

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
June 18, 2019

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

Prayer by Senator Lisa M. Keim of Oxford County.

SENATOR KEIM: Good morning. Let us pray. Father, God, thank You for these moments to quiet our spirits and come before You, to be still and know that You are still on the throne. You are worthy, God, to receive glory and honor and power, for You created all things both in heaven and on earth, the visible and invisible, whether thrones or dominions, or rulers or authorities, all things have been created through You and for You and because of Your will they exist. Since the creation of the world Your invisible qualities, Your eternal power, and divine nature have been clearly seen. I thank You, O God. I thank You that we are called to rely on Your power, to be anxious for nothing but in every situation to bring our request to You, to be strong and courageous, not to be afraid or discouraged, for You are the Lord, our God, and You will be with us wherever we go. I commit this day to You, to trust in You, and not lean on my own understanding but to seek wisdom of You which You have promised to give generously. May all honor be given to You this day, Lord. In Your name. Amen.

Pledge of Allegiance led by Senator Shenna L. Bellows of Kennebec County.

Reading of the Journal of Monday, June 17, 2019.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Ban Use of Aerial Herbicide Spraying for the Purpose of Deforestation" S.P. 556 L.D. 1691

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-262)** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-263)** (6 members)

In Senate, June 17, 2019, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)**.

Comes from the House, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-263)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-263)** in **NON-CONCURRENCE**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

COMMUNICATIONS

The Following Communication: H.C. 215

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

June 17, 2019

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

Dear Secretary Grant:

House Paper 232, Legislative Document 308, "An Act To Authorize Municipalities To Increase Notification Time Periods for Rent Increases and Terminations of Tenancies at Will," 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?"

71 voted in favor and 75 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 613, Legislative Document 839, "An Act To Increase Funding for Multimodal Transportation," 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?"

61 voted in favor and 85 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**.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Central Maine Federal Credit Union, of Lewiston, for its financial support of Camp Connor, which is working to end child hunger in Maine. We extend our appreciation and best wishes;
SLS 680

Sponsored by Senator CLAXTON of Androscoggin.
Cosponsored by Senator: LIBBY of Androscoggin,
Representatives: BROOKS of Lewiston, CLOUTIER of Lewiston,
CRAVEN of Lewiston, HANDY of Lewiston.

The Joint Order was **READ**.

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

Senator **CLAXTON:** Thank you, Mr. President. Women and men of the Senate, I rise today to recognize the Central Maine Federal Credit Union for their support of Camp Connor in Poland and their free meal program. This lakeside camp has been a wonderful summer experience for generations of kids in the Poland and Central Maine area. This summer Camp Connor, now owned by the Town of Poland, will serve almost 6,000 free breakfast and lunch to campers at a cost of almost \$8,000. That would not have been possible without the generosity of the Central Maine Federal Credit Union, who made their generous donation to insure that the camp would be able to provide those meals for these kids. As somebody whose son went to the camp, a few years ago, I understand how important this camp has been to the kids in the area and, as someone who's new to the Legislature, I really enjoyed getting to know and see a bit about how much is done by not-for-profits throughout the state and I'm proud of that. While we, in the Legislature, do all that we can to address the issue of child hunger in our state, sometimes we need help funding these programs that are so important for so many kids. Not only will these kids be able to have a blast at Camp Connor this summer, swimming, canoeing, or playing games, they will do so on a full belly. Combined with other local efforts, the donation from the Central Maine Federal Credit Union will make this great program a reality for many kids this summer. We're fortunate to have with us today their marketing director, Dustin Wood. I would like to have the Senate recognize this generosity by the Credit Union. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber Dustin Wood from the Central Maine Federal Credit Union. He's from the town of Belgrade and he's the guest today of the Senator from Androscoggin, Senator Claxton. Would he please rise and accept the greetings of the Maine Senate.

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

ORDERS

Joint Order

An Expression of Legislative Sentiment recognizing:

The Hall-Dale Middle School Softball Team, of Farmingdale, which won the 2019 Capital Area Softball Championship. We extend our congratulations and best wishes;
SLS 682

Sponsored by Senator BELLOWES of Kennebec.
Cosponsored by Representatives: HARNETT of Gardiner,
WARREN of Hallowell.

The Joint Order was **READ**.

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

Senator **BELLOWES:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to celebrate the Hall-Dale Middle School Softball Team. We are so incredibly proud of their accomplishments but most of all we're proud of their teamwork, their spirit of collaboration, support for one another, and fun. They really inspire us and I want to read their names briefly and their coaches. Rita Benoit, Kiley Rolfe, Mira Slahan, Zoe Soule, K.J. Greenhalgh, Chloe Creamer, Lexi Rideout, Lucy Gray, Marie Benoit, Jade Graham, Gabby Sousa, Karolyn Coro, Hannah Dolloff, Kayla Perry-Gardiner, Ashlynn Donahue, Amanda Trepanier, and their coaches are Tim Soule and our beloved Security Guard Craig Donahue. You make us incredibly proud, girls. Thank you so much for working so hard as a team and being so successful this year.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair would like to recognize in the rear of the Chamber the Hall-Dale Middle School Softball Team, 2019 Capital Area Champions, and their coaches, Tim Soule and Craig Donahue. Will they all 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.

Off Record Remarks

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure Compliance with Federal Family First Prevention Services Legislation"

H.P. 1274 L.D. 1792

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-611)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-611)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-611) **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 AND HUMAN SERVICES** on Bill "An Act To Ensure Compliance with Federal Requirements for Background Checks of Certain Department of Health and Human Services Employees"

H.P. 1282 L.D. 1801

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-612)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-612)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-612) **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 Limit the Dissemination of Certain Criminal Records"

H.P. 569 L.D. 764

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-614)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-614)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-614) **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 Ease Financial Burdens for Juveniles Involved in the Justice System"

H.P. 947 L.D. 1304

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-616)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-616)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-616) **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 Regarding the Presumption of Abandonment of Gift Obligations"

H.P. 1164 L.D. 1612

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-613)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-613)**.

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

Bill **READ ONCE.**

Committee Amendment "A" (H-613) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Direct the Department of Education To Amend Its Rules To Ensure That Physical Restraint and Seclusion Policies Are Followed for Special Education Students and Make Biennial Reports on the Use of Physical Restraint and Seclusion"

H.P. 997 L.D. 1376

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-617).**

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland
POULIOT of Kennebec

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
DRINKWATER of Milford
FARNSWORTH of Portland
FECTEAU of Augusta
INGWERSEN of Arundel
McCREA of Fort Fairfield
SAMPSON of Alfred

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

Signed:

Representative:

RUDNICKI of Fairfield

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-617).**

Reports **READ.**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-617) **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 **TAXATION** on Bill "An Act To Amend the Maine Exclusion Amount in the Estate Tax"
H.P. 329 L.D. 420

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-610).**

Signed:

Senators:

CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono
CLOUTIER of Lewiston
DENK of Kennebunk
MATLACK of St. George
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
KRYZAK of Acton
MAREAN of Hollis
STEWART of Presque Isle

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

Reports **READ.**

On motion by Senator **CHIPMAN** of Cumberland, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT.**

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Fund Energy Efficiency Programs through a Fee on the Sale of Unregulated Heating Fuels"

H.P. 892 L.D. 1231

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

Signed:

Senators:

LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

BERRY of Bowdoinham
CAIAZZO of Scarborough
DOUDERA of Camden
FOSTER of Dexter
GROHOSKI of Ellsworth
HANLEY of Pittston
RILEY of Jay

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-607)**.

Signed:

Representatives:

KESSLER of South Portland
RYKERSON of Kittery

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

Reports **READ**.

On motion by Senator **LAWRENCE** of York, 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 Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers"

H.P. 1063 L.D. 1451

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-602)**.

Signed:

Senators:

BELLOWS of Kennebec
LAWRENCE of York

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
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:

BRADSTREET of Vassalboro
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-602)**.

Reports **READ**.

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

On motion by Senator **DOW** of Lincoln, 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 (#315)

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, 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-602) **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

Seven members of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Help Ensure That Direct Initiatives of Legislation Are Compatible with the Constitution of Maine and Statutory Law

H.P. 1196 L.D. 1669

Reported in Report "A" that the same **Ought Not to Pass**.

Signed:

Senators:

LUCHINI of Hancock
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
COOPER of Yarmouth
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

Five members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-600)**.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ANDREWS of Paris
DOLLOFF of Rumford
HANINGTON of Lincoln
STROM of Pittsfield

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-601)**.

Signed:

Representative:

ACKLEY of Monmouth

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

Reports **READ**.

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** Report "A", **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 (#316)

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 **LUCHINI** of Hancock to **ACCEPT** Report "A", **OUGHT NOT TO PASS**, in concurrence, **PREVAILED**.

Senate

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Create a Victims' Compensation Fund for Victims of Property Crimes" S.P. 487 L.D. 1550

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-305)**.

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

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

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

Signed:

Representative:
JOHANSEN of Monticello

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-305) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Reform Maine's Renewable Portfolio Standard"

S.P. 457 L.D. 1494

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-307)**.

Signed:

Senators:
LAWRENCE of York
MIRAMANT of Knox
WOODSOME of York

Representatives:

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

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

Signed:

Representative:
HANLEY of Pittston

Reports **READ**.

Senator **LAWRENCE** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On further motion by same Senator, 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 Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. Mr. President, I rise to speak in favor of the bill before us, L.D. 1494, An Act to Reform Maine's Renewable Portfolio Standard. People who've grown up romping through Maine's snow covered mountains, swimming in sun warmed lakes, or hiking through an autumn forest, like my sons have, at the peak of the season understand well that our outdoor recreation economy is a driving force; attracting and sustaining businesses, workers, and families across the state. To say that Maine and its great outdoors are deeply interwoven is an understatement but climate change threatens our pristine environment and natural resources. Lobstermen will tell you the effect warming waters in the Gulf of Maine are having on their catch. Sea level is predicted to rise one to four feet along the Maine coast by 2100, complicating our working waterfront development plans. It is imperative that we act. It's time for Maine to modernize its renewable portfolio standard which requires electricity suppliers to obtain a certain amount of power from renewable sources. Maine's current RPS has expired, which makes this an opportune time to assess what we've been doing and make improvements. It's this opportunity that spurred me to sponsor L.D. 1494, the measure before you.

After this bill was introduced it was the subject of a thorough stakeholder review process. Through these discussions we were able to come to a smart consensus on the best way to protect Maine's environment and its economy. As a result, this bill received strong bi-partisan support in committee. I want to offer my thanks to all who took part in this process and contributed to crafting this strong, common sense policy which moves Maine forward in the right direction. In particular I want to thank Dan Burgess, the Director of the Governor's Energy Office, and Hannah Pingree, Director of the newly formed Office of Innovation and the Future, for all the hard work and time they put in to help with this process.

Protecting Maine's natural beauty and resources is about making sure our children and our children's children are able to enjoy the mountains, waters, and forests that we have, but it's also about preserving our heritage for outdoor recreation and working waterfronts and woods for generations to come. To protect Maine's environment is to protect its future economy. Our existing RPS policies have already created nearly 12,000 jobs and increased the state's economy by more than \$1 billion. L.D. 1494 would update our state's RPS to reach 80% renewable energy by 2030 and put us on track to reach 100% renewable energy by 2050. It will prioritize new, made in Maine, energy resources and preserve and grow our economy. Updating our renewable portfolio standard is an essential part of a clean energy economy and a comprehensive means to counteract the effects of climate change. It's about Maine power for Maine people. I would urge my colleagues in the Senate to follow my light in supporting this bill. Thank you, Mr. President.

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

THE PRESIDENT: 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 (#317)

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

NAYS: Senators: None

EXCUSED: Senator: TIMBERLAKE

34 Senators having voted in the affirmative and no Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LAWRENCE** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-307) **READ** and **ADOPTED**.

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

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:

Emergency Measure

An Act To Support Early Intervention and Treatment of Mental Health Disorders
S.P. 446 L.D. 1461
(S "A" S-300 to C "A" S-244)

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

Emergency Measure

An Act To Amend the Laws Governing Overtime
S.P. 618 L.D. 1828
(C "A" S-292)

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Acts

An Act To Amend the Laws Governing the Maine Uniform Building and Energy Code To Ensure It Is Consistent with Current Standards and Applies to Small Municipalities
H.P. 1101 L.D. 1509
(C "A" H-592)

An Act To Limit the Dissemination of Juvenile Records
H.P. 1197 L.D. 1670
(C "A" H-594)

An Act To Secure Transitions to Economic Prosperity for Maine Families and Children
H.P. 1259 L.D. 1772
(C "A" H-606)

An Act To Reduce Child Poverty by Leveraging Investments so Families Can Thrive
H.P. 1261 L.D. 1774
(C "A" H-605)

An Act To Amend the Service Fee for Child Support Services
S.P. 607 L.D. 1794
(C "A" S-291)

An Act To Amend the Maine Tax Laws
H.P. 1279 L.D. 1798
(C "A" H-596; H "A" H-598)

An Act To Update the Laws Relating to Liquor Licensing and Enforcement
S.P. 616 L.D. 1826
(C "A" S-293)

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

An Act To Replace the Earned Income Tax Credit with the Maine Work Credit
S.P. 31 L.D. 104
(C "A" S-297)

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

An Act To Enhance and Improve the Maine Developmental Services Oversight and Advisory Board and To Establish the Aging and Disability Mortality Review Panel

H.P. 998 L.D. 1377
(C "A" H-604)

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

An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program

S.P. 545 L.D. 1674
(C "A" S-290)

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

An Act To Provide a Sales Tax Exemption for Certain Nonprofit Charitable Organizations

H.P. 1288 L.D. 1808
(C "A" H-599)

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

An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan

S.P. 627 L.D. 1842

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

An Act To Assist Small Beer Manufacturers and Small Hard Cider Manufacturers

S.P. 593 L.D. 1761
(C "A" S-281)

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

An Act To Amend the Motor Vehicle Laws

H.P. 1268 L.D. 1783
(C "A" H-588)

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

Resolve

Resolve, To Require the Examination of Alternatives to the Service Provider Tax

S.P. 258 L.D. 892
(C "A" S-289)

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

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 (6/14/19) matter:

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

S.P. 408 L.D. 1312

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

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

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

Tabled - June 14, 2019 by Senator **CARPENTER** of Aroostook

Pending - ACCEPTANCE OF ANY REPORT

Senator **CARPENTER** of Aroostook moved the Senate **ACCEPT** Report "B", **OUGHT NOT TO PASS**.

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, I rise in opposition to the pending motion. This bill would provide a vital tool to loved ones and law enforcement to prevent homicides, suicides, and mass murders by temporarily taking firearms away from individuals who exhibit high risk behaviors. Creating a process for courts to issue emergency risk protection orders, or ERPO, is common sense and has been enacted in 16 states, most recently in Nevada and before that Colorado. ERPO laws balance personal rights with public safety. They focus on behavior and risk rather than on labels or diagnoses. That's why they have been supported by lawmakers from both sides of the aisle and signed by both Republican and Democratic governors who believe, as I do, that they save lives. These laws allow law enforcement and family members to petition a court to temporarily prohibit possession of a person's firearms and holding any existing firearms for safekeeping if there is probable cause to believe a person poses an immediate and present danger to themselves or someone else.

Let's talk about why this law, which is used more often to prevent suicide than homicide, is so needed. It's heartbreaking to read about the high rate of suicide in our state, especially youth suicide, when I know that we can do more to prevent this tragedy. According to data from U.S. Centers for Disease Control and Prevention, Maine's suicide rate is far above the national average and it's climbing. Suicides are the second leading cause of death for Mainers age 15 to 34 and we know that veterans are at particularly high risk. What's even worse is guns are used in nearly half of all youth suicides in the state. We have lost more than 600 Mainers to suicide by gun in the last five years alone. If that's not pause for alarm I don't know what is. For those who ask why this bill focuses on firearms and not on suicide prevention, generally the data is clear that among the commonly used methods firearms are by far the most deadly, with a fatality rate of between 85% and 90%. When you take guns out of the equation less than 5% of those who attempt suicide will die. The vast majority of survivors do not, ultimately, die by suicide.

Domestic violence also continues to be a major problem in our state. For more than 10 years domestic violence homicides have accounted for nearly half of all murders in our state every year. A report released just last fall by the Maine Domestic Abuse Homicide Review Panel found that firearms are the weapon most commonly used in domestic violence related homicides. The report notes the panel has found this to be the case for the previous 11 years issued reports.

While we have been lucky so far in Maine to not have experienced a school or mass shooting, parents and students that I speak with and hear from believe that it is not a matter of if but when unless something more is done. Red Flag bills allow courts to intervene in response to clear danger signs. What we know from the now hundreds of mass shootings in our country is that school and mass shooters often exhibited warning signs indicating they would commit violence before they acted. It's important to reflect that there is a high correlation between many of the recent states who have enacted ERPOs and the presence of mass shootings in those states. I have to ask us, in this Chamber, in this Legislature: is that what we're going to wait for? I really hope that's not the case.

We can and we must do more to prevent firearms related deaths. L.D. 1312 allows family members and law enforcement to intervene in times of crisis and take action that reduces the risk of suicide and gun violence. Often times when a person is in

crisis family members and law enforcement officers are the ones most likely to notice escalating dangerous behavior and are best positioned to intervene. This bill would enable them to petition a judge to temporarily remove firearms until the person in crisis no longer poses an immediate risk. The policy in this bill ultimately puts the decision in the hands of an impartial judge and requires the concerned parties to present a clear and convincing case and evidence. If the judge finds the evidence provided by the family or law enforcement officer meets the burden of proof the person's firearms would be removed on a temporary basis, long enough for them to get help, and this bill, as amended, would make sure that if it's appropriate necessary resources would be provided to those individuals. In urgent cases where there is concern about imminent risk of gun violence, the law would provide for an ex parte hearing wherein a judge may issue a short term order prohibiting the person from having access to a firearm. According to those who have studied the impact of these orders in other states, 'sometimes temporary orders are all that is required to alleviate the immediate crisis and prevent harm to the individual or to others.' L.D. 1312 and laws like it provide a balanced, reasonable measure that protects vulnerable people in our communities without infringing upon anyone's Constitutional rights. To be absolutely clear, law enforcement may not prohibit or cease a person's firearms for no reason. There are due process protections built into the bill and there are clear sanctions for anyone presenting false testimony or in a sworn affidavit. Perjury is a Class C felony with up to 5 years in incarceration. The bill requires a judge to review sworn evidence and determine the evidence has met the required burden of proof before issuing the temporary restraining order. Further, due process guarantees include the respondent's right to notice of and right to an evidentiary hearing and the right to petition to dissolve the order. L.D. 1312 even goes beyond what is constitutionally required by providing respondents a right to counsel for the extended protection hearing. Maine has a strong tradition of responsible gun ownership. I respect that. The gun owners I am friends with and work alongside adhere to smart safety practices, as do the vast majority of Maine gun owners. We also know that the vast majority of people living with mental illness are neither violent nor dangerous and that they are more likely to be victims than perpetrators of crimes. This bill is not about them. This bill is about allowing the people who care about a person in crisis to keep that person and the rest of us safe. This bill is about saving lives, not restricting rights. It is about keeping our communities safe. While it won't stop every violent death it can help bring an end to the headlines about rising suicide rates and families torn apart by deadly violence.

This bill also includes progressive treatment program language that closes a narrow gap in Maine law by allowing courts to prohibit those with severe and persistent mental illness who pose a likelihood of serious harm and are participating in specific intense court-ordered treatment programs from obtaining, purchasing, or possessing firearms. This, too, is common sense. As with any seriously challenging societal issues, there is no one answer, one single approach that will solve the problem. As I have seen in the Education Committee, making sure a child has the opportunity for a healthy, successful life requires a holistic approach and, just as we have cast the net broadly to find and use a wide range of strategies to address our opioid epidemic, let's not fall into the false narrative of having to choose one solution over another. I truly believe we can reach common ground and pass this bill. Vote in opposition to this motion to

reduce suicide and homicide rates, prevent a mass shooting within our borders, and, most importantly, to protect our families and our communities. Thank you, Mr. President.

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

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'll be brief. I agree with almost everything that the good Senator from Cumberland has said. I agree with 100% of the motives of the people behind L.D. 1312. I disagree with the vehicle. I disagree with the methodology, if you will, that they are using. I think there's a better way. I think there's a partial solution to this problem. The current measure we have before us, I believe, is flawed in a couple of ways. I worked on this bill. I heard the bill in my committee, 8 hours of testimony, and I worked on this bill with the good Senator from Cumberland, Senator Millett, and her colleagues and her allies for quite some period of time before I left the working group, if you will. A couple of things that I think are flawed in this particular approach are that there's no professional assessment of the individual from whom we're seeking to remove firearms. I think that's important. From the due process standpoint, and that's often times the cry that goes up in these kinds of bills, lack of due process, I did worry about that. I certainly worried about that with regard to ex parte hearings, which means that the individual that is the subject to the hearing doesn't get notice, never shows up. First thing that they know about it is when a law enforcement officer comes knocking on the door and says: 'I have a court order here that says you have to turn over your weapons.' If that individual decides to say no, go away, at that point the police officer's leave and they try to get a search warrant. I've been practicing law for 30 something years. As a Justice of the Peace I've signed more than my share of search warrants. One of the first basis for a search warrant is that it has to predicate criminal activity. There has to be an allegation that there is evidence of a criminal activity that you're searching for and you have to be very specific not only for what you're searching but where you're going to search. I can't find the predicate criminal activity here that would ever justify a search warrant. I know that the responses to my concerns are that this has been passed in 16 other states and challenged. I don't know it happens in other states. I don't know if our bill, this bill, is written the same way as the other states. I'm telling you that, as an attorney, I don't hold myself out to be any kind of a Constitutional law expert but as an attorney there has to be underlying predicate criminal activity before you can get a search warrant. You can't get a search warrant based upon a civil action unless that somehow triggers criminal activity. So I think that's a significant hindrance in this particular piece of legislation. I would ask that you support my motion of the Ought Not to Pass version of this bill. There is a better way to approach this situation. We do have people in our society who ought not to have weapons, temporarily, dependent on their condition. This is not the way to go. Thank you.

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

Senator **CARSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to speak in opposition to the pending motion. I fully realize that gun violence and gun safety can be, in many parts of our state, the third rail of politics.

Notwithstanding that fact, I would ask you to take note that gun tragedies have pushed 16 other states, plus the District of Columbia, to enact Red Flag laws. Such laws are now in the books in California, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Maryland, Massachusetts, New Jersey, New York, Oregon, Rhode Island, Vermont, Washington, Nevada, and the District of Columbia.

Connecticut passed the first Red Flag law in 1999 after a fatal shooting at Connecticut Lottery headquarters in Newington. The gunman, lottery employee Matt Beck, killed four of his supervisors and himself with a 9mm Glock pistol with a 19-round magazine. Beck, who had a history of attempted suicide, had filed a work-related grievance over a salary dispute and failure to win a promotion. The 35 year old had been under a doctor's care and on prescribed medications for his depression since 1997.

In Indiana, that law was passed in 2005, also borne of tragedy. A 33 year old man carrying a semi-automatic rifle and two handguns opened fire on homes and vehicles in a south side Indiana neighborhood after killing his mother. Police officer Jake Laird was shot and killed in the melee. Afterward, officials found that police had once put Kenneth Anderson under 'immediate attention' at a hospital and seized a cache of weapons and ammunition, but without a law, that is a Red Flag law, the police had to return the weapons, five months before the fatal shooting.

Following this pattern, California passed its law in 2014 after 22 year old Elliot Rodger, driving his car down a street in Isla Vista, went on a shooting and stabbing spree that left seven people dead, including himself, and 13 wounded. Rodger ran down skateboarders and bikers, fired through shop windows, and killed two women on a sorority house lawn. His body was found near three semi-automatic handguns and more than 400 rounds of ammunition. The killing spree was, it was reported, not altogether unexpected. The night before the rampage he posted a 'Day of Retribution' video saying he had 'no choice but to exact revenge' on society that had denied him sex and love.' There were very clear warnings from family and doctors that he was dangerous and the outcry prompted California to pass its Red Flag law.

The latest burst of interest, of course, in this kind of legislation followed the February 2018 shootings at Marjorie Stoneman Douglas High School in Parkland, Florida, which left 17 students and staff dead and prompted the Florida Legislature to adopt a Red Flag law. The accused gunman, Nikolas Cruz, had a history of discipline problems at the school, as well as issues of depression and self-mutilation. In March 2018, just a month after the Marjorie Stoneman Douglas tragedy, Rick Scott, the Governor of Florida, broke with the National Rifle Association, which had previously given him an A-plus rating, to sign a set of bills that included a Red Flag measure and a hike in the minimum age to purchase a firearm from 18 to 21.

A month later, in April 2018, Vermont Governor Phil Scott also signed new gun safety measures, raising the minimum age for purchasing a firearm to 21 and enacting background check requirements and enacting a Red Flag law. I think some of will remember that Governor Scott was moved to sign that law after a high school student posted on social media that he wanted to become a school shooter.

Ten more states have passed laws between February 2018, the Marjorie Stoneman Douglas shooting, and June of this year allowing police or household members to seek court orders requiring people deemed threatening to temporarily surrender their guns. That means, as I indicated earlier, 16 states and the

District of Columbia. In a textbook case of how a Red Flag law can be applied, the Snohomish County Sheriff's Office in Washington State recovered 12 guns from the home of a 20 year old man in December 2018 after officers were granted an extreme risk protection order, the same order that would be allowed by L.D. 1312. Authorities were tipped off to Dakota Reed's activities after police say he posted a stream of anti-Semitic memes, violent posts, and mass shooting plans on Facebook. Court documents charged that Reed had made a video just before his arrest and introduced himself as 'Active Shooter 327.'

Ladies and gentlemen of the Senate, let us please not wait for a mass shooting at a school, a church, a synagogue, or other public place before enacting a Red Flag law here in Maine. Please let us do that now by rejecting the pending motion of Ought Not to Pass and enacting L.D. 1312. Thank you very much.

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

Senator **GRATWICK:** Thank you very much, Mr. President. I wish to speak against the current motion. We need to have photographs up front here of Sandy Hook Elementary School before we vote. Photos of 26 kids dead, mutilated by heavy caliber bullets. Photos of skulls ripped open and small brains inside. Photos of intestines splattered across the wall with evidence of this morning's Cheerios still visible. Photos of small pulsing streams of arterial blood dying away slowly. We need pictures to make this bill real. I urge you to vote for L.D. 1312. Thank you, Mr. President.

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

Senator **MILLETT:** Thank you, Mr. President. I rise just to share with the Chamber that the bill, as amended, does not require a warrant. The language is may, it is permissive, and it was reviewed by the Attorney General. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "B" Ought Not to Pass. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#318)

YEAS: Senators: BLACK, CARPENTER, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GUERIN, HAMPER, HERBIG, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BELLOWS, BREEN, CARSON, CHENETTE, CHIPMAN, CLAXTON, GRATWICK, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, SANBORN H, SANBORN L, VITELLI

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** Report "A", **OUGHT NOT TO PASS, PREVAILED.**

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/17/19) matter:

Bill "An Act To Authorize a Local Option Sales Tax on Meals and Lodging and Provide Funding To Treat Opioid Use Disorder" H.P. 915 L.D. 1254

Tabled - June 17, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FURTHER CONSIDERATION**

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

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

On motion by Senator **LIBBY** of Androscoggin, Bill and accompanying papers **COMMITTED** to the Committee on **TAXATION**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

Off Record Remarks

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

COMMUNICATIONS

The Following Communication: S.C. 614

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

June 17, 2019

The Honorable Troy Dale Jackson
President of the Senate of Maine
129th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of John Cashwell of Bangor, for appointment to the Maine Indian Tribal-State Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Carpenter, M. of Aroostook, Keim, L. of Oxford
	Representatives	9	Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, DeVeau, J. of Caribou, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Reckitt, L. of South Portland, Talbot Ross, R. of Portland
NAYS		0	
ABSENT		2	Sen. Bellows, S. of Kennebec, Rep. Curtis, P. of Madison

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of John Cashwell of Bangor, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Michael E. Carpenter S/Donna Bailey
Senate Chair House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#319)

YEAS: Senators: None

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

EXCUSED: Senators: CHENETTE

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **John Cashwell** of Bangor for appointment to the Maine Indian Tribal-State Commission was **CONFIRMED**.

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

The Following Communication: S.C. 615

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

June 17, 2019

The Honorable Troy Dale Jackson
President of the Senate of Maine
129th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Michael Pearson of Enfield, for appointment to the Maine Indian Tribal-State Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Carpenter, M. of Aroostook, Keim, L. of Oxford
	Representatives	8	Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, DeVeau, J. of Caribou, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Talbot Ross, R. of Portland
NAYS		0	
ABSENT		3	Sen. Bellows, S. of Kennebec, Rep. Curtis, P. of Madison, Rep. Reckitt, L. of South Portland

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Michael Pearson of Enfield, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#320)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Michael Pearson** of Enfield for appointment to the Maine Indian Tribal-State Commission was **CONFIRMED**.

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

The Following Communication: S.C. 616

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

June 17, 2019

The Honorable Troy Dale Jackson
President of the Senate of Maine
129th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Kevin Hancock of Casco, for appointment to the Maine Indian Tribal-State Commission.

After public hearing and discussion on this nomination, the Committee proceeded to vote on the motion to recommend to the Senate that this nomination be confirmed. The Committee Clerk called the roll with the following result:

YEAS	Senators	2	Carpenter, M. of Aroostook, Keim, L. of Oxford
	Representatives	9	Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, DeVeau, J. of Caribou, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Reckitt, L. of South Portland, Talbot Ross, R. of Portland

NAYS 0
ABSENT 2 Sen. Bellows, S. of
Kennebec, Rep. Curtis, P. of
Madison

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Kevin Hancock of Casco, for appointment to the Maine Indian Tribal-State Commission be confirmed.

Signed,

S/Michael E. Carpenter S/Donna Bailey
Senate Chair House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#321)

YEAS: Senators: None
NAYS: Senators: BELLOWS, BLACK, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, GUERIN, HAMPER, HERBIG, KEIM, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Kevin Hancock** of Casco for appointment to the Maine Indian Tribal-State Commission was **CONFIRMED**.

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

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 As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Strengthen the Maine Uniform Building and Energy Code"

H.P. 629 L.D. 855

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-619).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-619).**

Report **READ.**

On motion by Senator **DOW** of Lincoln, 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 York, Senator Deschambault.

Senator **DESCHAMBAULT:** Thank you, Mr. President. I'd just like to take a moment and explain this. There are so many bills about building codes. This one, basically, is transferring, it's returning, the administration of code enforcement officer training from the Department of Economic and Community Development's Office of Community Development to the Department of Public Safety under the Office of the Fire Marshall, which it was before. It also increases the municipal permit surcharge from \$3 to \$5 and specifies that the surcharge only applies to permits for new construction or renovations that are subject to the Maine Uniform Building and Energy Code. It's a very long bill but what it is it just changes the titles from Community Development to Public Safety. This was supported by our Commissioner of Public Safety.

THE PRESIDENT: The pending question before the Senate is Acceptance of the 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 (#322)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, Report **ACCEPTED**, in concurrence.

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

Bill **READ ONCE**.

ENACTORS

Committee Amendment "A" (H-619) **READ** and **ADOPTED**, in concurrence.

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

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

**Pursuant to Constitution
Public Land**

The Committee on **TAXATION** on Bill "An Act To Restore the Super Credit for Substantially Increased Research and Development"

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps
H.P. 107 L.D. 125
(S "A" S-288 to C "A" H-303)

H.P. 732 L.D. 977

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-621)**.

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-621)**.

Senator **CARSON:** Thank you, Mr. President. This amendment has some extremely unusual language in it and I move to table until later in today's session.

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

On motion by Senator **CARSON** of Cumberland, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

Bill **READ ONCE**.

**Pursuant to Constitution
Public Land**

Committee Amendment "A" (H-621) **READ** and **ADOPTED**, in concurrence.

Resolve, Authorizing the Transfer of a Plot of Land from the State to the Town of Allagash

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

S.P. 594 L.D. 1762
(C "A" S-301)

The Committee on **TAXATION** on Bill "An Act To Amend the Laws Governing the Maine Capital Investment Credit To Ensure Fairness for Maine Businesses"

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 35 Senators having voted in the affirmative and no Senators having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

H.P. 1198 L.D. 1671

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-623)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623)**.

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

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

Bill **READ ONCE**.

Committee Amendment "A" (H-623) **READ** and **ADOPTED**, in concurrence.

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

ENACTORS

Senate at Ease.

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

The Senate was called to order by the President.

Act

An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine

S.P. 565 L.D. 1711
(C "A" S-295)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act to Ensure Proper Prosecution of Crimes Involving Domestic Violence and Enhance Protection of Victims of Domestic Violence

H.P. 19 L.D. 18
(C "A" H-175)

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

Placed on Special Appropriations Table - May 8, 2019 by Senator **BREEN** of Cumberland

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend the Licensing Laws of Certain Professions and Occupations"

S.P. 580 L.D. 1746

Pending - ENACTMENT

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-175)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-303)** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-304)** (4 members)

In Senate, June 17, 2019, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303)**.

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

Senator **HAMPER:** Thank you, Mr. President. On this bill and so many others on the green sheet, I'll confine my remarks to one so that I'm not up 37 times. Okay? So this bill contains current biennium cost increases, as do many other bills that are sitting here on the green sheet, with language within the fiscal note such as 'it is unknown how many individuals would become eligible. Potential biennial increase. It is not known how many potential future biennial increase or potential State mandate.' Those are all contained within these bills here on the green sheet. Heads up, folks. This is what's coming at us. It'll drive the next budget season. Thank you, Mr. President.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303) AND HOUSE AMENDMENT "A" (H-626)** in **NON-CONCURRENCE**.

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

On motion by Senator **LIBBY** of Androscoggin, the Senate **ADHERED**.

Sent down for concurrence.

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

Emergency Measure

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

An Act To Require Newly Purchased Public School Buses To Be Equipped with School Bus Crossing Arms

H.P. 20 L.D. 19
(C "A" H-190)

Placed on Special Appropriations Table - May 9, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-190)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with 5 Senators having voted in the negative, and 29 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Ensure Access to Justice for Victims of Sexual Assault
S.P. 20 L.D. 67
(C "A" S-72)

Placed on Special Appropriations Table - May 23, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-72).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Protect Earned Pay
S.P. 28 L.D. 75
(C "A" S-11)

Placed on Special Appropriations Table - April 2, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-11).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Facilitate Access to the MaineCare Family Planning Benefit
H.P. 64 L.D. 78
(C "A" H-132)

Placed on Special Appropriations Table - May 7, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-132)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Raise the University of Maine System Debt Ceiling
H.P. 169 L.D. 206
(C "A" H-26)

Placed on Special Appropriations Table - May 28, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-26)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

Constitutional Amendment

Resolution, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District
S.P. 67 L.D. 255
(C "A" S-247)

Placed on Special Appropriations Table - June 14, 2019 by Senator **BREEN** of Cumberland

Pending - **FINAL PASSAGE** in **NON-CONCURRENCE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-247).**)

(In House, **FAILED FINAL PASSAGE.**)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#323)

YEAS: Senators: BLACK, CLAXTON, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GRATWICK, GUERIN, HAMPER, HERBIG, KEIM, LAWRENCE, LUCHINI, MILLETT, MOORE, POULIOT, ROSEN, TIMBERLAKE, VITELLI, WOODSOME, PRESIDENT JACKSON

NAYS: Senators: BELLOWS, BREEN, CARSON, CHENETTE, CHIPMAN, CYRWAY, LIBBY, MIRAMANT, SANBORN H, SANBORN L

EXCUSED: Senators: CARPENTER

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 24 Members of the Senate, with 10 Senators having voted in the negative, and 24 being more than two-thirds of the Members present and voting, was **FINALLY PASSED** and signed by the President, in **NON-CONCURRENCE**,

Sent down for concurrence.

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Create a Credit under the Commercial Forestry Excise Tax for Landowners Using Businesses Based in the United States
S.P. 80 L.D. 268
(S "A" S-277 to C "A" S-218)

Placed on Special Appropriations Table - June 14, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-218) AS AMENDED BY SENATE AMENDMENT "A" (S-277)** thereto.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Strengthen Brain Injury Resources for Underserved Populations, Including Opioid Overdose Brain Injury Survivors
H.P. 221 L.D. 297
(C "A" H-134)

Placed on Special Appropriations Table - May 7, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-134)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Provide Sustainable Funding for Drinking Water and Wastewater Infrastructure
H.P. 273 L.D. 347
(C "A" H-206)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-206)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the Special Appropriations Table.

An Act To Facilitate Fair Ballot Representation for All Candidates
H.P. 374 L.D. 517
(C "A" H-164)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-164)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#324)

YEAS: Senators: BELLOWS, BLACK, CARSON, CHENETTE, CHIPMAN, CYRWAY, DAVIS, DIAMOND, DILL, DOW, FARRIN, FOLEY, GUERIN, HAMPER, KEIM, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, TIMBERLAKE, VITELLI, WOODSOME

NAYS: Senators: BREEN, CLAXTON, DESCHAMBAULT, GRATWICK, HERBIG, LAWRENCE, LIBBY, LUCHINI, SANBORN H, SANBORN L, PRESIDENT JACKSON

EXCUSED: Senators: CARPENTER

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act To Make Ballot Questions Easier To Read and Understand for Maine Voters

H.P. 391 L.D. 534
(C "A" H-277)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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 (#325)

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

NAYS: Senators: None

EXCUSED: Senators: CARPENTER

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Increase Access to Nutritious Foods in Schools by Implementing an After-school Food Program for At-risk Students
H.P. 421 L.D. 577
(C "A" H-226)

Placed on Special Appropriations Table - May 23, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-226)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

An Act To Amend the Laws on Gross Sexual Assault, Unlawful Sexual Contact and Unlawful Sexual Touching To Include Counseling Professionals

S.P. 267 L.D. 913
(C "A" S-117)

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Resolve

Pending - **ENACTMENT**

Resolve, To Direct the Department of Health and Human Services To Amend Its Rules for Eligibility for Community Support Services

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-117).**)

H.P. 580 L.D. 775
(C "A" H-403)

(In House, **PASSED TO BE ENACTED.**)

Placed on Special Appropriations Table - June 6, 2019 by Senator **BREEN** of Cumberland

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

Pending - **PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-403)** in concurrence.)

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

(In House, **PASSED.**)

Emergency Resolve

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

Resolve, To Establish a Pilot Project To Save Lives and Support People with Substance Use Disorder in Washington County

H.P. 747 L.D. 1005
(C "A" H-160)

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Placed on Special Appropriations Table - May 8, 2019 by Senator **BREEN** of Cumberland

An Act To Support College Completion by Homeless Youth in Maine

Pending - **FINAL PASSAGE**

H.P. 640 L.D. 866
(C "A" H-321)

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-160)** in concurrence.)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

(In House, **FINALLY PASSED.**)

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-321)** in concurrence.)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

(In House, **PASSED TO BE ENACTED.**)

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

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, To Change the Educational Requirements of Certain Behavioral Health Professionals

H.P. 749 L.D. 1007
(C "A" H-499)

Placed on Special Appropriations Table - June 10, 2019 by Senator **BREEN** of Cumberland

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-499)** in concurrence.)

(In House, **FINALLY PASSED**.)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Amend the Laws Governing the Substance Use Disorder Services Commission

H.P. 760 L.D. 1030
(C "A" H-295)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-295)** in concurrence.)

(In House, **PASSED TO BE ENACTED**.)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General

H.P. 872 L.D. 1208
(C "A" H-498)

Placed on Special Appropriations Table - June 11, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-498)** in concurrence.)

(In House, **PASSED TO BE ENACTED**.)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Support Community Schools

S.P. 378 L.D. 1216
(C "A" S-128)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-128)**.)

(In House, **PASSED TO BE ENACTED**.)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, Requiring the Department of Health and Human Services To Develop More Comprehensive MaineCare Benefit Letters

H.P. 889 L.D. 1228
(C "A" H-367)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-367)** in concurrence.)

(In House, **FINALLY PASSED**.)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Update the Civil Animal Welfare Laws
H.P. 891 L.D. 1230
(C "A" H-380)

Placed on Special Appropriations Table - June 4, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-380)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Increase Access to Low-cost Prescription Drugs
S.P. 392 L.D. 1272
(C "A" S-250)

Placed on Special Appropriations Table - June 12, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-250).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, To Transfer the Guilford Butler School Property to the Town of South Thomaston

H.P. 943 L.D. 1300
(C "A" H-264)

Placed on Special Appropriations Table - May 28, 2019 by Senator **BREEN** of Cumberland

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-264)** in concurrence.)

(In House, **FINALLY PASSED.**)

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

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Support Medically Monitored Crisis Support and Intervention
H.P. 950 L.D. 1315
(C "A" H-351)

Placed on Special Appropriations Table - May 30, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-351)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Prohibit Certain Sexual Acts and Sexual Contact by Law Enforcement Officers in Performance of Official Duties and To Amend the Law on Obstructing Criminal Prosecution
H.P. 996 L.D. 1375
(C "A" H-285)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-285)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Change the Requirements for Recording Plans at the County Registries of Deeds

H.P. 1007 L.D. 1393
(C "A" H-291)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-291)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities

H.P. 1049 L.D. 1437
(C "A" H-163; H "A" H-344)

Placed on Special Appropriations Table - June 4, 2019 by Senator **BREEN** of Cumberland

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-163) AND HOUSE AMENDMENT "A" (H-344)** in concurrence.)

(In House, **FINALLY PASSED.**)

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 34 Members of the Senate, with no Senators having voted in the negative, and 34 being more than two-thirds of the Members present and voting, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Secretary of State for approval.

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Align the Laws Governing Dental Therapy with Standards Established by the American Dental Association Commission on Dental Accreditation

H.P. 1053 L.D. 1441
(C "A" H-503)

Placed on Special Appropriations Table - June 10, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-503)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Protect State Employees When Their Contracts Have Expired

S.P. 483 L.D. 1546
(C "A" S-202)

Placed on Special Appropriations Table - June 10, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-202).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Increase the Supplement for Certain National Board for Professional Teaching Standards Certified Teachers in Maine
S.P. 486 L.D. 1549
(C "A" S-216)

Placed on Special Appropriations Table - June 10, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-216).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Authorizing the Deorganization of Magalloway Plantation
H.P. 1130 L.D. 1568
(C "A" H-339)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-339)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act To Promote Major Food Processing and Manufacturing Facility Expansion and To Create Jobs in Maine
S.P. 505 L.D. 1586
(C "A" S-228)

Placed on Special Appropriations Table - May 29, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-228).**)

(In House, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senators having voted in the negative, and 33 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Exclude Collectively Bargained Salary and Job Promotion Increases from the Earnable Compensation Limitation for Retirement Purposes

S.P. 517 L.D. 1620
(C "A" S-199)

Placed on Special Appropriations Table - June 10, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-199).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Clarify the Definition of 'Public Works'
S.P. 535 L.D. 1658
(C "A" S-200)

Placed on Special Appropriations Table - June 10, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-200).**)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **BREEN** of Cumberland, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Allow Reentry Houses as Part of Supervised Community Confinement

H.P. 1201 L.D. 1677
(C "A" H-562)

Placed on Special Appropriations Table - June 14, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-562)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

Off Record Remarks

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Measure

Resolve, To Establish the Commission To Study Children's Mental Health

H.P. 41 L.D. 40
(C "A" H-246)

Tabled - May 29, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-246)** in concurrence.)

(In House, **FINALLY PASSED.**)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senators having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Measure

Resolve, To Reestablish the Commission To Improve the Sentencing, Supervision, Management and Incarceration of Prisoners

H.P. 603 L.D. 829
(C "A" H-320)

Tabled - May 29, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320)** in concurrence.)

(In House, **FINALLY PASSED.**)

On further motion by same Senator, 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-320)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-309) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-320) AND SENATE AMENDMENT "A" (S-309), in NON-CONCURRENCE.

Ordered sent down for concurrence.

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

JOINT ORDER - Requiring the Joint Standing Committee on Criminal Justice and Public Safety To Study the Stabilization of Funding for the County Jails and the Regional Jail
H.P. 1277

Tabled - May 30, 2019 by Senator **LIBBY** of Androscoggin

Pending - **PASSAGE**

(In House, **READ** and **PASSED**.)

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

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Resolve

Resolve, To Establish the Committee To Study the Feasibility of Creating Basic Income Security

S.P. 412 L.D. 1324
(C "A" S-157)

Tabled - June 4, 2019 by Senator **VITELLI** of Sagadahoc

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-157)**.)

(In House, **FINALLY PASSED**.)

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

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Resolve

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry

H.P. 1166 L.D. 1614
(C "A" H-433)

Tabled - June 6, 2019 by Senator **VITELLI** of Sagadahoc

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)** in concurrence.)

(In House, **FINALLY PASSED**.)

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

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

JOINT ORDER - Establishing the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act
H.P. 1307

Tabled - June 10, 2019 by Senator **LIBBY** of Androscoggin

Pending - **PASSAGE**

(In House, **READ** and **PASSED**.)

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

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Measure

Resolve, Establishing the Working Group on Mental Health
S.P. 508 L.D. 1602
(C "A" S-213)

Tabled - June 10, 2019 by Senator **VITELLI** of Sagadahoc

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-213)**.)

(In House, **FINALLY PASSED**.)

On further motion by same Senator, 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" (S-213)**.

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" (S-213).

On further motion by same Senator, Senate Amendment "A" (S-310) to Committee Amendment "A" (S-213) **READ** and **ADOPTED**.

Committee Amendment "A" (S-213) as Amended by Senate Amendment "A" (S-310) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-213) AS AMENDED BY SENATE AMENDMENT "A" (S-310) thereto, in **NON-CONCURRENCE**.

Ordered sent down for concurrence.

On motion by Senator **LIBBY** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Measure

Resolve, Establishing a Task Force To Study the Creation of a Comprehensive Career and Technical Education System and Increased Crosswalks for Academic Credit between Secondary Schools and Career and Technical Education Programs
H.P. 766 L.D. 1036
(C "A" H-506)

Tabled - June 10, 2019 by Senator **LIBBY** of Androscoggin

Pending - **FINAL PASSAGE**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-506)** in concurrence.)

(In House, **FINALLY PASSED**.)

On further motion by same Senator, 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-506)**, 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-506), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-311) to Committee Amendment "A" (H-506) **READ** and **ADOPTED**.

Committee Amendment "A" (506) as Amended by Senate Amendment "A" (S-311) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-506) AS AMENDED BY SENATE AMENDMENT "A" (S-311) thereto, in **NON-CONCURRENCE**.

Ordered sent down for concurrence.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Provide Funding for Two Positions in the Department of Agriculture, Conservation and Forestry"
H.P. 1314 L.D. 1843

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

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Return Funds to Maine Property Tax Payers"
H.P. 1223 L.D. 1713

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-620)**.

Signed:

Senators:
CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono
BICKFORD of Auburn
CLOUTIER of Lewiston
DENK of Kennebec
MAREAN of Hollis
MATLACK of St. George
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

KRYZAK of Acton
STEWART of Presque Isle

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-620)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-620) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Order

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Directing the Public Utilities Commission To Evaluate the Ownership of Maine's Power Delivery Systems (EMERGENCY)

H.P. 1315 L.D. 1844

Reported that the same **Ought to Pass**, pursuant to Joint Order, H.P. 1306.

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.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TRANSPORTATION** on Bill "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021" (EMERGENCY)
H.P. 744 L.D. 1002

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-624)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-624)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-624) **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.

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

REPORTS OF COMMITTEES

House

Divided Report

Ten members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish and Promote a System of Safe Disposal of Expired Marine Flares"
H.P. 339 L.D. 430

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-627)**.

Signed:

Senators:

DESCHAMBAULT of York
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

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

Two members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-628)**.

Signed:

Representatives:

COOPER of Yarmouth
COREY of Windham

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

Representative:

JOHANSEN of Monticello

Comes from the House with Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**.

Reports **READ**.

On motion by Senator **DESCHAMBAULT** of York, Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**, **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-627) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-627)**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act Regarding Portable Electronic Device Content, Location Information and Tracking Devices"

H.P. 455 L.D. 627

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-634)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-634)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-634) **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 Correct Errors and Inconsistencies Related to the Maine Uniform Probate Code and To Make Other Substantive Changes" (EMERGENCY)

H.P. 1118 L.D. 1535

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-632)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-632)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-632) **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 Regarding Representation of the Department of Marine Resources in Libel Proceedings"

H.P. 1233 L.D. 1731

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-633)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-633)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-633) **READ** and **ADOPTED**, in concurrence.

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

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

ENACTORS

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

Emergency Resolve

Resolve, To Create the Criminal Records Review Committee
H.P. 569 L.D. 764
(C "A" H-614)

On motion by Senator **LIBBY** of Androscoggin, placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE**, in concurrence.

Acts

An Act To Ease Financial Burdens for Juveniles Involved in the Justice System
H.P. 947 L.D. 1304
(C "A" H-616)

An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers
H.P. 1063 L.D. 1451
(C "A" H-602)

An Act To Ensure Compliance with Federal Family First Prevention Services Legislation
H.P. 1274 L.D. 1792
(C "A" H-611)

An Act To Ensure Compliance with Federal Requirements for Background Checks of Certain Department of Health and Human Services Employees

H.P. 1282 L.D. 1801
(C "A" H-612)

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

An Act To Direct the Department of Education To Amend Its Rules To Ensure That Physical Restraint and Seclusion Policies Are Followed and Make Biennial Reports on the Use of Physical Restraint and Seclusion

H.P. 997 L.D. 1376
(C "A" H-617)

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

An Act Regarding the Presumption of Abandonment of Gift Obligations

H.P. 1164 L.D. 1612
(C "A" H-613)

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

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

COMMUNICATIONS

The Following Communication: S.C. 618

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

June 17, 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. Stewart of Presque Isle, to report the following bill Leave to Withdraw:

L.D. 864 An Act To Make Whole Family Support Available Statewide

Sincerely,

S/Sen. Geoff Gratwick
Senate Chair

S/Rep. Patty Hymanson
House Chair

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

The Following Communication: H.C. 217

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

June 18, 2019

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

Dear Secretary Grant:

The House voted today to insist on its former action whereby it accepted the Majority Ought Not to Pass Report of the Committee on Judiciary on Bill "An Act Regarding Court Facilities in York County" (S.P. 97) (L.D. 357)

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

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

Senate

Ought to Pass

Senator DILL for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Make Certain Snowmobile and Watercraft Laws Consistent with All-terrain Vehicle Laws"
S.P. 614 L.D. 1824

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

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

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

Sent down for concurrence.

Ought to Pass As Amended

Senator DILL for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify and Enhance Fish and Wildlife Enforcement Laws"
S.P. 603 L.D. 1787

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-315).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-315) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator DIAMOND for the Committee on **TRANSPORTATION** on Bill "An Act To Prohibit the Use of Handheld Phones and Devices While Driving"
S.P. 52 L.D. 165

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-317).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-317) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

On motion by Senator **DIAMOND** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles
H.P. 871 L.D. 1207
(C "A" H-497)

Placed on Special Highway Table - June 11, 2019 by Senator **DIAMOND** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-497)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **DIAMOND** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act To Exempt Holders of Gold Star Family Registration Plates from Vehicle Registration Fees
H.P. 1089 L.D. 1487
(C "A" H-444)

Placed on Special Highway Table - June 6, 2019 by Senator **DIAMOND** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-444)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

On motion by Senator **DIAMOND** of Cumberland, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act To Amend the Motor Vehicle Laws
H.P. 1268 L.D. 1783
(C "A" H-588)

Placed on Special Highway Table - June 18, 2019 by Senator **DIAMOND** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-588)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Fund Collective Bargaining Agreements with Executive Branch Employees" (EMERGENCY)
H.P. 1316 L.D. 1845

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolution, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District
S.P. 67 L.D. 255
(C "A" S-247)

In Senate, June 18, 2019, **FINALLY PASSED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby **FAILED ENACTMENT**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **INSISTED**.

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Amend the Licensing Laws of Certain Professions and Occupations"
S.P. 580 L.D. 1746

In Senate, June 18, 2019, **ADHERED** to its former action whereby the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303)** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303)**.

Comes from the House, Bill **COMMITTED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in **NON-CONCURRENCE**.

On motion by Senator **HERBIG** of Waldo, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303)**.

On further motion by same Senator, Senate Amendment "A" (S-316) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-303) AND SENATE AMENDMENT "A" (S-316), in NON-CONCURRENCE.

Sent down for 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

Senate

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Authorize Maine Courts To Award Attorney's Fees and Costs to Citizens Who Prevail in Civil Litigation against the Executive Branch"

S.P. 211 L.D. 698

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-312)**.

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship
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

Representatives:

CURTIS of Madison
DeVEAU of Caribou
HAGGAN of Hampden

Reports **READ**.

Senator **CARPENTER** of Aroostook moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

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 (#326)

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 **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-312) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

Seven members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Implement Ranked-choice Voting for Presidential Primary and General Elections in Maine" S.P. 315 L.D. 1083

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-313)**.

Signed:

Senator:
HERBIG of Waldo

Representatives:
SCHNECK of Bangor
ACKLEY of Monmouth
COOPER of Yarmouth
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

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

Signed:

Senator:
CYRWAY of Kennebec

Representatives:
ANDREWS of Paris
DOLLOFF of Rumford
HANINGTON of Lincoln
STROM of Pittsfield

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-314)**.

Signed:

Senator:
LUCHINI of Hancock

Reports **READ**.

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-313)**.

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 (#327)

TERRY of Gorham

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 **LUCHINI** of Hancock to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-313)**, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-313) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-313)**.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Fund Opioid Treatment by Establishing an Excise Tax on Manufacturers of Opioids"

H.P. 984 L.D. 1362

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-608)**.

Signed:

Senator:
CHIPMAN of Cumberland

Representatives:
TIPPING of Orono
CLOUTIER of Lewiston
DENK of Kennebunk
MATLACK of St. George
STANLEY of Medway

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-609)**.

Signed:

Senators:
POULIOT of Kennebec
SANBORN, H. of Cumberland

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608) AS AMENDED BY HOUSE AMENDMENT "A" (H-629)** thereto.

Reports **READ**.

Senator **CHIPMAN** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608)** 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 (#328)

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

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

EXCUSED: Senators: LAWRENCE

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608)** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-608) **READ**.

House Amendment "A" (H-629) to Committee Amendment "A" (H-608) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-608) as Amended by House Amendment "A" (H-629) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608) AS AMENDED BY HOUSE AMENDMENT "A" (H-629)** thereto, in concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY) H.P. 1080 L.D. 1478

In Senate, June 17, 2019, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-597)** in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-597) AND HOUSE AMENDMENT "A" (H-625)** in **NON-CONCURRENCE**.

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#329)

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 **LIBBY** of Androscoggin to **RECEDE** and **CONCUR PREVAILED**.

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:

ENACTORS

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

Mandate

An Act To Strengthen the Maine Uniform Building and Energy Code

H.P. 629 L.D. 855
(C "A" H-619)

Comes From the House, **FAILED ENACTMENT**.

On motion by Senator **LIBBY** of Androscoggin, **TABLED** until Later in Today's Session, pending **ENACTMENT**, in **NON-CONCURRENCE**.

Acts

An Act To Reform Maine's Renewable Portfolio Standard
S.P. 457 L.D. 1494
(C "A" S-307)

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

An Act To Restore the Super Credit for Substantially Increased Research and Development

H.P. 732 L.D. 977
(C "A" H-621)

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

An Act To Create a Victims' Compensation Fund for Victims of Property Crimes

S.P. 487 L.D. 1550
(C "A" S-305)

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

An Act To Amend the Laws Governing the Maine Capital Investment Credit To Ensure Fairness for Maine Businesses and To Reduce Taxes on Lower-income Working Families

H.P. 1198 L.D. 1671
(C "A" H-623)

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

Resolve

Resolve, Directing the Board of Pesticides Control To Work with the Forest Products Industry To Monitor Aerial Herbicide Applications

S.P. 556 L.D. 1691
(C "A" S-262)

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

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

Senate

Divided Report

Nine members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Ensure Proper Oversight of Sports Betting in the State"

S.P. 175 L.D. 553

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-318)**.

Signed:

Senators:
LUCHINI of Hancock
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
ANDREWS of Paris
COOPER of Yarmouth
DOLLOFF of Rumford
HUBBELL of Bar Harbor
STROM of Pittsfield

Three members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-319)**.

Signed:

Senator:
CYRWAY of Kennebec

Representatives:

HANINGTON of Lincoln
McCREIGHT of Harpswell

One member of the same Committee on the same subject reported in Report "C" that the same **Ought Not to Pass**.

Signed:

Representative:
HICKMAN of Winthrop

Reports **READ**.

Senator **LUCHINI** of Hancock moved the Senate **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-318)**.

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, this bill went through the Veterans and Legal Affairs Committee and I think sports betting right now is pretty much illegal right now because it's not really been organized and through the Committee we tried to organize it so that it can be utilized and we can get an advantage of the tax and so sport betting has recently been legalized by the U.S. Supreme Court which has left the regulations of sports betting to the individual states. No other state has moved forward on a sports betting bill as sweeping as the report before you. That being said, there is a great deal of commonality among those on the Committee with respect to this bill. I do support allowing the brick and mortar facilities already licensed by Public Safety to offer sports betting on location. This would include the casinos, commercial tracks, off track betting facilities, and the federally recognized tribes. I also support on-line sports betting offered through the internet on the mobile app. I've been told that as much as 80% of the market is on-line or mobile. But the biggest

objection to the Majority Report, Mr. President, that's on these two choices is that the on-line or mobile licenses are not required to be offered through the brick and mortar locations such as casinos and the OTBs. The Majority Report instead would allow for stand-alone mobile licenses with no limit on the amount of licenses and no requirement for a Maine presence whatsoever. Again, no state has allowed for unlimited stand-alone mobile licenses when they have licensed casino operators in the state. This could very well be one of the largest gaming expansion bills we have ever seen in the Legislature. The reason the mobile license should be connected to the physical license of a facility is because, from what everybody has told the Committee and from the Director of Gambling Control Unit to the operators of the casinos, is that sports betting is small dollars both for the State of Maine and the facilities themselves. In order to maximize revenue generated from sports betting for the State of Maine you should connect or tether the two licenses. That allows the brick and mortar facility to generate more foot traffic into their buildings. That results in more table and slot play and 50% of the slots revenue goes back to Maine. Let me repeat that. Back to Maine. Not nationally, not out of state, not in New England, but to Maine in the form of scholarships, healthcare, agricultural fairs, horsemen, and additionally tethering the license ensure rigorous compliance with regulatory standards are followed. The casinos, for example, are already heavily regulated, both by the State of Maine and the federal government. They have strict anti-money laundering training protocols they must follow to help identify and report suspicious financial activities. These regulations help ensure a safe and responsible betting environment. There is no incentive for stand-alone mobile operators, none of whom have invested any money in Maine or paid property taxes in Maine or employ people in Maine, to want to drive revenue through a physical location and back to Maine. This money would all go out of state to out of state companies with no investment here. Our bricks and mortar facilities have made hundreds of millions in investments, employ more than 1,000 people here, and pay much more in property tax, etcetera. I urge you to reject the Majority Report so that we can all move forward and vote on a more reasoned and proven method of sports betting regulations. Now I, myself, bet I can count on my hand how many times I've bet in the State, but I will say that I'm trying to do what I can to help Maine people and that's why I'm standing up here. I could easily have said let's go with the Majority Report and let's just get it passed and let's let everybody go on the mobile but it's not going to help Maine people. It's going to be a very little amount and that's what I'm concerned about, Mr. President. I really want to see us take advantage of that. As it is we have a cascade that Maine actually did for these casinos and this money, 20%, will go back to that cascade and it will be spread out amongst what we had asked for. So just putting that back in and getting it put to where it belongs. So thank you, Mr. President, and thank you, ladies and gentlemen of the Senate.

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'd like to just concur with my colleague from Kennebec. Report "A" does not tether, that's a new word for me, to tether sports betting to brick and mortar institutions, specifically Oxford and Bangor. Oxford employs 600 people, roughly. Bangor over 400. That's 1,000 Mainers who are

working for this. Do I love betting? The answer is no. Is this, nonetheless, 1,000 jobs in Maine? The answer is yes. The outside operations will be dealt with under Committee Amendment "A". Drafting and Fanduel employ zero people in Maine. I urge people to vote negative on the Majority Report. Thank you, Mr. President.

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

Senator **LUCHINI:** Thank you, Mr. President. I don't rise that often. Mr. President, ladies and gentlemen of the Senate, I rise in support of the Majority Ought to Pass as Amended by Committee Amendment "A Report. As we've heard tonight, the VLA Committee worked on this for quite a while in response to the Supreme Court decision last June which made it clear that states have the right to regulate sports betting however they wish. The illegal market in the U.S. has estimated as being \$150 billion. We know people are doing it here in Maine and the Committee worked hard to try to set up a regulatory structure to make sure that we could have this offering for our Maine people, make sure that it's safe for consumers, as well as taxed and regulated responsibly. As written, it's for people over 21. It's allowed both, in the Majority Report, in physical locations across Maine, which would include casinos, off track betting facilities, commercial tracks, which there are two, as well as the four federally recognized tribes would all be able to offer sports betting. The primary difference, as we've heard, between the Majority and Minority Reports is this concept of tethering. The Majority Report does not require tethering. The Minority Report does. Under a tethered licensing structure mobile operators would only be allowed to come into the state of Maine if they tethered their license to one of the very few existing brick and mortar facilities in Maine. There are 11 allowable facilities. As part of that deal, the mobile operators would have a revenue sharing type of situation with one of those operators. To me, it's a strange way to write a law, that we would require new business to come to Maine only if they tether their license to an existing business. It kind of ignores the fact that we're moving to a technological era. We don't require Amazon to tether to brick and mortar grocery stores. We don't require Air B & B to tether to hotels. This Majority Report is a more free market approach to deal with this. It will allow businesses, and actually as a recognition of the fact that mobile operators do not have a physical location in the state, we have them assessed at a much higher tax rate, a 60% higher tax rate, than the physical brick and mortar locations would. So under the Majority Report here brick and mortar locations would be taxed at 10%, mobile would be taxed at 16%. That would be an attempt to level the playing field in that light. So those are the key points. The concept of tethering is the primary difference and those of us on the Majority Ought to Pass Report felt that moving in a more free market approach would be a better way to move forward in the state of Maine with on-line sports betting. So 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, just one thing I also wanted to say. Tethering is basically all they have to do is go there, to one of these facilities, once. They get the app. They can do it

anywhere, at home, anywhere after that and that 20% will go towards these important pieces that we actually have designed for it to help our education, our harness racing, our fairgrounds, and many other aspects, the veterans. There are different things that we all try to be responsible in helping the State and so by not tethering none of that will be put in there. So it's very important that we take care of Maine. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "A" Ought to Pass as Amended. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#330)

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

NAYS: Senators: BLACK, CHIPMAN, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, GRATWICK, GUERIN, KEIM, HAMPER, MILLETT, MOORE, ROSEN, TIMBERLAKE

EXCUSED: Senators: LAWRENCE

19 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LUCHINI** of Hancock to **ACCEPT** Report "A", **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-318), PREVAILED.**

Bill READ ONCE.

Committee Amendment "A" (S-318) **READ** and **ADOPTED.**

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-318).**

Sent down for concurrence.

ORDERS OF THE DAY

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

An Act To Direct the Department of Education To Amend Its Rules To Ensure That Physical Restraint and Seclusion Policies Are Followed and Make Biennial Reports on the Use of Physical Restraint and Seclusion

H.P. 997 L.D. 1376
(C "A" H-617)

Tabled - June 18, 2019 by Senator **LIBBY** of Androscoggin

Pending - **ENACTMENT**

(In Senate, June 18, 2019, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-617)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

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

An Act Regarding the Presumption of Abandonment of Gift Obligations

H.P. 1164 L.D. 1612
(C "A" H-613)

Tabled - June 18, 2019 by Senator **LIBBY** of Androscoggin

Pending - **ENACTMENT**

(In Senate, June 18, 2019, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-613)** in concurrence.)

(In House, **PASSED TO BE ENACTED.**)

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

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

Pursuant to Constitution Public Land

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps

H.P. 107 L.D. 125
(S "A" S-288 to C "A" H-303)

Tabled - June 18, 2019 by Senator **CARSON** of Cumberland

Pending - **FINAL PASSAGE**

(In Senate, June 17, 2019, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-303) AS AMENDED BY SENATE AMENDMENT "A" (S-288)** thereto, in **NON-CONCURRENCE.**)

(In House, **FINALLY PASSED.**)

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

Senator **CARSON:** Thank you, Mr. President. Mr. President, it is my understanding that the motion Ought to Pass, the Majority Report, that is before the Body.

THE PRESIDENT: The motion is Enactment.

Senator **CARSON:** I will address the motion to Enact. Thank you, Mr. President. Ladies and gentlemen of the Senate, this Resolve directing the Department of Agriculture, Conservation and Forestry to convey certain lands to Roosevelt Conference Center doing business as Eagle Lake Sporting Camps, which had a problematic precedent for Maine's public lands. Our public reserve lots and other public lands have been acquired by trades and purchases over more than 50 years. They have great value for all who love and recreate in Maine's out of doors. There's a very good reason why the Legislature must vote by a two-thirds margin in both Houses to authorize the sale of any public land. We rarely part with it. When public lands are sold they generally fall into, and are justified by, one or more of these categories, and I'm going to excerpt here. First, lots that were at the edge of land parcels or small individual parcels so that no in-holding, that's a privately owned piece of land inside public land, is created. Lots with little recognized public value. Private individual leases along the border of a public lot or unit that was sold to existing camp owners and lots that were usually in a continuous group. Ladies and gentlemen of the Senate, the Eagle Lake Sporting Camps parcel does not fall within any of these kinds of justified transfers. When the Bureau of Public Lands testified before the ACF Committee in both 2017, two years ago, and earlier this spring it's Director, then Thomas Desjardins, offered two principle reasons for opposing on behalf of BPL these transfers. First, Mr. Desjardins noted the Bureau owns and leases forest sporting camp facilities that provide traditional sporting use that has become an important part of the character of recreation in Maine. This sporting tradition should be preserved and this is only guaranteed by continued State ownership that prevents the elimination of these camps or a change from public to private use. I quote: 'If the Bureau were to sell any one of these sporting camps it is likely that lease holders of the others would follow suit and demand that they be able to purchase their facilities as well. This would remove any guarantee that these facilities will remain open in their current form, thus threatening the sporting camp tradition in Maine.' Secondly, Mr. Desjardins said, and I quote, 'Also important for your consideration of this bill is that it requires the Bureau to enter into an exclusive real estate transaction with one specific party to the exclusion of all others. This exclusive arrangement goes against the basic principles of the sale of assets by State government.' The question before us is about whether a lessee, already having been offered a long-term 25 to 30 year lease by the Bureau of Public Lands, should instead be allowed to purchase the land on which the camps are located. I understand that the terms of this deed, include restrictions on the use as a sporting camp and the clause that actually requires returning ownership to the State of Maine if operation of the sporting camps cease, goes a long way towards protecting public interest in this case. I caution, however, that restrictions placed in a deed transferring public land by one Legislature may be removed or revoked by another Legislature. A public land lease

cannot be changed in such a dramatic fashion. I believe, ladies and gentlemen of the Senate, that a better path forward would be not to pass L.D. 125 and for the Bureau of Public Lands and the current lessee to work out their differences on management and renovation issues and that this parcel not be required to be sold from the public domain. Thank you very much.

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

Senator **POULIOT:** Thank you, Mr. President. I wasn't planning to speak this evening on this issue but I think it's really important to do so. A lot's been said about the owners of this property and I've actually had the fortunate occasion to get to know them, travel up to Eagle Lake, and see these camps, not in the summertime, unfortunately, but by snowmobile in the winter. It's clear to me that they are very focused on trying to maintain the historic nature of these really spectacular sporting camps that exist up there so that they can be preserved for many, many future generations to enjoy and, you know, I spend a lot of time in the Maine woods. I was fortunate. My father started taking me hunting and fishing at a very young age. We've had the occasion to paddle the Allagash waterway and spend the summer, last summer, in Baxter State Park. I've really grown to enjoy the work that Maine has done over the years to preserve our natural resources so that future generations can enjoy it. But the bottom line is these camps have fallen into such disrepair that if the investment is not made by these individuals to bring them back to life they will not be here for future generations to enjoy. That's just the bottom line. So I know that there was a lease deal that was put together last session but I can tell you with assurance, you know, working in real estate transactions on a daily basis, it's extremely difficult to get favorable, if any, financing terms without having a deed in place. I actually worked with President Jackson on the amendment to this bill. I was, frankly, shocked that the folks who are interested in buying this land would agree to such a restrictive deed clause. I mean, if you read this, it says that if they ever come back in the future to make any changes that the ownership would revert back to the State. Some might say this could be a big win for the State if they invest a lot of money and resources into these and it reverts back to the ownership of the State. So I really think that this is win-win situation where we have an opportunity to bring back to life these historic sporting camps so that they can be kept around for generations to come and without this ability to buy this land there is no way that these camps will be saved. So I hope that you, men and women of the Senate, who have supported this bill already twice now, will continue to do so here on final enactment. Thank you, Mr. President.

In accordance with the provisions of Article IX, Section 23 of the Constitution, passage requires the affirmative vote of two-thirds of the entire elected Membership of the Senate. 28 Senators having voted in the affirmative and 6 Senators having voted in the negative, and 28 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/10/19) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prohibit the Sale and Distribution of Flavored Tobacco Products"

S.P. 364 L.D. 1190

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-238)** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (S-239)** (3 members)

Tabled - June 10, 2019 by Senator **GRATWICK** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

On motion by Senator **GRATWICK** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-238)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-238) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-238)**.

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 Paper

Bill "An Act To Fund Collective Bargaining Agreements with Certain Judicial Department Employees" (EMERGENCY)
H.P. 1318 L.D. 1846

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

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee.

Under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED**, without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act To Establish an Independent Board To Review Law Enforcement Officer-involved Deaths"

H.P. 879 L.D. 1219

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-644)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-644)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-644) **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 Amend the Law To Protect the Confidentiality of State and Local Government Employees' Private Information"

H.P. 1272 L.D. 1790

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-638)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-638) **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.

Off Record Remarks

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED**
until Wednesday, June 19, 2019 at 10:00 in the morning.