

# 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  
SECOND REGULAR SESSION  
JOURNAL OF THE SENATE**

In Senate Chamber  
Thursday  
January 23, 2020

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

Prayer by Pastor Dan Coleman of Central Church in Augusta.

**PASTOR COLEMAN:** Let's pray together. Heavenly Father, we come before You today and we recognize that this is the day that You have made and You gave it to us as good gift so that we might rejoice and be glad. So let us rejoice, not in our own accomplishments but in the truth of Your word, Your word that tells us that You love us unconditionally and that You are ready every day with new mercies and grace for us, Your children. God, we turn to You first today because You already have all of the answers we seek. So remind us not to lean upon our own understanding but to put our full trust in You and in Your ways. Remind us that if we seek You we will find You and that all the things we need will be given in full supply. God, You say in Your word that if anyone lacks wisdom they should ask and it will be given. So I ask that You would give wisdom to these leaders so that they may lead and protect the people You have put under their care. May the work done in this place today be pleasing to You and, above all, we thank You for Your love and Your grace, demonstrated through the gift of Your son, Jesus. It is in his name that we pray. Amen.

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

Reading of the Journal of Tuesday, January 21, 2020.

Doctor of the day, Connie Adler, MD of Chesterville.

**Off Record Remarks**

Out of order and under suspension of the Rules, on motion by Senator **LIBBY** of Androscoggin, the following Joint Order:  
S.P. 735

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 28, 2020 at 10:00 in the Morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1464

**JOINT RESOLUTION  
COMMEMORATING MARTIN LUTHER KING, JR. DAY**

WHEREAS, January 20, 2020 marks the national and state holiday in honor of Dr. Martin Luther King, Jr., commemorating his birth on January 15, 1929; and

WHEREAS, Martin Luther King, Jr., was a Baptist minister who advocated the furtherance of civil and human rights for all Americans through nonviolence; and

WHEREAS, this man of great spirit showed this country a dream of "an oasis of freedom and justice"; and

WHEREAS, Dr. King, a model of an American patriot, provided the nation with one of the most prophetic and influential voices in our history; and

WHEREAS, for his tireless work to ensure equality and justice, Dr. King was awarded the Nobel Peace Prize, a high and honorable distinction, in 1964; and

WHEREAS, his eloquence, his perseverance and his faith moved mountains and brought about landmark legal and social changes by appealing to the better instincts and consciences of his fellow human beings; and

WHEREAS, the life of Martin Luther King, Jr., which ended so tragically on April 4, 1968, is a shining example to Americans and citizens of the world at large of uncompromising dedication to the highest ideals; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to acknowledge the extraordinary life and works of this teacher, reformer and humanitarian, Dr. Martin Luther King, Jr., and pause in our deliberations to recognize and commemorate the occasion of his birth.

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

**READ and ADOPTED,** in concurrence.

**COMMUNICATIONS**

The Following Communication: S.C. 829

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL  
RESOURCES**

January 17, 2020

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 Environment and Natural Resources has had under consideration the nomination of Steven K. Pelletier of Topsham, for appointment to the Board of Environmental Protection.

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	1	Foley, R. of York
	Representatives	6	Tucker, R. of Brunswick, Campbell, D. of Orrington, Fay, J. of Raymond, Gramlich, L. of Old Orchard Beach, Hobbs, D. of Wells, Skolfield, T. of Weld
NAYS		0	
ABSENT		6	Sen. Carson, B. of Cumberland, Sen. Chenette, J. of York, Rep. Blume, L. of York, Rep. Johansen, C. of Monticello, Rep. Lyford, P. of Eddington, Rep. Zeigler, S. of Montville

Seven 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 Steven K. Pelletier of Topsham, for appointment to the Board of Environmental Protection be confirmed.

Signed,

S/Brownie Carson  
Senate Chair

S/Ralph L. Tucker  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** be overridden?"

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#381)**

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, LIBBY, LUCHINI, MILLETT, MIRAMANT, MOORE, POULIOT, ROSEN, SANBORN H, SANBORN L, TIMBERLAKE, VITELLI, PRESIDENT JACKSON

EXCUSED: Senators: LAWRENCE, WOODSOME

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators 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 **Steven K. Pelletier** of Topsham for appointment to the Board of Environmental Protection was **CONFIRMED**.

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

The Following Communication: S.C. 824

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

January 17, 2020

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

Dear Secretary Grant:

Pursuant to my authority under Title 22, §272, I have appointed the following to the Tobacco Prevention and Control Advisory Council effective immediately:

Chace Jackson of Allagash

Dr. Deborah Hagler of Harpswell

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

S/Sincerely,

Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 825

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

January 17, 2020

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

Dear Secretary Grant:

Pursuant to our authority under Title 22, §272, we are pleased to appoint Edward Miller to seat number 8 on the Tobacco Prevention and Control Advisory Council, effective the date of this letter.

Please let us know if you have any questions regarding this appointment.

Sincerely,

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

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 826

**STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
AUGUSTA, MAINE**

January 17, 2020

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

Dear Secretary Grant:

Pursuant to our authority under Title 22, §272, we are pleased to appoint Deborah Deatrick to seat number 9 on the Tobacco Prevention and Control Advisory Council, effective the date of this letter.

Please let us know if you have any questions regarding this appointment.

Sincerely,

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

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 827

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

January 17, 2020

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

Dear Secretary Grant:

Pursuant to my authority under Title 22, §272, I am pleased to appoint Hilary Schneider to seat number 3 on the Tobacco Prevention and Control Advisory Council, effective the date of this letter.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Troy D. Jackson  
President of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 828

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

January 17, 2020

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

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

Dear Secretary Grant:

January 22, 2020

Pursuant to my authority under Title 22, §272, I am pleased to appoint Heather Smith to seat number 6 on the Tobacco Prevention and Control Advisory Council, effective the date of this letter.

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

Please let me know if you have any questions regarding this appointment.

Dear Secretary Grant:

Sincerely,

Pursuant to my authority under Senate Rule 201.3, I have appointed Senator James Hamper to the Government Oversight Committee. With this appointment, he will be replacing Senator Paul Davis, effective the date of this letter.

S/Troy D. Jackson  
President of the Senate

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

**READ and ORDERED PLACED ON FILE.**

Sincerely,

The Following Communication: S.C. 830

S/Troy D. Jackson  
President of the Senate

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

**READ and ORDERED PLACED ON FILE.**

January 21, 2020

The Following Communication: S.C. 835

Honorable Darek Grant  
Secretary of the Senate  
#3 State House Station  
Augusta, ME 04333-0003

**STATE OF MAINE  
OFFICE OF THE SECRETARY OF STATE**

Dear Secretary Grant:

January 22, 2020

Pursuant to my authority under House Rule 201.1 (I) (a) and Joint Rule 371, I have temporarily appointed Representative Thom Harnett of Gardiner as a member of the Government Oversight Committee replacing Representative Margaret O'Neil of Saco until further notice, effective immediately.

The Honorable Troy D. Jackson, President of the Senate  
The Honorable Sara Gideon, Speaker of the House  
State House  
Augusta, ME 04333

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

Dear President Jackson and Speaker Gideon,

Sincerely,

It is my pleasure to nominate Katherine McBrien of Union for appointment as the Maine State Archivist.

S/Sara Gideon  
Speaker of the House

Pursuant to Title 5 M.R.S.A. § 93, this nomination will require review by the Joint Standing Committee on State and Local Government and confirmation by the Senate.

**READ and ORDERED PLACED ON FILE.**

If you have any questions, please do not hesitate to contact me at 626-8401.

Sincerely,

The Following Communication: S.C. 834

S/Matthew Dunlap  
Secretary of State

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 832

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

January 13, 2020

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

Dear President Jackson and Speaker Gideon:

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

L.D. 569 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Submit to the United States Secretary of Agriculture a Plan for Continued Implementation of the Maine Industrial Hemp Program (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

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

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

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The Following Communication: S.C. 833

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL  
RESOURCES**

January 17, 2020

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

Dear President Jackson and Speaker Gideon:

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

L.D. 1786 An Act To Update Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals

L.D. 1823 An Act To Allow a Float Haul-out or Marine Way within Shoreland Zone Setbacks

This is notification of the Committee's action.

Sincerely,

S/Sen. Brownie Carson Senate Chair S/Rep. Ralph L. Tucker House Chair

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

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The Following Communication: S.C. 823

**MAINE HUMAN RIGHTS COMMISSION  
AUGUSTA, MAINE**

January 17, 2020

The Honorable Troy D. Jackson  
President of the Maine Senate  
3 State House Station  
Augusta, ME 04333-0003

Dear President Jackson:

Pursuant to 5 M.R.S. §12023, please consider this the letter of transmittal for the required report from the Maine Human Rights Commission due by February 1, 2020.

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

S/Sincerely,

Amy M. Sneirson  
Executive Director

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

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The Following Communication: S.C. 831

**FINANCE AUTHORITY OF MAINE  
94 STATE HOUSE STATION  
AUGUSTA, MAINE 04332**

January 30, 2020

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

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

Dear Speaker Gideon and President Jackson:

Pursuant to 5 M.R.S.A. § 12023, please consider this the letter of transmittal for the required report from the Finance Authority of Maine due February 1, 2020.

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

Thank you.

Sincerely,

S/Bruce Wagner  
Chief Executive Officer

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

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**SENATE PAPERS**

Bill "An Act To Authorize the Automatic Continuation of Absentee Voter Status until the Termination of That Status"  
S.P. 736 L.D. 2067

Presented by Senator SANBORN, L. of Cumberland.  
Cosponsored by Representative FECTEAU of Biddeford and Senators: CHENETTE of York, President JACKSON of Aroostook, LIBBY of Androscoggin, Representatives: HUBBELL of Bar Harbor, MOONEN of Portland.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

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

Sent down for concurrence.

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

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Off Record Remarks

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**ORDERS**

**Joint Resolutions**

On motion by Senator **BREEN** of Cumberland (Cosponsored by Speaker GIDEON of Freeport and Senators: BELLOWS of Kennebec, CARPENTER of Aroostook, DOW of Lincoln, FOLEY of York, President JACKSON of Aroostook, KEIM of Oxford, MOORE of Washington, ROSEN of Hancock, Representatives: BRENNAN of Portland, HYMANSON of York, MADIGAN of Waterville, MAXMIN of Nobleboro, TEPLER of Topsham), the following Joint Resolution:

S.P. 733

**JOINT RESOLUTION  
RECOGNIZING THE 75TH ANNIVERSARY OF THE  
LIBERATION OF THE AUSCHWITZ CONCENTRATION  
CAMP AND THE WORKING DEFINITION OF  
ANTISEMITISM ADOPTED BY THIRTY-ONE MEMBER  
COUNTRIES OF THE INTERNATIONAL HOLOCAUST  
REMEMBRANCE ALLIANCE**

**WHEREAS**, January 27, 2020 is International Holocaust Remembrance Day and marks the 75th anniversary of the liberation of the Auschwitz concentration camp; and **WHEREAS**, on this anniversary, the Legislature recommits itself to combating the global rise in antisemitism; and **WHEREAS**, on May 26, 2016, 31 member countries of the International Holocaust Remembrance Alliance, of which the United States is a member, adopted a legally nonbinding working definition of antisemitism; and **WHEREAS**, the working definition reads as follows: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities"; now, therefore, be it **RESOLVED**: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the 75th anniversary of the liberation of the Auschwitz concentration camp and the working definition of antisemitism.

The Joint Resolution was **READ**.

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

Senator **BREEN**: Thank you, Mr. President. Mr. President and ladies and gentlemen of the Senate and the future Senate President, Charlie Libby, I rise to speak today to the Joint Resolution that marks the 75<sup>th</sup> Anniversary of the liberation of Auschwitz Concentration Camp and to recognize the working definition of antisemitism, which you just heard, adopted by the International Holocaust Remembrance Alliance. Of the many concentration camps, some of which I visited personally, Auschwitz is most emblematic of the holocaust due to its size and sheer efficiency. It was designed to incarcerate and exterminate enemies and provide forced labor to keep the camps and the Nazi



war machine operating. Many people were worked to death in factories and many more were deemed unable to work and immediately sent to their deaths. More than 1.1 million people, essentially the population of the state of Maine, were murdered there and many were children. We mark the liberation of Auschwitz with the knowledge that, as Italian chemist Primo Levi said, it happened once, therefore it can happen again. In fact, it is happening again. There are vandals defacing Jewish tombstones all over middle America in the last couple of years, in Charlottesville, Virginia, where demonstrators chanted 'Jews will not replace us,' and in the massacre at the Tree of Life synagogue in Pittsburg, where 11 people were shot to death just 15 months ago. In my own synagogue, Congregation Beta Ha'am in South Portland, there's been a marked uptick in security measures that we've all had to observe. Our doors are now locked. We have someone at the door all the time. We always have to wear our nametags at all of our services, not just to be friendly to new comers but to make sure that everybody knows who's who. It's very, very sobering and it's very, very real to me and my family. There can never be enough reminders that dangerous hatred still exists and it's by no means exclusive to Jews. Adopting this Resolution is our vow as a Body that we'll not let it lead to the degradation of society, that we'll always stand up for the most vulnerable among us. Whether they're new Mainers, whether they're similar to us, different from us, no matter what creed they observe, no matter what lifestyle they live, the Maine Senate is a welcoming and respectful institution. Thank you, Mr. President.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, rise in support of this Joint Resolution and I do so in memory and honor of Holocaust survivors who came to Maine after World War II who had loved ones who died at Auschwitz. Shortly after I began at the Holocaust and Human Rights Center I traveled to Portland to meet with one survivor, Charles Rotmil, who goes to schools all across the state telling his story and his family's story. When the Nazis invaded Belgium his mother took him and his brother and sister and fled on a train which crashed, killing his mother and sister. His father had been arrested, you see. That's why he didn't go with them. A good bystander rescued the boys and hid them and helped them reunite with their father once he was released from jail, and the father and the boys hid but then one day the Nazis came and arrested their father. The boys fled out a window. The father was deported to Auschwitz. Charles opened up a book, the roles of the hundreds of thousands, and then millions, of people who were killed at Auschwitz, and showed me his father's name, gassed upon arrival.

We have at the Holocaust and Human Rights Center a bear, a stuffed bear, named Colo. The stuffed bear belonged to Zezette Larsen Black. I'm wearing her bracelet today. Zezette was 12 years old when her parents sent her to Catholic boarding school under the pseudonym Marguerite Michaels in hopes of rescue. She was desperately homesick and she begged her parents to be allowed to visit them in their hiding place. So on Easter break she did and on Easter Day of 1943 she, at 12 years old, and her parents were arrested and deported to Auschwitz where her mother was murdered. She survived. She was separated from her father and on the day of liberation 75 years

ago she was freed but her father had disappeared. She was never reunited with him. He was presumed dead. She was reunited with her brother. That stuffed bear she had left on her bed at boarding school. A friend had kept it throughout the war and gave the bear back. It was the only possession she had, a bear given to her by her father. We have it today in Maine.

So in honor of the families of Charles and Zezette, I rise in support of this Resolution so that we always remember and we never forget. Thank you.

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

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just the words of George Santayna stuck with me. "Those who cannot remember the past are condemned to repeat it." Thank you, Mr. President.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I join my colleagues in support of this Resolution. This past summer I toured the Dachau Concentration Camp in Germany and the displays there reminded me of the cost of intolerance in society. Let us learn from these tragic examples to remember that today there are Jews and Christians and others in our world that are being murdered for their faith and for the stands that they take for their beliefs and let us not follow in that path here in the state of Maine.

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

Senator **DAVIS:** Thank you, Mr. President. A man that my mother had known when I was born was named Hans Sherman and he escaped Germany during Nazi Germany. I remember him very well. He was a very fine man. A few years ago I took my family to Colonial Williamsburg and on the way down we stopped in Washington D.C. and we went to the Holocaust museum. I would encourage anyone who wants to be moved to go to it. There was a pile of shoes there. They give you a name and it will tell what happened to the victim. It's really something. Thank you, Mr. President.

The Joint Resolution was **ADOPTED.**

Sent down for concurrence.

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On motion by Senator **VITELLI** of Sagadahoc (Cosponsored by Representative **TERRY** of Gorham and Senator: **BREEN** of Cumberland, Representatives: **MAREAN** of Hollis, **STANLEY** of Medway, **STEWART** of Presque Isle, **TIPPING** of Orono), the following Joint Resolution:

S.P. 734

**JOINT RESOLUTION  
RECOGNIZING JANUARY 31, 2020 AS EITC  
AWARENESS DAY**

**WHEREAS**, in order to promote the federal and Maine state earned income tax credit, which enhances family household budgets, we recognize January 31, 2020 as EITC Awareness Day; and  
**WHEREAS**, 4 of 5 people eligible for the credit claim it, which demonstrates the importance of raising awareness of this credit and urging individuals to find out if they qualify for it; and  
**WHEREAS**, throughout the State, IRS-certified volunteer tax preparers who are members of CA\$H Maine, a collaboration of 10 statewide coalitions including 50 nonprofit and for-profit partners, and AARP Foundation Tax-Aide provide free federal and state tax preparation; and  
**WHEREAS**, since 2003, CA\$H Maine has also educated hard-working families and individuals about programs in the community that can increase their income, reduce debt and build savings; and  
**WHEREAS**, in 2019, these volunteers helped Maine residents save more than \$3,800,000 in tax filing fees and claim nearly \$4,200,000 in earned income tax credits, returning over \$20,600,000 to Maine residents in federal income tax refunds; now, therefore, be it  
**RESOLVED**: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize January 31, 2020 as EITC Awareness Day; and be it further  
**RESOLVED**: That we send our appreciation to all the volunteers who participate in EITC Awareness Day for the benefit of Maine citizens and we urge participation in this worthy cause.

The Joint Resolution was **READ**.

**THE PRESIDENT**: The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI**: Thank you, Mr. President. Men and women of the Senate, I rise to speak on behalf of the hardworking Maine families and their children who will benefit this year from the good work of this Body last year in increasing the Earned Income Tax Credit refund that they will be eligible for. As you heard last time when we were discussing this issue, the Earned Income Tax Credit is responsible for improving the lives of millions of poor children and puts real, important money back in the pockets of hardworking Maine citizens. This tax credit leads to an increase in employment and wages and decreases their need for public assistance. We did great work last year in expanding this credit and making it possible for our working families to benefit and take care of their basic needs and their family's basic needs. As you heard in the Resolution, the Maine CA\$H Coalition is out there busily right now helping to provide free tax preparation services and making sure that people know about the Earned Income Tax Credit so that they can, in fact, get this benefit. They will be here next week, on January 30<sup>th</sup>. I urge you all to take some time, it's in the morning, and visit with them and learn more about how these CA\$H coalitions are working in your communities and serving the families that live in your districts. Thank you, again, for making this possible and I appreciate this opportunity.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

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Off Record Remarks

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Joint Resolution in Memoriam:

**WHEREAS**, the Legislature has learned with deep regret of the death of:

Joel David Davis, of Hallowell. Mr. Davis worked for the Office of Energy Resources within the Governor's executive office before becoming a well-respected financial planner known for encouraging his clients to be generously philanthropic, working for American Express, later Ameriprise, and founding Cribstone Capital Management in 2012. Ameriprise recognized him as the leading financial advisor in Maine for many decades; he was a member of their elite Diamond Ring Club, an honor accorded fewer than 600 financial planners nationwide in the history of the enterprise. He served on the Hallowell City Council and the Hallowell TIF Policy Committee, was on the Advisory Council for Maine Initiatives and served as president of Temple Beth El in Augusta. The son of Holocaust survivors initially denied visas to the United States, Mr. Davis was known for his work with immigrant communities in central Maine, as he was heavily involved in the Capital Area New Mainers project. He hired immigrants and refugees to work at his business, Central Maine Meats, and worked to sell halal meats to the area's growing Muslim population. Mr. Davis's acts of personal kindness and solicitude were well-known, and he will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

SLS 985

Sponsored by Senator BELLOWES of Kennebec.  
Cosponsored by Representative: WARREN of Hallowell.

The Joint Resolution 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 in support of this Resolution and to share a few words about my late friend, Joel Davis. The first time I met Joel I was Executive Director of the ACLU of Maine and went to meet with him for advice and support for the organization. We were scheduled for an hour. I think we were there for two. He gave me a book to read. He gave me advice about how to talk to our members and supporters about potential contributions. He shared stories. Immediately we became friends because of his warmth, his generosity of spirit, his kindness to me that day. Fast forward, and I was running for State Senate, and I visited Central Maine Meats in Gardiner and learned about Joel's commitment to hiring immigrants at that business, but also about a project that he had initiated with the Department of Corrections. He wanted to make it easier for people exiting incarceration to find meaningful, good paying jobs. As I toured that facility and talked to his colleagues, and also the workers, everyone spoke and there was such a sense of good humor and comradery and enjoyment in that workplace. Joel

continued to convene business leaders in Gardiner for conversations about how to hire new Mainers in our community and how to grow Gardiner's economic opportunities.

Fast forward to my third and final conversation with Joel this summer, I spent some time with him at his house and he showed me an amazing family tree with the faces blocked out of people in his family who died in the Holocaust. Joel had painstakingly developed archives, tracing his family's history. You see, as a child, Joel's mother had told him about how she had been hidden by gentiles in Hungary. They fed her and housed her and hid her and she and Joel's father survived. They came to the United States, initially denied a visa, but then came and found safety and freedom here. So on a regular basis Joel and his mother would put together a box of food and provisions and send those back to Hungary for years to this family that had sheltered them. Joel never forgot those values and welcoming a stranger, of providing safety and refuge to those seeking freedom and liberty. He had strong values of justice, but most of all he was kind and generous. I was talking with another friend, who is here in the Chamber. Many of you know Brad. Brad told me about sailing with Joel and admiring a shirt that Joel had. Joel said, 'Here, take it.' Brad said, 'No, no.' Months later he got it in the mail. Joel was literally the type of guy who would give you the shirt off of his back. Hallowell is better for his having been there for so many years and we are all mourning his loss and I'm really grateful to be in the Chamber today with Sarah Shed, his widow; with his Rabbi, Rabbi Erica Asch; and his family; with Allen and Pat Davis; and with his friend, Brad; and to just honor and remember someone who is larger than life, whose humor, his generosity, and his kindness provided a lasting legacy. Thank you.

The Joint Resolution was **ADOPTED**.

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the rear of the Senate Sarah Shed, she's the widow of Joel Davis, and Allan Davis, Joel's brother. Along with Allan's wife, Pat. Also here today is Rabbi Erica Asch of the Temple Beth El in Augusta and also a family friend and former Assistant Secretary Brad Sawyer. Would they all please rise and accept the condolences of the Maine State Senate.

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

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Provide Program Solvency, Clarity, Consistency and Flexibility in Routine Public Health Licensing Activities"  
H.P. 1465 L.D. 2063

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

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

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Bill "An Act To Address Decibel Level Limits for Airboats"  
H.P. 1467 L.D. 2065

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

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

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Bill "An Act To Amend the Laws Governing Local Bridges"  
H.P. 1466 L.D. 2064

Bill "An Act To Authorize the Maine Pilotage Commission To Establish Alternative Initial License Criteria for Existing Pilots Seeking Endorsements for Low Traffic Volume Routes"  
H.P. 1468 L.D. 2066

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

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

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#### **Pursuant to Statute Department of Agriculture, Conservation and Forestry, Board of Pesticides Control**

The **Department of Agriculture, Conservation and Forestry, Board of Pesticides Control**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

H.P. 1470 L.D. 2069

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute  
Department of Agriculture, Conservation and  
Forestry, Board of Pesticides Control**

The **Department of Agriculture, Conservation and Forestry, Board of Pesticides Control**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 26: Standards for Indoor Pesticide Applications and Notification for All Occupied Buildings Except K-12 Schools, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

H.P. 1471 L.D. 2070

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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**Pursuant to Statute  
Department of Public Safety, Office of  
the State Fire Marshal**

The **Department of Public Safety, Office of the State Fire Marshal**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Major Substantive Rule of the Department of Public Safety, Office of the State Fire Marshal (EMERGENCY)

H.P. 1474 L.D. 2073

Be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute  
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1472 L.D. 2071

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

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

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

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

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**Pursuant to Statute  
Department of Education**

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

H.P. 1473 L.D. 2072

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

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

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

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

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**Pursuant to Statute  
Department of Health and Human Services,  
Maine Center for Disease Control and Prevention**

The **Department of Health and Human Services, Maine Center for Disease Control and Prevention**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 15: Death with Dignity Act Reporting Rule, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention (EMERGENCY)

H.P. 1469 L.D. 2068

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

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

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

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

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

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Off Record Remarks

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On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, January 28, 2020 at 10:00 in the morning in memory of and lasting tribute to Joel David Davis of Hallowell.