
DUNPHY of Old Town
PEOPLES of Westbrook

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 Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-218)**.

Reports **READ**.

Senator **BELLOWS** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **TIMBERLAKE** 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 (#91)

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

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

EXCUSED: Senators: LAWRENCE

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BELLOWS** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-218) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

Six Members of the Committee on **TAXATION** on Bill "An Act To Exempt Long-term Capital Gains from Income Tax for Certain Income Levels"

H.P. 669 L.D. 905

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-211)**

Signed:

Senator:
POULIOT of Kennebec

Representatives:
BICKFORD of Auburn
CLOUTIER of Lewiston
KRYZAK of Acton
MAREAN of Hollis
STEWART of Presque Isle

Six Members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senators:
CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono
DENK of Kennebunk
MATLACK of St. George
TERRY of Gorham

Comes from the House with Report "B", **OUGHT NOT TO PASS, READ and ACCEPTED.**

Reports **READ.**

Senator **CHIPMAN** of Cumberland moved the Senate **ACCEPT** Report "B", **OUGHT NOT TO PASS**, in concurrence.

On motion by Senator **TIMBERLAKE** 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 (#92)

YEAS: 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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** Report "B", **OUGHT NOT TO PASS**, in concurrence, **PREVAILED.**

Senate

Change of Committee

Senator LAWRENCE for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Energy, Utilities and Technology"

S.P. 351 L.D. 1163

Reported that the same be **REFERRED** to the Committee on **TAXATION.**

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

REFERRED to the Committee on **TAXATION.**

Sent down for concurrence.

Ought to Pass As Amended

Senator LAWRENCE for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Filing Fees in Transmission Line Proceedings"

S.P. 491 L.D. 1556

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-96).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-96) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator CARSON for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Amend the Definition of 'Subdivision' in the Laws Governing Planning and Land Use Regulation for Subdivisions and a Provision Excepting the Division of a New or Existing Structure from Those Laws Beginning July 1, 2018"

S.P. 172 L.D. 550

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-97).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-97) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator H. SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Ban Discretionary Clauses in Life and Health Insurance Policies"

S.P. 321 L.D. 1089

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-89).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-89) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator H. SANBORN for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Law Prohibiting the Denial by Health Insurers of Referrals by Out-of-network Providers"
S.P. 372 L.D. 1197

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-90)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-90) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Support Maine Craft Distillers"
S.P. 294 L.D. 1015

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-93)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-93) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Licenses for the Sale of Liquor for On-premises Consumption" (EMERGENCY)
S.P. 516 L.D. 1619

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-92)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-92) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, To Require the Construction of a New District Headquarters Building for the Bureau of Forestry in Fort Kent
S.P. 295 L.D. 1016

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-94)**.

Signed:

Senator:
DILL of Penobscot

Representatives:
HICKMAN of Winthrop
MAXMIN of Nobleboro
McCREA of Fort Fairfield
O'NEIL of Saco
PLUECKER of Warren
ROBERTS-LOVELL of South Berwick

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

Signed:

Senator:
BLACK of Franklin

Representatives:
HALL of Wilton
KINNEY of Knox
KRYZAK of Acton
SKOLFIELD of Weld

Reports **READ**.

On motion by Senator **DILL** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Resolve **READ ONCE**.

Committee Amendment "A" (S-94) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Protect Consumers from Price Gouging by Utility Companies"

S.P. 340 L.D. 1120

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

Signed:

Senators:

LAWRENCE of York
WOODSOME of York

Representatives:

BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
FOSTER of Dexter
GRIGNON of Athens
GROHOSKI of Ellsworth
HANLEY of Pittston
KESSLER of South Portland
RILEY of Jay
RYKERSON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-95).**

Signed:

Senator:

MIRAMANT of Knox

Reports **READ.**

On motion by Senator **LAWRENCE** of York, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED.**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Resolve, Requiring the Collection of Data on the Marriage of Minors
S.P. 288 L.D. 998

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

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
CURTIS of Madison
EVANGELOS of Friendship
HAGGAN of Hampden
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:

Senator:

KEIM of Oxford

Reports **READ.**

On motion by Senator **CARPENTER** of Aroostook, the Majority **OUGHT TO PASS** Report **ACCEPTED.**

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

Sent down for concurrence.

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:

Acts

An Act To Help Ensure That the Legislature Has the Information Necessary To Do the Work of the People of Maine

S.P. 69 L.D. 257
(C "A" S-76)

An Act To Exempt from Criminal Liability Persons Reporting a Drug-related Medical Emergency

H.P. 254 L.D. 329
(C "A" H-178)

An Act To Help Municipalities Prepare for Sea Level Rise

H.P. 407 L.D. 563
(C "A" H-180)

An Act To Allow the Adoption of Ordinances Prohibiting the Accumulation of Trash on Private Property in Plantations

H.P. 429 L.D. 585
(C "A" H-187)

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
(C "A" H-176)

An Act To Allow Municipalities To Determine the Duration of Development Districts Funded by Assessments

H.P. 551 L.D. 746

An Act To Exempt Vehicles That Are 20 Years Old or Older from Titling Requirements When the Vehicles Are Recycled, Salvaged or Scrapped

H.P. 597 L.D. 823
(C "A" H-191)

An Act Concerning Disclosure Requirements for Transfers of Properties Accessed by Means Other Than a Public Way

H.P. 622 L.D. 848

An Act Regarding the Transfer of a Deceased Person's Moose Permit To a Family Member

H.P. 687 L.D. 932
(C "A" H-185)

An Act To Allow Municipalities with Municipal Shellfish Conservation Ordinances To Establish Minimum and Maximum Size Limits for Shellfish That Are at Least as Strict as Those Limits Established by the State

H.P. 715 L.D. 960
(C "A" H-177)

An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements

H.P. 725 L.D. 970
(C "A" H-179)

An Act To Clarify Filing Requirements for Proposed Rules

S.P. 290 L.D. 1011
(C "A" S-73)

An Act To Remove a Reference to Constables in the Law Governing Execution of Process

H.P. 806 L.D. 1102

An Act To Expand Tax Increment Financing

S.P. 342 L.D. 1122
(C "A" S-75)

An Act To Clarify Statutes Related to Establishing a Municipal Charter Commission

S.P. 348 L.D. 1128

An Act To Update the Laws Governing the Regional Library Systems

H.P. 1010 L.D. 1396
(C "A" H-182)

An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Cellular Telephone Recycling Law

H.P. 1074 L.D. 1467

An Act To Clarify Guardianship over Detainees under 18 Years of Age Regarding Mental Health Care

H.P. 1081 L.D. 1479

PASSED TO BE ENACTED and, having been signed by the President, were presented by the Secretary to the Governor for approval.

An Act To Expand Health Insurance Options for Town Academies

H.P. 285 L.D. 376
(C "A" H-199)

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

An Act To Increase the Number of Intensive Case Managers

H.P. 323 L.D. 414
(C "A" H-196)

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

An Act To Establish the Summer Success Pilot Program Fund

H.P. 359 L.D. 502
(C "A" H-200)

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

An Act To Improve Access to Property Tax Exemptions for New Homeowners

H.P. 404 L.D. 560
(H "A" H-194 to C "A" H-77)

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

An Act To Create a Kinship Care Navigator Program within the Department of Health and Human Services

H.P. 462 L.D. 633
(C "A" H-195)

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

An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax

H.P. 481 L.D. 660
(C "A" H-183)

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

An Act To Require Municipalities and School Districts To Provide Notice of Breaches in Personal Data Security

S.P. 209 L.D. 696
(C "A" S-77)

On motion by Senator **BREEN** of Cumberland, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in concurrence.

An Act To Provide for a Professional Wage and Support for New Educators

S.P. 264 L.D. 898
(C "A" S-59)

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

An Act To Establish the Fund To Support Local Fruits and Vegetables Purchasing

H.P. 675 L.D. 920
(C "A" H-192)

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

An Act To Increase the Viability of Assisted Living Facilities by Increasing the Rate of Reimbursement

H.P. 690 L.D. 935
(C "A" H-198)

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

An Act To Clarify the State's Commitments Concerning Certain Public Service Retirement Benefits

H.P. 808 L.D. 1104
(C "A" H-205)

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

An Act To Require Legislative Hearings on Citizen-initiated Legislation

H.P. 873 L.D. 1209
(C "A" H-204)

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

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise briefly in support of the pending motion. I fully support the people's right to pass citizen initiated legislation. I think legislative hearings are a matter of good government. I think it can be pro citizen initiated legislation and pro hearing. Thank you.

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

Senator **CHENETTE:** Thank you, Mr. President. I rise in opposition to the pending motion. We've seen a lot of attacks on our democratic institutions and I view this bill in a similar light. This is a barrier for citizens to take action when their elected officials refuse to. When it comes to legislative hearings, we can already do this, Mr. President. We do not need a legislative bill to direct us to do this. We can already do it. It's repetitive. Moreover, how about counting the numerous public hearings that this Body has had over the last decade over any of the citizen lead initiatives that have been on the ballot? Minimum wage, ranked-choice voting. You name it. We've had dozens of public hearings in this building and consistently the Legislature has voted down common sense reforms, Mr. President. So this is an opportunity for the citizens to say to their elected officials, 'Hey, this is a priority for us,' and it should be recognized not as a glorified poll but as a mandate from the people to the Legislature. The fact of the matter is the process has been disrespected and this bill continues that process. I will be voting no on the pending motion.

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

Senator **CLAXTON:** Thank you, Mr. President. I stand to speak briefly, women and men of this Chamber. The work that went on in the Committee on State and Local Government to get to a unanimous report was based on the sense that this would open up yet another way for citizens to contribute to a conversation about what they want to see and no way, in my understanding,

threatens the impact of the citizen initiatives and, in fact, helps us make them more robust as we begin the process of making legislation around those that are passed. The appropriate Committee also retains the opportunity to introduce legislation to affect the citizen initiative that's being discussed if it becomes readily apparent that it should continue even without the vote of the public. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, like my colleague who feels like this is a road block, I have to look at the way these citizen referendums have gone when folks are so frustrated with the lack of progress by the Legislature for important issues and then they've let them pass through only to come back and ignore and reject them. There is a level of cynicism about some of this that I don't want to add another opportunity for that cynicism to be passed on to the folks who are trying to do something that's important. So I will not support this.

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

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I had the honor of serving on the Legal and Veterans Affairs Committee two years ago. I stand to support the Senator from Androscoggin, Senator Claxton. I just want to give you one quick example. We had a lengthy public hearing on the proposed casino bill, promoted by the individual who started the Bangor slot process, and out of that process we learned a lot about the dark money that really was behind that, and I'm convinced that that public hearing helped to lead to its overwhelming demise at the polls. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Enactment. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#93)

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

NAYS: Senators: CHENETTE, CHIPMAN, MIRAMANT

32 Senators having voted in the affirmative and 3 Senators having voted in the negative, the Bill was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolves

Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses

H.P. 515 L.D. 710

Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees

H.P. 746 L.D. 1004
(C "A" H-181)

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Study Registration Fees for All-terrain Vehicles and Snowmobiles

H.P. 836 L.D. 1147
(C "A" H-184)

FINALLY PASSED and, having been signed by the President, were presented by the Secretary to the Governor for approval.

Resolve, To Promote Healthy Living in Maine

H.P. 239 L.D. 315
(C "A" H-197)

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/26/19) matter:

Bill "An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy"
H.P. 939 L.D. 1296

Tabled - March 26, 2019 by Senator **H. SANBORN** of Cumberland

Pending - **REFERENCE**

(In 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.

The Chair laid before the Senate the following Tabled and Later Assigned (4/16/19) matter:

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Implement the National Popular Vote for President of the United States"
S.P. 252 L.D. 816

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-44)** (6 members)

Tabled - April 16, 2019 by Senator **LUCHINI** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, we're all familiar with the saying As Go Maine As Goes The Nation. By getting rid of the Electoral College this would no longer ring true. As a state, we would lose our voice in elections. We are fortunate to have many Presidential candidates visit Maine. However, with a smaller population, under the national popular vote system I believe many candidates would not even bother coming here. Our numbers would be just a drop in the bucket in comparison to more highly populated states and larger cities around the country which would control the outcome of our Presidential elections. The chance of someone like Senator Ed Muskie running for President from Maine would also never happen again, most likely. I remember Ed Muskie. Actually my brother dated his niece and I got to meet Ed Muskie and he was a very nice man and I thought it was an honor to have someone run for President of his stature and I would like to see that happen again. By doing this, we are going to be stopping that chance. It is imperative that Maine voters continue to have a voice and that is why to not support doing away with our Electoral College. Please stand by me and follow my light. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Luchini.

Senator **LUCHINI:** Thank you, Mr. President. Mr. President, men and women of the Senate, I support the pending motion before us, which would enter Maine into a national interstate compact to

elect our President by national popular vote. I support this just because, fundamentally, I believe that the people of the country should be able to cast a vote for the President. This would better embody the notion of one person - one vote and ensure that everybody's vote anywhere in the United States is equal and that every vote is counted. To the points made earlier about losing our voice, I disagree that would happen. I think the bi-product that we've seen of the Electoral College is that just five or six swing states are the ones who make the choice of who gets to be the President. Every other state is largely ignored and if you happen to be in the minority party of one of the other states your vote, essentially, doesn't count. If you just look back in the recent history here in the State of Maine, 27 of the past Electoral College votes went to the Democrat. I don't think that's reflective of the way the Maine people vote. Some of the founders, when they were debating this topic, talked about the concerns of every day citizens being able to elect and choose the President of the United States. Reversing the Electoral College process and putting the power back in the hands of the people is something that actually both Senator Ed Muskie and Senator Margaret Chase Smith supported back in the late 60's when they stood before the subcommittee on Constitutional Amendments and voted to abolish the Electoral College in its entirety. Senator Margaret Chase Smith even said before the subcommittee, 'The Electoral College is doomed to be replaced by the direct popular election system for the American people will ultimately assert themselves and demand that the will of the majority prevail and the American people will prevail over the powers that be who cling to the perpetuation of the status quo.' I agree with that concept and that notion and that's why I'm supporting the Ought to Pass motion before us today. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Guerin.

Senator **GUERIN:** Mr. President, ladies and gentlemen of the Senate, under this radical proposal before the Maine Senate today it wouldn't matter how Maine people voted. Our votes for President would be cast based on how the entire nation voted, taking away our power as a small state and giving it to big cities like New York, Chicago, and Los Angeles. Our current system was intentionally established so small states would have a voice in our federal government. The national popular vote would effectively nullify the votes from Maine and other small states. This gets to a fundamental question: what is America? Is America a collective of undifferentiated individuals living under a single centralized national government? Or is America a collection of societies called states that all deserve a seat at the table, composed of different people with varied interests and backgrounds, living under a decentralized federal government? The truth is America is unique because we were founded on the idea that power rested locally with the people in the states. We have a voice in the federal government, not only as individuals but also as citizens of the state of Maine. Binding Maine people to the national popular vote would further erode the principles of federalism that made America great and cements the power of a single national government ruling over us from Washington D.C. I need your help to stop this from happening. Please vote against the pending motion. Thank you, Mr. President.

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

Senator **MIRAMANT**: Thank you, Mr. President. Men and women of the Senate, we dealt with this several times and sometimes I feel like the argument for is the argument against, and vice versa. It gets really funny when they send me an argument that's the one I've been sending to other people for the same reason. The history: we're not in the 1700's anymore. Sometimes we change the laws because we live in a modern century. It happens a lot. This one needs to be changed. It was based on the idea, some people reasonably, that getting communications out about quick changes just before an election was a hard thing to do when you didn't have the internet or very easy forms of communication. A note on a stage wouldn't get there in time to get the information back for the election. So that was the folks who thought the best of the system and wanted to have informed citizens vote. It was hard to. So they set something up and said, 'Well, we'll educate a bunch of folks and they'll vote representing the information, the best information at the time.' The next was the Electoral College was manipulated by the President trying to keep the Union together. Giving states that didn't even consider Black people human, giving them 2/5th of a vote for every slave in their state to try to keep them in the Union. A noble goal to keep the Union together but to reward them for slavery. That's part of the history of the Electoral College. Right now people think we have one person - one vote, and we do except for the Presidential election. When I go around telling them to make sure they vote. One vote could make the difference. One vote could count. They say that one person got three million votes more than the other, how are they not in office? Well, let's consider the system. Some people think they're too stupid to vote so we have to have this Electoral College. Well, the Electoral College would be aligned with the vote in each state and if anybody here, and you are a great example, knows how to campaign, are you going to go where there's a thousand people to talk to or one? How are you going to use your six or eight months of campaign season most wisely? You're going to do what they're doing right now. They are going to go to Ohio, they're going to go to places like New Hampshire. It doesn't have a big population but, for some reason, they think because they're the first they have to go to that place and that's more important than something else. One person - one vote, it should be that way for every election. Everybody's smart enough to get informed and, if they're not, we're always going to have a few of them in everything. So let's align the popular vote with what the electorate chooses and finally get this fairness back in our system.

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

Senator **TIMBERLAKE**: Mr. President, ladies and gentlemen of the Senate, if you want to change the law then change it by changing the U.S. Constitution. The Electoral College system was put in place for a reason and it has worked for more than 200 years. Mr. President, this bill does nothing but circumvent the U.S. Constitution. If you want to vote to circumvent the U.S. Constitution then go right ahead but I was elected to protect the U.S. Constitution and that's what I will do, Mr. President. So I will be voting no on the pending motion. Please join me.

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

Senator **CHENETTE**: Thank you, Mr. President. Men and women of the Senate, there were two elections in my lifetime where a President was decided by a process overruling the will of the voters. In my short lifetime two Presidential candidates with the most votes lost their elections, which is how each and every one of us in this Chamber, Mr. President, are elected, but we certainly don't seem to have a problem with how we are elected. States relative influence in a Presidential election is not determined by its size. Small states like Maine, Wyoming, and Rhode Island are as ignored in a national election as larger states like New York, Texas, and New Jersey. Rather a state's influence comes from its narrow, partisan divide. Maine has historically received significantly less attention compared to more competitive states of similar proportion. Now a good indicator of this is the relative time and money spent in each state. I like scenarios, so let's go through one. In 2012 Presidential campaigns spent a combined total of less than \$195,000 for Maine's four electoral votes while spending nearly \$35 million for the same number of electoral votes in our neighboring New Hampshire in a general election alone. Meanwhile, the campaigns for President Trump and Secretary Clinton combined to visit Maine just three times in 2016, compared to 21 post-nomination visits to our neighboring New Hampshire. In 2016, 94% of all campaign events were held in just 12 states, Mr. President. What happened to the rest of the states? They didn't magically disappear. Far from being protected by the current system, smaller, often rural, states are disproportionately disadvantaged right now. Of the 13 small states, with 3 or 4 electoral votes, only one, Mr. President, New Hampshire, is considered competitive in general elections. Well, I think each and every one of our voters should be deemed competitive. I think every single voter in the state of Maine should have their voice heard in a Presidential election and not ignored, and that's why I'm supporting the pending motion.

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

Senator **BELLOWS**: Thank you, Mr. President. Our most important obligation is to uphold and defend the Constitution and the Bill of Rights, and part of that obligation is advancing the principles that advance a more just and equal society. A lot has been spoken about the Founders today. I just want to quote from the Federalist Paper 68 authored by Alexander Hamilton, laying out the case for the Electoral College. From Hamilton, 'The immediate election should be made by the men most capable of analyzing the qualities adapted to the station.' Hamilton goes on to write, 'A small number of persons selected by their fellow citizens from a general mass will be most likely to possess the information and discernment requisite to such a complicated investigation.' Given the modern age of information and ready access to media, the idea that four people in our state should possess any more information or discernment than the general population is outdated. I would go on to quote from Hamilton in that same paper, 'It was also peculiarly desirable to afford as little opportunity as possible to tumult and disorder.' Today I would assert that lack of adherence to the popular vote is contributing to tumult and disorder as people on both sides challenge the validity of our Presidential elections. Hamilton goes on to argue that electors would be more independent and free from corruption or influence by a foreign power. Again, the idea that all eligible

voters in the United States, more than 200 million voters at last count, would be more susceptible to corruption than a small group of individuals is absurd. Remember the Electoral College was created in a time of slavery, when not all people were created equal. It's a relic of a time when a select group of white, property owning males was deemed best fit to make decisions of importance in our country. I rise in support of the pending motion to uphold and advance respect for the Constitution and the Bill of Rights and the ideals of a more just, more equal society and the principle of one person - one vote. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. I just want to say that I'm here defending Maine. We need to have a voice. With the little population that we have compared to even New York City, we don't even compare to 1/20th of just New York City. If you think of the whole United States, we are just going to be no voice at all heard. No one's going to need to have to come here to Maine. Our voices are not going to be heard. Right now, when you look at the chart on the news when it comes to Presidential elections, they look at Maine. They look at the number and they say, 'We're waiting for that number,' because that is an important one. It could be just one number. It doesn't matter what party. I'm not here because of the party on this situation. There are a lot of good people. George Mitchell. You know, we've had some really good people that's represented this United States and we want Maine to represent well. So I'm talking, if we look at what we're going to be doing here, if we vote against this, and we vote to get rid of our Electoral College, we are in serious trouble. This is Maine. This is not California. This is not Florida. This is not Ohio or Wisconsin. They're big cities, big countries, big areas in the country, and we want to be able to stand tall and be able to make a difference. I just ask, Mr. President, please follow my light to help me in helping Maine still keep that voice. Thank you.

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

Senator **DAVIS:** Thank you, Mr. President. Thank you for your service, sir. Mr. President, I believe we were greatly blessed in this country. I believe that the people that put our Constitution together did so in a marvelous, marvelous way and, but for a few changes over the years, it has stayed intact. One of the things they did, Mr. President, they realized that the small states with small populations would be ignored and the big states with the big populations would get all the attention. So they came up with a plan and that was to give each state two Senators. Each state was equally represented in the United States Senate, and that gives the little state of Maine a lot of influence that they wouldn't have if those wise people two centuries ago hadn't devised it the way they did. Does anyone here really think that Donald Trump came to Maine to go to church? Come on folks, you know better than that. He came here because he knew that there was an electoral vote up for grabs and, indeed, he grabbed it. He got it. He got it because he came here, because Maine had the opportunity to receive some attention from the man who was going to become the President. The rights of the minority were very much in the minds of the men that wrote our Constitution, and I say men but I also believe the women had a good hand in it too. We all go home, I think most of the guys here would agree

with me, and their wives have a big influence on them. I know if I vote the wrong way that influence is really put right out there for me. I have to be careful. But the rights of the minority are protected in our Constitution. They're protected from the will of the majority and the desires of the majority to rule and run roughshod over the minority, and it happens all the time. Senator Timberlake got up and he made a good speech and I agree with him, Senator Timberlake, on what he said. I agree with Senator Cyrway and others that have spoken in favor of this. Mr. President, I have a question I'd like to ask through the Chair, if I may. I would like to know how these electors, these people that do the voting, get elected? Thank you.

THE PRESIDENT: The Senator from Piscataquis, Senator Davis, has posed a question through the Chair for anyone who can answer. The pending question before the Senate is Acceptance of the Minority Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#94)

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

NAYS: Senators: BLACK, CYRWAY, DAVIS, DIAMOND, DOW, FARRIN, FOLEY, GUERIN, HAMPER, HERBIG, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **LUCHINI** of Hancock **TO ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-44) **READ** and **ADOPTED**.

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

The Chair laid before the Senate the following Tabled and Later Assigned (5/2/19) matter:

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Facilitate Fair Ballot Representation for All Candidates"

H.P. 374 L.D. 517

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-164)** (8 members)

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

Tabled - May 2, 2019 by Senator **LUCHINI** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-164).**)

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, this bill seeks to allow nicknames without having to do a legal name change. The sponsor uses a nickname, wants it known that way. We've had some other folks talk about how they changed their name. What did I say here?

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

Senator **LIBBY:** Mr. President, would you clarify the motion that's before us?

THE PRESIDENT: The Chair was in error. The motion is the Minority Ought Not to Pass report, which is correct on the board. The Chair said Majority Ought to Pass. The report that Senator Luchini moved was the Minority Ought Not to Pass report. Is that clear? The Chair recognizes the Senator from Knox, Senator Miramant, and forgive the Chair for interrupting him.

Senator **MIRAMANT:** No problem. It wasn't me for a change. I love it. Okay. In case I didn't ask, I'd like a roll call.

Senator **MIRAMANT** of Knox requested a Roll Call.

Senator **MIRAMANT:** So the sponsor, we had some people talk about how they've changed their name legally so that their nickname could be used on the ballot. There are protections from people coming up with random names or changing their position on the ballot because it's still on the ballot by last name. So I think it's kind of been drastic. A little easier way and it would support folks who really are not known by their William instead of a Billy Bob, just as a random example. Thank you. So I'd just like you to give it consideration, Mr. President.

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

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **LIBBY** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **LUCHINI** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**. (Roll Call Ordered)

The Chair laid before the Senate the following Tabled and Later Assigned (5/8/19) matter:

HOUSE REPORTS - from the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Prevent Discrimination in Public and Private Insurance Coverage for Pregnant Women in Maine"

H.P. 594 L.D. 820

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-210)** (8 members)

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

Tabled - May 8, 2019 by Senator **LIBBY** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

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

Senator **H. SANBORN** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

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

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator H. Sanborn.

Senator **H. SANBORN:** Thank you, Mr. President. When it comes to the most important decisions in life, such as whether and when to become a parent, it is vital that a woman is able to consider all the options available to her, no matter how much money she has in her bank account and no matter how she gets her health insurance. The decision about whether to have an abortion or not is deeply personal. It involves a complex weighing of the woman's unique circumstances, her medical needs, her private morality, and her own body. That is why it is a decision that must be made by a woman and her health care provider alone. L.D. 820 would allow women, regardless of income, to make decisions about their pregnancies without the government or an insurance company denying their coverage. Fifteen states already provide comprehensive coverage for Medicaid eligible women and eight others provide expanded coverage. More than half of the county's Medicaid insured population are afforded broader coverage of abortion than those living in Maine. It's time for Maine to fix this inequity and provide Maine women with the same ability to make their own decisions about their pregnancies that other women, whether in Alaska, Montana, Kansas, or Vermont, can. Maine women deserve the same basic health care

that others receive across the country. Today women insured by MaineCare have no access to abortion, even if they're health is gravely at risk, even if the pregnancy has gone horribly wrong, and even if their health care provider recommends an abortion. Women in violent relationships have no coverage. Women covered by private insurance have fewer protections under our law and with private insurance today a woman pregnant from a sexual assault has no protections. A woman whose life is in jeopardy has no protections. We should contrast this with our public employees, who do have these protections through their publicly paid and funded insurance plans. So our state and local tax dollars are already being used to pay for this type of care, but just only for certain women while others cannot access the care. Abortion rates are at their lowest since Roe v. Wade, thanks in large part to the improvements in birth control and policies like the Affordable Care Act that has expanded access to health care. Even so, one in four women will make a decision to have an abortion at some point in her lifetime. Sixty percent of these women will already have at least one child and nearly 40% will be living in poverty. Abortion is a safe, legal medical procedure and women should be able to access care without politicians deciding who does or does not qualify for coverage.

As Chair of the Health Coverage, Insurance and Financial Services Committee, I had the privilege of hearing the stories of women who came forward to talk about their decisions to have an abortion and the hardships they faced when coverage was denied. We heard from women struggling with addiction, women in violent relationships, women desperate to find the money to pay for an abortion, women who were struggling to raise their family and knew they could not have another child, and heart wrenching stories from women who received tragic news about their health and their pregnancies that meant that an abortion was the safest option for them. They all knew that the decision to have an abortion was the right one for them, for their families, and for their future. As you consider the merits of this legislation please consider what you would want the experience to be for a woman who decides that abortion is the right decision for her. I know what I want. I want her to be supported by her loved ones. I want her to get high quality health care from a trusted provider. I want her to be safe and I want her to be treated with dignity. I do not want her to be harassed. I don't want her to have to walk through protesters and I don't want her to have to delay or forgo the care she needs and wants because she cannot scrape together the money to pay for it. Today we can take one step in insuring that all Maine women, regardless of their income, are afforded this safety and this dignity. Decisions about pregnancy and abortion belong to Maine women, not to me, not to any government agency, and not to any insurance company. I urge you to vote in favor of the pending motion on L.D. 820. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Guerin.

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, as a member of the IDEAB Committee I would like to point out that L.D. 820 takes away a businessperson's choice as to whether or not to provide abortion coverage in a benefit package. Many pro-life businesspeople will be forced to drop their health care coverage that they offer their employees to prevent their resources from being used to abort beautiful little baby boys and girls. L.D. 820 will have the negative

effect of lowering the number of people privately insured in the state of Maine. In the public realm, polling consistently shows that 60% to 70% of Americans do not want to support taxpayer funded abortion. Let me repeat that. Sixty to seventy percent of Americans do not support taxpayer funded abortion. There are more serious budgeting priorities for the State of Maine.

Secondly, I would like to speak as a woman who came of age in the generation of abortion legalization. My friends and I were told by the abortion industry that abortions were not killing babies, instead telling us the fetus was just a blob of tissue. I'm sure everyone in this room has heard that before. Well today scientific medical advances have proved that, as young women, we were lied to. Pregnancy sonograms clearly show little boys and girls sucking their thumbs, stretching and turning. We can now see if a baby is a boy or a girl. Many people name their baby and post their picture long before the baby makes its sunshine debut. These are real human beings and our tax dollars should not be used to end their lives. Please join me in supporting our pre-born babies by opposing the pending motion.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, L.D. 820 is not about abortion access. Since 2016 Maine Family Planning has offered telemedicine chemical abortion at all 17 of their statewide locations. The Maine CDC reports that abortions are being performed on women in every single county throughout Maine, regardless of her zip code. In fact, according to the most recent 2017 figures, published by Maine's CDC, women from 17 different states have their abortions performed right here in Maine, though many of these states do have very liberal abortion laws. These include: Alaska, Delaware, Georgia, Hawaii, Idaho, Kansas, Massachusetts, Missouri, New Hampshire, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, West Virginia, and Wisconsin. Additionally, the 2017 Maine CDC reports that three women from Canada also came to Maine for their abortions. Clearly, abortion access in Maine is not an issue. In fact, this is precisely what the State of Maine Cumberland County Superior Court found in the 2017 Medicaid/MaineCare lawsuit filed by Maine Family Planning, Planned Parenthood of Northern New England, and Mabel Wadsworth. The defendants, the State of Maine Department of Health and Human Services, prevailed in this lawsuit. The court decision, dated October 24, 2017, Justice Horton writes, 'The plaintiffs have no record of any woman being denied access to abortion services due to her inability to pay.'

L.D. 820 would be a radical alteration, overturning 40 years of Maine law which prohibits the Maine people's tax dollars paying for elective abortions, even though there is no data to suggest that any woman has ever been denied an abortion in Maine. In keeping with the Hyde Amendment, Maine people already pay for the abortion of any MaineCare recipient if her health or life is in danger or for hardship cases in which the pregnancy was the result of rape or incest.

L.D. 820 would force every Maine taxpayer to fund elective, non-medically necessary abortion right up to the point of viability for any reason. Maine people are fair minded and reasonable. This is reflected in the most recent survey of registered Maine voters, conducted April 29th through May 2nd 2019, this year. This survey found the majority of Maine voters oppose taxpayer funding of abortions, 62% are opposed. Additionally, the majority

of women opposed taxpayer funded abortion. This bill is too extreme and it is not in keeping with the values of most Maine people. Whatever happened to the abortion lobby demanding that the government keep out of women's reproductive rights? Proponents of L.D. 820 are now demanding full government intervention to the point of coercing taxpayers to pay for elected abortions. This is a major overreach. Do we want our state to be the place where the right of conscience and the religious liberty of our people is trampled and sacrificed to political ideology. The people of Maine have empowered us with the right to task, but we must remember this represents a very taking of their lifeblood. The term 'taxpayer' is so often used that we forget the full meaning. Every week Maine people give up their time, their most finite and precious resource, in exchange for a paycheck. As lawmakers, we have been given the authority to dip into the paycheck but we are entrusted to do so judiciously, with grave consideration on the spending of those dollars. Our decision today cannot be to strip the religious liberty of Maine people through taxation. In L.D. 820 we are being asked to give what is not ours to give. Let those who wish to fund abortions donate their money to the cause. Maine people should not be forced to have their hard earned tax dollars used to take the life of a living pre-born child. I urge you to oppose L.D. 820.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm a realist and last fall I went and took a walk and I said, 'I'm going to go see what's actually happening out here in Waterville, Maine.' So I went to Women's First, and I kind of felt weird being a man and going into a place where the door said Women's First, but I went in. I asked, 'How's things going and I'd like to know a little more about what you're doing.' They welcomed me in and they showed me the areas that they work with young ladies and young men in situations when young teenagers, or young women, that get pregnant in assorted ways that they're not really happy about the situation or maybe they're nervous or maybe they've been involved in drugs or they've been involved in situations with their family which they've had some discussions of whether they should have the baby or not. It's so many things that can happen. But there are answers out there. I went in and these people were welcoming any ladies to go in and take the time and sit with them and discuss with them the importance of what they have. They have a life and they have a future and they also can make good decisions on what can happen from where they are at that point. They get a chance to even have an ultrasound and see their baby's heartbeat and see a picture of what their child looks like. When they see that it's amazing. It's like, 'Wow, I can't do this now. I feel that there is a life and I do have something to look forward to and I have a dream. I can picture something. I have hope.' This is what this takes away, hope. We have coverage right now for any medical issues. We have all that coverage, but we need hope. That is what I'm seeing as lacking this year, in this session, and I hope we start thinking about that. We have a life here and I hope, and I have hope, that everyone here will think about that. These people have a chance. Don't take it away because if we go and do this then they don't even have to think about it. They don't have to go and research and see what's out there and what they can do. Who knows, I mean, they might even have a family instead of just thinking about a job all day long and saying, 'Well,

I'm going to be rich. I don't have to support a family.' But you know what? It's not money. Money is not what runs this. It's life. Don't take life away. That's what we're doing here. I talked with the Pastor this morning. He couldn't believe it, that we're even discussing this. Please follow my light. Thank you, Mr. President.

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

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, obviously there's a lot of deep feelings of passion on both sides of this issue and a few minutes from now I'm going to cast a vote that's going to make me real unpopular with some members of my own party, and I regret that. I don't really want to talk about that. I want to talk a little bit about life and I want to call out some of the folks here who consider themselves to be pro-life. I'll call you out again before the session's over with because there's more to life than just birth. There's the feeding. There's the housing. There's the clothing. There's educating. Regardless of the circumstances you're born into, regardless of the income or the work ethic of your parents, regardless of the national origin that you happen to have, later this session we're going to have other bills about funding some of those other aspects of life. So for the supporters and the activists here who might applaud my vote this morning, I just hope that you're there a little later on to remind some of the folks who are going to vote the same way that I do this morning and ask them to support little children going to school; having enough food, breakfast, lunch, dinner; protection from abuse; to give them the funds to house themselves and to clothe themselves. So, please, keep that in mind because I will remind you later on this session.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, we do our constituents a disservice. We are wrong if we refer to this as taxpayer funding for abortion because this is an insurance coverage bill. What the pending motion seeks to do is require that insurance companies cover abortion just like any other routine medical procedure. Certainly our constituents expect this Body to be political, but they do not expect insurance companies to be political in terms of decisions about what is a covered medical procedure and what isn't. There is no allocation of funds in this bill. It is simply an insurance coverage bill.

Second, I think it's really important that we not judge who might be impacted by this bill, and I was so moved by the courage of the women who came before the committee to share their stories. I'm going to share the story of one, of Dana Pierce, who wrote her story in the Press Herald, and I will quote. 'On January 25th my husband and I went to what we thought would be a routine ultrasound in the 32nd week of a normal pregnancy. I'm a veterinarian, he's a surgeon. We know how to read an ultrasound and we quickly realized that something was very wrong. The ultrasound revealed that our son had lethal skeletal dysplasia, the results of a random genetic mutation. He would not be able to breathe outside of me. Additionally, his femur was broken and there were other healed fractures. I find it difficult to convey the magnitude of grief we experienced in those moments. The staff was very gentle and considerate, but there was no way to make

his diagnosis okay. We wanted to be clear with the providers. We knew this was a lethal condition. We would end the pregnancy. At that moment of profound pain and loss we just needed to know the plan. I assumed I would be admitted to the hospital that day, or maybe the next. However, that's when I learned I couldn't be treated in Maine. We would have to fly across the country to one of the four places that would treat patients like me. It is hard to put into words how that realization broke me.' I'm going to skip a couple of her paragraphs for the purposes of time, but I do want to go on to say, 'While some insurance companies cover abortion there is no guarantee your health insurance will. Mine didn't. So amid our shock and grief and the scramble for last minute plane tickets to Colorado, childcare for our three year old daughter, and hotel reservations, we had to bring money for the abortion itself, \$25,000. Advocating for others is a way we are coping with our grief. I am working with my providers here in Maine so they are better prepared to help other patients like me. Abortions later in pregnancy are so very rare, so stigmatized, and so misunderstood. We didn't know what to expect. We didn't know what questions to ask. For people who have their own experience, please know you are not alone in your grief. Your decisions are understood and respected.' I just think it's really important. We cannot imagine what it must have been like for Dana and her husband, who very much wanted their child, their child who suffered from a lethal and painful condition, and that is why they chose abortion.

Earlier it was said that there is no data to suggest that any woman has been turned away from exercising her decision to have an abortion here in Maine. That is simply not true. Again, there is a turn-away study conducted by Advancing New Standards in Reproductive Health that did, in fact, survey 30 abortion facilities around the country, surveyed women, and did, in fact, find that women are turned away because of lack of insurance coverage. So this bill is simply about requiring our insurance companies to cover abortions, just like any other medical procedure, to ensure that it remains safe, legal, and available so that women and their families, in consultation with their doctors and their churches, can make their own decisions. There is no allocation of taxpayer funding. It is wrong to say that this is taxpayer funding for abortions. This is simply expansion of insurance coverage so that insurance may not make political decisions or discriminate against women based on their choices. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Hamper.

Senator **HAMPER:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, \$375,843 on the fiscal note for FY 20-21. Hearing scuttlebutt that the Department is being pushed into funding this within existing resources. I'm asked to fund life. I'm asked, in the future, looking at funding of life. \$375,000 is enough to cover three more slots on the Section 21 wait list. Simple as that. If the Department can do this they can do that. Elective surgery. Elective. The Senator from Kennebec, Senator Bellows, decided to go with the motion. I'll tell you my story. In 1979, January, my first son was born. We were told after about 10 days after he was born the blisters on his back was due to he was jaundice and he got burns from the florescent lights. We continued to research and continued to research. Ten weeks later I was at Boston Children's counting the breaths of my

first son as he exited life. My wife was pregnant again in 1980. First child died due to a genetic skin disease, epidermolysis bullo'sa. We were told there was a one in four chance. We rolled the dice. We lost. Standing in the delivery room watching my second son being born, and as he was exiting, if you will. As he was half way out the doctor rolled him over and watched the left elbow go by void of skin. Epidermolysis bullo'sa. We were told during her pregnancy that we could go and have a skin biopsy done in utero and we would take the risk of not only damaging the child but then we would know. We would know whether or not he had this lethal disease. We chose not to because we put it in God's hands as to the fate of the child. I had not, at that point, considered the whole pro-life/pro-choice debate. This was 1980, so I was 25 years old and had not considered my stance on pro-life until I was forced into this situation with my second child, Mathew. We realized that abortion wasn't an option for us, that we were going to take the child as he was going to be. Eight weeks later I essentially pulled the plug on my second child at age 25. The whole abortion issue is very, very tender to me for these reasons. I just would like to summarize what I'm going to say here, summarize this bill to me. It's just simply a question of who pays for fetal dismemberment. Thank you, Mr. President.

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

Senator **CYRWAY:** Thank you, Mr. President. This is life. We're talking about life. This goes beyond medical care. Right now 34 states, including Maine, already follow federal standards of providing abortions in endangered life, rape, and incest. They take care of medical treatment. If we need medical, we do. We have doctors that do take care of that. We don't want to go beyond that and just say, 'I can't have a baby because I'm not ready or I don't want to have one because, you know, I don't like this guy anymore.' This is life. I can tell you there's a lot of stories out there where a lot of ladies, and I've talked to them because I'm with law enforcement. I've actually gone to homes and there is nothing more important than their child. Nothing. Don't take that away from me. That's what we're doing here, we're taking their child away before they even get a chance to understand it. Let's not take that decision away from these nice ladies that will have a chance in life to enjoy life with their children. Thank you.

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

Senator **TIMBERLAKE:** Mr. President, ladies and gentlemen of the Senate, I'm not standing before you to tell you whether you should be pro-choice or pro-life or not. I'm here to ask a couple of very short, simple questions. In my feeling, this bill is a taxpayer funded. This is not here and it's not about, it's making businesses, this bill is telling businesses that they have to supply insurance to supply abortions, even if you don't believe it in your business, even if you're a pro-life business. I think the United States has been down this road not too long ago with a company that has won this case. The question I present through the Chair, if I may, is: why wasn't this bill ever sent to the Insurance Board to find out what this is going to cost the businesses and the State of Maine? This was exempted from having that happen. I think it's wrong. I think it's a disservice to the businesses of the state of Maine and the State of Maine itself. I would also like to read,

because we heard this wasn't going to cost the taxpayers of the state of Maine, in the summary of the bill: this bill requires the Department of Health and Human Services to provide coverage to a MaineCare member for abortion services. This bill provides that abortion services that are not approved Medicare services must be funded by the State. This bill also directs the Department of Health and Human Services to adopt the rules no later than March 1, 2020. This is paid by the taxpayers of the state of Maine. This is being forced on the people who have strong pro-life beliefs and you are now telling them they have to pay for abortions. I think it's wrong. Thank you, and I still pose my question through the Chair to be answered, why it wasn't put to the Insurance Board.

THE PRESIDENT: The Senator from Androscoggin, Senator Timberlake, has posed a question through the Chair for anyone who can answer. The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#95)

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

NAYS: Senators: BLACK, CARPENTER, CYRWAY, DAVIS, DIAMOND, DOW, FARRIN, FOLEY, GUERIN, HAMPER, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator H. **SANBORN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-210) **READ** and **ADOPTED**, in concurrence.

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

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

The Chair laid before the Senate the following Tabled and Later Assigned (5/2/19) matter:

Bill "An Act To Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements"
H.P. 586 L.D. 798
(S "A" S-66 to C "A" H-120)

Tabled - May 9, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, May 2, 2019, on motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-120) AS AMENDED BY SENATE AMENDMENT "A" (S-66)** thereto in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-120)**.)

Senator **LIBBY** of Androscoggin moved the Senate **RECEDE** and **CONCUR**.

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

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

Senator **POULIOT:** Mr. President, men and women of the Senate, the chief architect of our Constitution, James Madison, once proclaimed in Republics: the great danger is that the majority may not sufficiently respect the rights of the minority. I stand in opposition to this bill for three primary reasons. First, this bill is a solution in search of a problem. If there truly is a crisis to be solved why is implementation of this bill being delayed for over two years? Second, if there were a problem this bill would do nothing to address it. Our adult vaccination rate is below 20% yet we're told without any evidence that raising the school rate by 2% to 3% will have a positive impact on public health. There is simply no data to support this. Finally, this bill shreds the fundamental liberty to decide, without coercion, whether or not to consent. When the State identifies those who have used exemptions and then threatens to deprive their children of an education unless they submit to that procedure then we, as a society, have crossed a line that ought never be crossed. Empowering the government to inject people against their will is far more dangerous than anything this legislation purports to solve.

Much has been made of the amendment to L.D. 798 that would expand medical exemptions but no matter how expanded medical exemptions still require doctors willing to write them. A couple of questions that this poses. As our medical providers are rapidly consolidated into several umbrella entities, how many medical providers will be forbidden to write medical exemptions no matter how warranted? Of those permitted to write them, how many will have the courage to do so given the fact that many proponents of this bill have made no secret their intention to identify and marginalize those who do. When a parent finally finds a provider who will agree to consider a medical exemption,

what's the parent to do when that provider retires or moves? There are known risks with some vaccines and vaccine injury is even acknowledged by proponents of the bill. An exemption is a mechanism by which a parent can say that they do not wish to subject their child to those risks. If vaccines are safe and effective as stated then those who are vaccinated have nothing to worry about from parents who use exemptions. That is why proponents of this measure have created the strawman case of the immuno compromised child who cannot get vaccinated and is endangered by the unvaccinated. The problem with this supposition is that there's no evidence, not a single shred of data, of any immuno compromised child in the history of our state who has been harmed by an unvaccinated child. In fact, in wards across the country in hospitals there are signs asking those who have been vaccinated recently not to enter because shedding of recent vaccination poses danger. However, there are no signs asking for the unvaccinated to stay away, Mr. President.

This bill not only tramples on the rights of parents who refuse to subject their children to the risks of vaccines, it also tramples on our First Amendment protections of religious liberty, Mr. President. There are many people of all faiths whose sincerely held religious beliefs prevent them from vaccinating, not just Jehovah Witnesses or Christian Scientists but many valuable members of our community of many faiths. Only three states in the country, California, Mississippi, and West Virginia, have eliminated the religious exemption. Do we really want to join them in becoming the fourth? Does Maine really want to be an outlier? Those with sincere religious beliefs should not be forced to vaccinate against their conviction and faith. Our Bill of Rights was never meant to be subject to the vote of the majority. It exists precisely because the Founding Fathers understood that certain liberties needed protection from the majority. This bill is wrong on so many levels but perhaps most of all is the way it disregards the perspective and reality of such a small minority in our society. Less than 5% of the parents who utilize religious or philosophical exemptions. Many, if not most, of those 5% do vaccinate their children but opt out of particular vaccines for particular reasons. This bill bullies the small minority by overriding their lack of consent to a medical procedure and do so by mobilizing stereotypes of unvaccinated as dirty, dangerous, and contagious when they are no such thing. As dawn is followed by day, stereotype is always followed by marginalization, isolation, and segregation. L.D. 798, which uses expulsion from school as its primary tool, is no exception. This is our final opportunity, as elected representatives of all Mainers and the stewards of their individual liberties, to take a stand against this bill that has needlessly divided our culture and society at a time when we can ill afford it, Mr. President, against a bill that is based on misinformation, against a bill that ignores thousands of children who have already been harmed by vaccines, treating them as if they don't exist. They do exist. The risks of vaccination, as for any invasive medical procedure, are real and where there is risk there must always be choice and, Mr. President, a choice made under threat is no choice at all.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, to continue where I left off the other day but not as long this time. We all have in our heads a hierarchy of dealing with a problem. So we identify the problem and so the

sponsor of this bill, he saw a problem. Maine uses more exemptions than other states and so we must do something. So then we look at it and say: so Maine uses more exemptions and has a 94% to 95% adherence to a schedule that doesn't allow for seeing that your child has a horrible adverse reaction and then deciding that the next time you might space it out a little. You might not do a combo vaccine that has a high incidence of causing adverse reactions. You might use common sense. No common sense in that schedule and 94% or 95% of the people adheres to it. Now that leave 5% or 6%. Well, they must all do zero vaccinations. Wait a minute, nope, okay. So we're going to take away choice about injecting substances that cause harm to our children and death to some of our colleague's children because this 5% or 6%, depends on who is talking. But wait a minute, of that 5% or 6% it turns out that they are fully vaccinated and only missing one booster. Doesn't fit. You can't leave one out. You can't move by a month. You can't change the schedule from a previous reaction or indicators genetically that you shouldn't have certain vaccinations. You can't leave out ones when the mother is tested for HVP, doesn't have it. Hepatitis, doesn't have it. You can't just leave that off, as other countries do. They leave it off unless the mother tests positive for something. So they're fully vaccinated but missing one booster. They're not vaccinated in that 5%. They're fully vaccinated but having missing or incomplete paperwork. Nope, they're not vaccinated. But they might show up. Can't find the records. I'll try to find it. I want my kid to go to school today. What can I do? Check this and get us the paperwork. Okay. Who follows up on that? You go to school day one. You're there for six years. Is somebody going every week: did you get that paperwork? The box has been checked off. They are using the exemption, the philosophical exemption, because they're vaccinated, they're missing a booster, or they're on a delayed schedule, which is the smartest thing you can do which has been put in this bill but it has to be put through a doctor. It has to be put through an M.D. We don't need M.D.s to tell us that when we see an adverse reaction in our child we ought to honor some change that doesn't end up with their horrible suffering or death, and they are partially vaccinated. Some of these vaccines, as was already stated, should be left off for various reasons.

For one thing, this herd immunity, this 95% or 94% plus the people who are partial and missing one thing, which I assume puts it around 98%. We'll get into the thing about facts in a minute. So we got about 98% if you figure in somebody who just left off something because it should be left off. When it was 95% as the target that was going to give you herd immunity. When we hit it, it was going to be 98% or 100%. One hundred percent is not possible. The efficacy of these vaccines is nowhere near able to accomplish 100%. Some, on their best day, are 70% effective. So here we have, in Maine where they use more exemptions because they're allowed. Just remember religious, philosophical, and medical exemptions have resulted in 94% or 95% following the schedule, another 3% or 4% following a partial schedule to keep their children safe. So we're in a range that should satisfy you and you should not have wanted to take away the choice of the people. It brought it, with this choice, to where you claim to want to be. So in the problem solving: problem and need a solution. Well, wait a minute. Can't find the problem. Okay, well let's go to the next step. If anybody resists the common, I'm trying to use terms here I've learned from the last couple of sessions, ones that don't get me in trouble. The common misconception that if someone says something against it, 'Oh my

gosh, you have to vaccinate,' then they must be braindead, don't believe in a round earth. I can think of so many, but in the interest of time, I will just leave it at that. People are willing to bully and insult. So if you think giving it over to the medical profession and then them being able to give an exemption and their organization coming to target them, you think they'll be immune from this? It's already happening in California. So we need other people to be able to do that.

So we haven't had death from measles in 25 years. I'm not going to go into a lot of science. What I'm going to tell you is that when my constituents ask me to look into things, I look into it. I told you, I spent one whole Saturday, that was this time not four years ago when we did this same exercise and I said the same things. A couple of things came up. You know how information gets messed up around this Body. So some folks were really upset that it got so messed up in the last round here and I just want to clarify a couple of things. There were 798 people who testified, pieces of testimony, whether they were there until three in the morning or by delivering it electronically. Of that total 623 people were against this bill. I said 60%, so there I went back to check and it was 60%. Doesn't sound right. It's actually 80% were against this bill; 80%, 623 is 80% of the people testifying. Now if all you have to do is talk to your friend next to you and you go, 'Do you think I should vaccinate?' Of course, it's a public responsibility. Well, I've done my research. Well, I went a little further. So 80% were against the bill and they're not all stupid. Surprisingly some are doctors. One hundred and fifty-one were for the bill, seven were neither for nor against. Six hundred and twenty-three to one hundred and fifty-one and seven. Okay, when I go to a committee, and I've been before most of your committees with bills, and I say, 'Here's the problem. I know it's a problem. I talked to my neighbor and it's a problem,' and you go, 'We don't see the problem.' All the people stand up and testify against my bill, except for a couple. Then we kind of go, 'Hum, that bill ought not to pass. It really isn't a problem to solve. Thanks for stopping by.' Not this one. So another number that was mentioned was that only one person spoke about the religious one. So the people that had time to go through that, there were 125 mentions of how their religion, whether it's not wanting forcing products or stem cells from aborted fetuses or I can't even remember because I'm using other people's information about the religious. But they care about this very deeply and that's why I'm not going to talk about that because I can't. So 125 mentions of religion. There's one person that's pushing this so hard, pushing this bill so hard. They used the religious exemption for their children but now they want to deny it for yours. So I see a whole bunch of reasons why we should not be supporting this motion. We should be saying to the House let's not. Along with taking away the non-religious reasons that parents should be taking care of their children without any doctor involved. We don't trample on religion too for those who believe it for a multitude of reasons and let's just get rid of this motion and insist that the House either honors our religious motion or just vote this bill down altogether because it's not worth even thinking about and send it out and say identify the problem, bring the problem and the solution to this Legislature, and we'll figure out how to solve it. But it's not this bill and it's not this motion. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Dill.

Senator DILL: Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, as a scientist I could argue that perhaps this bill was in the wrong committee. I believe this is a public health issue, not an education issue, which is a means to an end. I also think that HHS and Insurance Committee should have heard it, but that's behind us now. Also, as a scientist, I believe in vaccinations. The field of medicine has changed dramatically since I was vaccinated the old fashion way. Having had measles, mumps, and chickenpox as a kid, my kids, who have all been vaccinated, and now my grandchildren who are also going through vaccinations. I regularly have a flu shot, tetanus boosters, pneumonia vaccinations, and others that I all discuss with my doctor. I voted the way I did the first vote to get people to take notice as we go forward. I believe the medical exemptions need to be broadened, not necessarily to actually exempt but perhaps to space scheduling of immunizations based on reactions and not necessarily on the doctor. I mentioned earlier the Insurance Committee. There needs to be more testing of newborns for known genetic or other disorders that may cause problems which people then may link to vaccinations. The tests all need to be covered by insurance. Take, for example, Fragile X Syndrome, a genetic condition that causes a range of developmental problems, including learning disabilities and cognitive impairments, resulting in mild to severe intellectual disability which doesn't necessarily show up right at birth. The DNA blood test can detect this condition. Persons with this syndrome, or other determined syndromes, may have to have a different series or differently timed series of vaccinations. As we go forward I hope that the Chief Executive, who I understand is very interested in this issue, will convene a task force commission or work group, whatever you want to call it, to look at the medical exemption issue and to present legislation, as needed, next year, which may broaden further the logical medical exemptions that may be determined by such a group. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator H. Sanborn.

Senator H. SANBORN: Thank you, Mr. President. I had not intended to speak today but there was a suggestion made that some of the supporters of this bill have raised the 'strawman' of immune compromised kids. But these are real kids and they're real kids who had no choice in their medical experience. So I rise today to read the words of Sarah Gibbs Staffiere. She's a Maine Mom and she wrote this this week. She wrote, 'For some requiring vaccinations for children to attend school feels like it is focused on the children that are not vaccinated but in reality this is about those who are often invisible and truly vulnerable; the children that go to school or daycare every day and are at risk from their unvaccinated peers. My otherwise healthy son was diagnosed with a chronic and life-threatening autoimmune condition when he was three out of the blue. We were knocked off our feet, but once he had been discharged from a hospital stay I naively thought the hardest part was behind us. He was put on a medication that kept his condition under control while at the same time lowering his immunity. Deciding to return to daycare was hard, but he had excellent care from people that I trusted. I checked with his daycare director to see if all his peers were immunized so I could better understand his risk. To my relief, all his classmates were up to date. Not two weeks later I was told that scenario had changed and now there was an unvaccinated child. Due to privacy rules, we never spoke about who that child

was but I deduced it was a new addition to the classroom. I foolishly thought that since my son had been there for years that he could be prioritized and this new child's family would need to find care elsewhere, but then I read the laws. All the language served to preserve this new family's philosophical rights but nothing was there to allow them to protect my son. I sobbed in the director's office when she told me her hands were tied. My son's needs were unrecognized in Maine's laws, as if he did not exist, and I had an overwhelming feeling of loneliness. The burden was now on us, the family dealing with so much already, to carry the weight of constant worry about something we had no control over. It felt wrong that the load would be thrust upon a family with a child suffering from cancer, catastrophic allergies, type 1 diabetes, who had undergone an organ transplant, or had a myriad of other possible medical conditions that lead their child to be immuno compromised when perfectly healthy kids were able to skip vaccines. Living in this half of the story, I can tell you that there is this undertone that these unvaccinated children deserve this protection. In the eyes of some, they are pristine and untouched, the specimen of health, while my son was tarnished and broken, disposable. I carried this feeling with me but never talked about it and it was, and still is, so very heavy. Yesterday I finally saw in writing a statement by a Mom that put into words this fear. "It is them, the sick kids, that should have to stay out of school. It's not my fault they are weak like this." I felt numb. It was confirmation of all those negative thoughts that surfaced the day I learned no one could protect my son in his beloved daycare. I have no idea how this bill will turn out but one thing I do know is that all the ugliness, resentment, and sadness I felt for us being alone in this is no longer our story. While testifying at the State House and holding a sign in the Senate hallway, I met amazing people who dedicate their time to advocating for children like my son, who have stood up and said that this is not okay, that there is a responsibility to protect those that may be injured by other's risky behavior and not to protect the risky behavior itself. Even if they do not know him, they want to protect him. When I heard how some Senate Legislators speak in favor of the bill and defend protection for vulnerable kids it made me weep all over again but for different reasons. I'll end with the admission that there is no conceivable way that both sides of this equation can come out on the winning end, but I can say we have served our time on the losing end of the law and I will no longer roll over and let that be my narrative.' So, Mr. President, I want to remind the members of this Body that immuno compromised kids are not a strawman. They are real. They are Sarah's son. We need to insure that they are safe when they go to school because they have no other choice in their health. Thank you, Mr. President.

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

Senator **MILLETT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I wasn't planning on rising today but I have to object strongly to the characterization of some of the comments made earlier about those who supported the immunization legislation that's before us. That evening is etched in my memory forever as one that I'm going to carry through every day of my life because, for me, it was an example of democracy at its best. It was an impassioned issue. Folks that were there, yes through to 2:30 in the morning, felt very strongly on both sides and the committee listened to every single person

and attentively thought about what they were hearing. I'm not sure why those who were in opposition to this legislation would so readily impugn now the motives of those on the other side and attribute words that were never uttered by those individuals. In fact, actually the only ones who used those words were the ones who were against the bill. Nobody else would have used those words, but they did. I won't even use them today. Doesn't do this Chamber justice. Among those people that were there that evening were doctors and, for the life of me, I am struggling to understand how anyone could stand and say we don't need doctors. I was a doctor for a day recently. I had the opportunity to very briefly walk in the shoes of these individuals who dedicate huge amounts of their lives to training and their own personal financial resources and going into debt like you would not believe in order to serve us and guard our public health. I want to read testimony from one of those physicians. 'My story begins in 1954 when, at the age of 5, I contracted polio. Hurricane Hazel had devastated the mid-Atlantic, causing severe flooding. My family was on vacation in the Pennsylvania mountains and we were cautioned not to drink the water. Public health officials thought that was most likely a source of my infection but within a weeks' time I was in a hospital in New Jersey that was full to capacity only with children with polio. I spent a month there getting therapy and remember vividly being pushed in a wheelchair and entering a large room on my floor about the size of the committee room. It was full of children in iron lungs, paralyzed and unable to breathe on their own. They weren't as lucky as me. Polio was epidemic in those days. No treatment existed and no way to prevent infection. It spread like wildfire, especially in the summer. My wife's family would leave suburban Boston and retreat to Downeast Maine every summer in the early 1950's to escape exposure, returning for school in the fall and counting the new cases in their neighborhood. A year after my infection the Salk polio vaccine was introduced and within no more than a couple of years polio was nearly eliminated from North America. Today polio only exists in a few spots in the world where extremists prevent vaccination, telling the population it is an imperialistic plot. As a young practicing physician, I came in frequent contact with the ravages of hemophilia influenza infection. It was the most dreaded pediatric infection, inflicting otherwise healthy young children with devastating and often fatal infections. Beginning as an innocuous ear infection, a child could be beyond our help within hours with meningitis. A simple skin infection would become a life threatening blood infection and most dreaded of all was the sore throat that spread to the voice box, strangling the child in hours. Let's talk about life. HIV vaccine was introduced in 1985 and has all but eliminated these dreaded infections. The residents and medical students I teach will, fortunately, likely never see them. The science on the safety of vaccinations is clear and compelling. I know of no other therapy I offer to patients in my daily practice that is as effective and safe as our current vaccination regimen. In with discussing with patients and families the risks and benefits of various medications and diagnostic tests I order, few come close to the efficacy of vaccination.' Thank you, Mr. President.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, here again, I appreciated Senator Dill's comments. I thought that it was very thoughtful about the medical

having some input in the situation. I think you're hearing it from educators and a feeling type situation. I think we've done a very good job here in Maine on the vaccination situation. I do think that we shouldn't be put on a conveyor belt and that's what I kind of feel like this session, it seems like we're being put on a conveyor belt and we're going to be doing whatever the government says. We just are not that way. We want our freedoms. We want to be able to make decisions. We have situations where we don't fit in the same hole. You know, I've been in law enforcement and they got into tazing you to show you what it feels like to go out and to do the job, when you go to taze someone. Well they have you sign a waiver and I had a friend who signed the waiver and he was a Chief in Massachusetts that got tazed.

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

Senator **BREEN:** Mr. President, I would request that the member speak to the motion that's before the Body.

THE PRESIDENT: The Chair would just want to let people know to stay on track, on topic.

Senator **CYRWAY:** It was kind of related to it, Mr. President. It wasn't from off track, we understand that. Just because it fits and it doesn't. For example, in this situation where he was tazed, I'm just trying to show you the comparison, is that he had a disorder, a nervous disorder, and his sister had it as well. Because of that, it triggered off a situation where he lost all of his fingernails, his feeling in his fingers and his feet, and his feet felt like concrete blocks, and he lost his job. Not everybody fits in the same thing and so what I'm saying is this is the same situation, on vaccines. You know, they don't always fit. Just last week my brother took a dog he took as an orphan and took it to the vets. They gave it a shot for a vaccine shot and the dog almost died because of it was just a little small dog and it had a nervous condition and stuff so it pretty near killed it. So it doesn't fit the same as a big Great Dane. We all are different. We have to make decisions. We don't just get told and say this is mandated, you've got to get a shot. This goes over that reach. We shouldn't be put on the conveyor belt. I saw that on a cartoon one time and I couldn't believe it. They said this is the future. You know, people are getting heavier and on a conveyor belt and I hope that's not us. But, you know, it kind of feels that way and I think it's time we just sit back and maybe do like Senator Dill suggested. Maybe have it go through the medical field. See what we can do to make it better, but not force. That's what I'd like to see and I wish we could give that a chance and maybe think and maybe vote this down and do it right. Thank you, Mr. President.

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

Senator **CARSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, Senator Millett spoke to the long and thorough hearing on this bill before the Education Committee where literally hundreds of people came and spoke with passion, with restraint, and with respect to their concerns about the bill, their support for it, and their opposition to it. It was a rather remarkable hearing. Much has been said about, really since the hearing and after that, how we make a decision like this, whether

there is coercion by the majority of the minority, whether those of us who support immunization for all school children are in some fashion at the same time saying if you don't immunize children we want to expel them, we want to keep them out of school. I want to say, as a supporter of immunization, it is absolutely not now and never will be my interest in keeping any child from his or her education. Importantly, there's been discussion here this morning about the role of the medical profession and their input and design of immunization protocols and schedules. We have heard from, and read testimony by, the Maine CDC. We've heard and read where the U.S. CDC, Center for Disease Control, is. We have had testimony from the American Academy of Pediatrics, the pediatricians who practice and take care of our children here in Maine. There's a rather extraordinary website that is part of the Philadelphia Children's Hospital, a website about the importance of vaccinating. We had primary care providers, a dozen or more of them who came before the committee during the hearing and said to us afterwards, 'We will listen very carefully. We will appraise the situation. We generally provide medical exemptions.' We did not hear a single physician during the hearing, and I have not heard one since, who has said, 'I will not, I have not and I will not grant a medical exemption.' When I was maybe 5, I don't remember exactly what year it was, and my family lived in Virginia. We were visiting my grandmother in a rural community in New Hampshire and my folks heard that there was polio in my small hometown in Virginia. This was late August. Usually we would head back to the small town where I grew up and go back to school, my folks and my two brothers and myself. My folks left my two older brothers, I was 5 so they were probably 8 and 10, left us with my grandmother until the polio epidemic that swept through so much of at least the eastern U.S., and I don't know how much further, left us with our grandmother in New Hampshire and did not allow us to come back to Virginia until it had exited our town. I'm very grateful for their action. Finally, I simply want to tell you that my granddaughter, a lovely young woman now 9 and healthy, was diagnosed with ALL leukemia when she was about 5. She'd had symptoms that were problematic and her Mom kept bugging her pediatrician that something's really wrong. Finally got the pediatrician, after several visits, to do a blood test. The pediatrician called our daughter and said, 'You need to get your daughter to the Maine Medical Center now, today. Something's really wrong.' So our daughter called my wife and myself. We all went quickly to Maine Medical Center where they told us that her blood work suggested that she had leukemia. I'm very grateful to the fabulous staff at the Barbara Bush Children's Hospital at Maine Medical Center who took exceptional care of her. She was never, I just got a little emotional today, I apologize. She was never afraid. She was cared for by doctors and nurses and social workers and everybody you can imagine, and every third night, so that my daughter could get a decent sleep, I slept on the window ledge, which was wide enough and almost long enough for me. From her room there was a view of the White Mountains. This was March, the spring of her kindergarten year. Fortunately, after about 2-1/2 weeks of treatment at Barbara Bush Medical Center, she was discharged, having had really intensive IV chemotherapy and on our way out the oncologist and a pediatrician said to us, 'What is the situation?' I never even thought of this. 'What is the situation at her kindergarten? How many kids are immunized and how many are not?' So we checked into it and there was, I don't remember the exact numbers but there were children who were not immunized in her kindergarten and both her oncologist and

her pediatrician said to us and to our daughter, 'Do not send Kinzie back to kindergarten. Her immune system basically isn't there, it's so suppressed now. Keep her at home. Do whatever home schooling you can or want to, but the most important thing for her is to rest and recover in a situation where she's not going to be exposed to any communicable diseases.' That's what she did and that is why, ladies and gentlemen, I will vote in support of the motion before us. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Guerin.

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I feel that it is important to have in the public record who will be effected by this bill. As most Mainers are going about their regular lives, unaware of the serious implications to their family's daily lives brought on by the bill we are considering, their right to choice that was so passionately debated in this Chamber early this morning in relation to the abortion is being denied. Dr. Aaron Hoshide prepared statistics for each of our districts for students affected that went to public schools. This doesn't account for our private schools. In my district alone 267 students will no longer be able to attend school, at a cost to our school districts, a loss in their budgeting, of \$2,537,088. Those impacted in our state will be all daycares. That includes homebased daycares, center based pre-school programs, all K-12 schools. That's public schools, private schools, religious schools, on-line schools, charter schools, all children in DHHS custody, all post-secondary schools, private colleges and universities, community colleges, trade schools, on-line degree programs, graduate students, nursing students, doctoral students, all healthcare employees, home health agencies, hospital networks, intermediate care facilities, licensed nursing facilities, multi-level healthcare facilities, residential care facilities, and anywhere a new vaccine mandate is added. Removing all religious and philosophical exemptions in Maine will create a new class of citizens that will need human rights protections. I urge the members of this Body to vote against the pending motion.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Farrin.

Senator **FARRIN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I find it ironic on the same day this Body voted in favor of allowing a mother to decide the fate of her unborn child.

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

Senator **LIBBY:** Thank you, Mr. President. You've been very generous in granting leeway to members in their remarks, covering a wide variety of subjects, but I'd ask you to remind the membership that we're debating the motion before us and not any other motion. Thank you, Mr. President.

THE PRESIDENT: The Chair has given great latitude during the debate and I will just remind members to try and focus on the issue at hand.

Senator **FARRIN:** Mr. President, I think that's where I was going with this. We're now discussing a bill to force those same mothers to inject their children on an aggressive vaccination schedule, even if they are morally or religiously opposed. I've listened to some of my colleagues state that L.D. 798 is to protect the children. Where was that compassion when we debated the taxpayer funded abortion bill? Which is it? Are we in favor of parental choice or not? Fundamentally, this vote isn't about public health, it's about how far is too far for the government to reach in our personal lives. A vote against this bill isn't a vote against vaccinations. It's a vote in support of parental choice and religious freedoms. I would ask that you vote to continue to let parents decide on how best to care for their children, as you did on the previous action. Thank you, Mr. President.

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

Senator **TIMBERLAKE:** Mr. President, ladies and gentlemen of the Senate, we've just heard not long ago about a bill that we've done and now we're on to vaccinations. We want to tell the same people that we want to take this right away from them. How do you tell over 7,000 students in the state of Maine that in a year from now they can't go to public school unless their parents agree to vaccinate them? There are some parents that strongly, strongly believe that they will not vaccinate their children and these children will be denied public school. The second thing that happens is we've been trying to get children to come to the state of Maine and stay in the state of Maine. My feeling is this will drive these students out of the state of Maine because these parents are going to leave the state. Can we afford to have upwards of 7,000 children leave the state of Maine to go somewhere else and not be raised here? I look at this decision that we're about to make as being almost unbelievable. If I wasn't in Augusta, in this time and place at this time, I wouldn't believe that this could possibly happen, but it is. I hope that we don't agree to the existing motion and we vote against it and we protect people's religious rights to do what they want with their children. We have debated that an hour and fifteen minutes ago on a very similar topic about their rights. This is about people's religious rights and their right to do what is right. Please join me because this is unbelievable. It's all I can tell you. Totally unbelievable. Please do not vote for the pending motion.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Gratwick.

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I have a very pragmatic perspective on this. When this bill came before the committee two weeks ago, three weeks ago, there was a very narrow definition of medical exemption. There are 28 different diseases, immunologic diseases, most of which are extraordinarily rare, which, as an immunologist, I have not seen very many of them. The change in the committee was to make this much broader in terms of 'professional judgment' and that can be a wide variety of things for a wide variety of providers. This was a major, major change. I think we all should think about that. Some people have said here that the professional judgment is going to be colored by corporate control. I have you really think about that one. That providers lack the courage to stand up against this. That there are strawmen involved here. I think these are not indeed the

case. This is a very reasonable, straight forward piece of legislation. Thank you, sir.

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

Senator **DAVIS:** Thank you, Mr. President. Mr. President, I find myself in an unusual situation where I'm rising twice in one day to speak on issues before this Body. That is an unusual thing for me. Mr. President, I believe that this bill has been sold to us as a bill that would protect the life and the health of Maine children by removing vaccine exemptions. The real question that I feel must be asked is whether or not the current exemptions pose a risk to Maine children. Do they pose a risk? Is having some children not be vaccinated cause a risk? To be perfectly clear, in my mind herd immunity is not determined based on the exemption rates, only on the vaccination rates because an exemption can be for as little as one dose of one vaccine, but the vaccination rate indicates the percentage of children who have received all doses of vaccines. Comparing the vaccination rates of kindergarteners, which is reported by both the Maine CDC and the National CDC, we can see that in the year 2000 when measles was declared nonexistent, eradicated, with only 86 cases in the whole country, we had a vaccination rate of just 88%. The following year it dropped to 87%. The highest vaccination rate we ever had has been 95.5% and that, Mr. President, was ten years ago. That year, according to the CDC, we only surveyed 3/4 of our kindergarteners, so more than likely the data wasn't true that we got that year. The question before us today is: can we increase the vaccination rate from 95% to 100%? As the committee heard in the public hearing, the resounding answer is apparently no. No, we cannot reach 100% vaccination because not every child can be vaccinated. So what are we hoping to do? What's the goal, 97%, 98%, 99%? This bill, I believe, will cause thousands of Mainers to leave school and leave the state. We've all got the e-mails. I've got numerous e-mails, numerous contacts, numerous letters, and calls at my home of people who say they are no longer here. I have met with many of them. I meet with them down at McDonald's in Dover-Foxcroft. Numerous people have contacted me and asked to talk about this very issue. Some of them had children that were vaccinated and the results, for their children, had been horrible. Even if we were able to reach 100% would it protect the health of Maine children? What kind of threat, really what kind of threat, would there be there of children when roughly 80% of the adults that they encounter everyday are not vaccinated? According to the most recent adult vaccination report from, again, the CDC, the very first line of the very first page reads overall a prevalence of illness attributable to vaccination preventable diseases is greater among adults than among children. Where does this bill, where is it written in this bill that it addresses, and many would agree with this, often times the children's best friend, the teachers that they're in contact with every day, where does it address the bus drivers, the ed techs, the janitorial staff, the school staff, secretaries that these kids are in constant contact with every single day? It doesn't.

This bill isn't about science. It fails the straight face test for basic math. Let me give you some of the basic math, Mr. President. The real math, not the new math. Thirteen hours of public hearings, 13 hours. My heart goes to the Chair and the committee members of that committee. I always ended my committees, Mr. President, at 4 o'clock and I made it clear to them. Myself and the House Chair had an hour and a half to

drive and we were going to be home by 6 every night and we were. Seven hundred and eighty-one pieces of public testimony were submitted, 781 pieces. I wonder if that's a record, Mr. President? I'll bet it's close to it. Six hundred and twenty-three people opposed this bill, 80% of the testimony was opposed to this bill. One hundred and twenty-five pieces of testimony in opposition spoke specifically to the issue of religious opposition to vaccination, the religious part. My mother, Mr. President, was Christian Scientist. She was a devout Christian Scientist. I did not follow her example. I don't believe that way at all. But I know how she would feel. I spoke earlier about the women in our lives. I certainly know how my Mom would feel about this. This bill isn't about science, Mr. President. It's not about protecting children. To the contrary, it's a bill that would marginalize and stigmatize our children because of their faith. I believe that. In Maine we have the highest rate of childhood mental health issues. This bill would remove children from the communities they know, from the schools that they're comfortable with, the love they have, and deprive them of the lifetime of education in this state. I cannot support this legislation. I believe it harms children and an obvious threat to these kids is not being addressed, the questionable vaccination rates of the adults that are around them. I believe that is a serious issue. Just imagine the children in Allagash. I daresay one day there was a one room school there, perhaps you attended it and you was close to your teacher, and if she wasn't vaccinated you were at great, great risk. Thank you, Mr. President. Thank you, colleagues.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I also stand to speak in opposition to the current motion. Many times over the years my husband has been offered jobs in other states and many of these positions offer lucrative compensation and increased career opportunities. Several times we visited the states to weigh the pros and cons. One of the biggest issues we considered was the state laws in regard to homeschooling, something we've been talking about a lot today. Maine has rich and flexible education options, offering so enticing to the way that my husband and I wanted to live our lives that no matter the career advancement opportunities lifestyle choice far outweighed economic and career choices. I am thrilled with every moment that I had with my children and the personal choice to homeschool. Though this decision was not based on religious belief, we still made our choice of residence based on lifestyle. I would like to share my constituent's e-mail because this quote speaks very pointedly to how L.D. 798 will affect many, many Maine residents. She writes, 'My husband and I have differing views on vaccinations, that my husband has felt for all his adult life that it goes against the relationship he has with his Savior. I am not as religious as he is but respects his wishes in not vaccinating our daughter. If this bill passes without the religious amendment we will be forced to pull our daughter from her elementary school, where she is currently at the top of her class, a role model for other students. She is often a peer leader and rarely misses a day for illness. She is proud of her work and takes pride in helping others. If we have to homeschool this interaction would be lost. That being said, it is not an option for us to homeschool. My husband is a software developer and I am an RN. We currently have a nursing shortage in our state and my departure will leave an already struggling center without one of its

most senior members. We have a combined income of over \$180,000. We will be forced to remove that income from the state of Maine and move to a state that accommodates our religious beliefs. It hurts me to think that the state we grew up in, became educated in, and chose to stay in with our STEM degrees is pushing us out. We are well educated and we give back to our communities. People seem to feel that those of us who claim an exemption will just vaccinate or homeschool. Having a new law does not make my husband any less religious or me any less caring as a wife. It instead would only pull my sweet 7 year old out of the school she loves and move us to another state. This is the same for several of our friends from church, as well as family friends, all who do not vaccinate. For those that choose to homeschool, this does not remove the potential threat from your community. Those children are still sitting in the shopping cart at the grocery store, going to the playground, and taking dance classes. These children will still be in the community or leave their state with their tax dollars like us.' She does go on further in her e-mail and then apologizes for the length of the e-mail but goes on to say, 'My husband and I had never felt so threatened in our beliefs, especially right here in our state.' Ladies and gentlemen of the Senate, if we allow L.D. 798 to move forward without any exemptions we are pushing religious people out of our great state. We will also be closing the door on religious people who may consider making Maine their home because they will take this into consideration. We are fooling ourselves if we don't believe an exodus will come about. But why would we doubt that when our nation was founded by these same kinds of people, passionate, religious people who were willing to leave their homeland, their families, and their fundamental security in search of religious freedom? If we vote in favor of this current motion today and addendum will need to be added to our new sign, Welcome Home, Please Leave Your Religious Beliefs at the Border.

THE PRESIDENT: The pending question before the Senate is the motion by Senator Libby of Androscoggin to Recede and Concur. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#96)

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

NAYS: Senators: BLACK, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, GUERIN, HAMPER, HERBIG, KEIM, LUCHINI, MIRAMANT, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **RECEDE** and **CONCUR**, **PREVAILED**.

Off Record Remarks

The Chair laid before the Senate the following Tabled and Later Assigned (5/7/19) matter:

An Act Regarding the Cancellation of Subscription Services
H.P. 576 L.D. 771
(C "A" H-143)

Tabled - May 7, 2019 by Senator **HERBIG** of Waldo

Pending - **ENACTMENT**

(In Senate, April 30, 2019, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-143)** in concurrence.)

(In House, May 2, 2019, **PASSED TO BE ENACTED**.)

On motion by Senator **HERBIG** of Waldo, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-143)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-143), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-99) to Committee Amendment "A" (H-143) **READ** and **ADOPTED**.

Committee Amendment "A" (H-143) as Amended by Senate Amendment "A" (S-99) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-143) AS AMENDED BY SENATE AMENDMENT "A" (S-99) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Align the Harness Racing Laws with Current Policies" (EMERGENCY)

H.P. 1230 L.D. 1728

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.

Bill "An Act To Correct Various Statutes Related to the Department of Corrections"

H.P. 1229 L.D. 1727

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.

Bill "An Act Regarding Medical Marijuana"

H.P. 1236 L.D. 1738

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.

Bill "An Act To Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years of Age" (EMERGENCY)

H.P. 1226 L.D. 1715

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

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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

Bill "An Act To Update the Licensing Laws for Occupational Therapy Practice"

H.P. 1227 L.D. 1716

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

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

Bill "An Act To Clarify and Correct Maine's Fish and Wildlife Laws"

H.P. 1228 L.D. 1717

Bill "An Act To Clarify Inland Fisheries and Wildlife Laws Regarding Boating and Hunting Licensing"

H.P. 1238 L.D. 1740

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.

Bill "An Act Regarding Representation of the Department of Marine Resources in Libel Proceedings"

H.P. 1233 L.D. 1731

Comes 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.

Bill "An Act To Create a Carrier License for Pelagic and Anadromous Fish"

H.P. 1231 L.D. 1729

Bill "An Act To Eliminate the Scallop Drag Size Limitation in Blue Hill Bay"

H.P. 1234 L.D. 1732

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

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

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 1237 L.D. 1739

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.

Resolve, Directing the Secretary of State To Enter into a Reciprocal Agreement between the State and Taiwan Regarding Driver's Licenses

H.P. 1225 L.D. 1714

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.

Bill "An Act To Amend the Laws Governing Elections"

H.P. 1232 L.D. 1730

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.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Clarify Conflict of Interest Requirements for the Board of Environmental Protection"

H.P. 1179 L.D. 1644

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

Under suspension of the Rules, **READ TWICE**.

Senate at Ease.

The Senate was called to order by the President.

PASSED TO BE ENGROSSED, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on 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

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

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

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

The Committee on **JUDICIARY** on Bill "An Act To Change the Membership of the Maine Commission on Domestic and Sexual Abuse To Include More Tribal Members"

H.P. 644 L.D. 870

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

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

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Expand the Membership of the Wild Blueberry Commission of Maine"

H.P. 127 L.D. 145

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-227)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-227)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-227) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Directing the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands To Establish a Law Enforcement Training Program for Park Managers and Certain Bureau Staff

H.P. 384 L.D. 527

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-229)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-229) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Exempt Agricultural Fairs from the Assessment of Demand Charges for Electricity" (EMERGENCY)

H.P. 860 L.D. 1186

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-228)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-228)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-228) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Require the Department of Environmental Protection To Provide Natural Resources Protection Act Permits to Affected Municipalities"

H.P. 955 L.D. 1320

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-238)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-238) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Resolve, To Support Municipal Recycling Programs (EMERGENCY)

H.P. 1041 L.D. 1431

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-237)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-237)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-237) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Require Insurance Coverage for Hearing Aids for Adults"

H.P. 39 L.D. 38

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-241)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-241)**.

Off Record Remarks

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

Bill **READ ONCE**.

Committee Amendment "A" (H-241) **READ** and **ADOPTED**, in concurrence.

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

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

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, May 16, 2019 at 9:30 in the morning.

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Amend the Laws Governing Subrogation Rights for Medical Payments Coverage"
H.P. 387 L.D. 530

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-242)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-242) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act To Allow an Attorney To Copy a Driver's License"
H.P. 326 L.D. 417

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-231)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-231)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-231) **READ** and **ADOPTED**, in concurrence.

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