

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
Tuesday
January 28, 2020

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

Prayer by Pastor Brad Rancourt of Smithfield Baptist Church.

PASTOR RANCOURT: Let us pray. Lord, You alone are worthy of worship and prayer, so I pray for all of the hardworking men and women here in the Senate who are doing what is best to improve and secure Maine's future. Lord, I recognize that You are completely in control. This Senate cannot make a decision that You are not prepared for. I am so thankful for that, Lord. I pray that this realization gives these members both comfort and weight in their decisions, comfort knowing that when they turn and seek You You will help them. You will give them wisdom when they ask but wait in reminding them that their actions will be held accountable; long after the voters are courted and the babies are kissed, Lord; after elections are won, laws are passed and decisions are reflected on; long after every one of these men and women have left their mark in this world, these Senators will have to give an account to You directly for what they chose, what they supported, and what they did with the authority that You gave them in this world. Lord, I pray they chose well and in line with Your will. Lord, to paraphrase a great mind before me, I pray that these Senators who are looking to solve Maine's problems, Lord, do not look for a Republican answer or a Democrat answer but they look for the right answer and I pray that they find that answer in Your will alone. So, Lord, please be with these Senators, their staff. Be with the Representatives and even our Governor and all of the civic leaders, Lord. I pray You keep them safe, You keep their families safe, and You keep them pointing towards what is right and good, no matter how hard it may be for them to follow. Lord, be with them, bless them, and bless all of us under their authority. I ask this in the name of Your son, Jesus Christ. Amen.

Pledge of Allegiance led by Senator Louis J. Luchini of Hancock County.

Reading of the Journal of Thursday, January 23, 2020.

Doctor of the day, Sidney Sewall, M.D. of Hallowell.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **LIBBY** of Androscoggin, the following Senate Order:
S.O. 25

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 10:45 this morning in the Hall of the House for the purpose of welcoming the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as pleases her.

READ and PASSED.

The Chair appointed the Senator from Androscoggin, Senator **LIBBY**, to deliver the message to the House of Representatives. The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Androscoggin, Senator **LIBBY**, reported that he had delivered the message with which he was charged.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

(**RECALLED** From Governor's Desk pursuant to Joint Order H.P. 1428)

In Senate, June 18, 2019, **PASSED TO BE ENACTED** in concurrence.

Comes from the House, Bill **COMMITTED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

On motion by Senator **VITELLI** of Sagadahoc, the Senate **RECEDED** and **CONCURRED**.

House Paper

Resolve, To Create the Frequent Users System Engagement Collaborative

H.P. 1460 L.D. 2056

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.

Joint Resolutions

The following Joint Resolution:

H.P. 1448

**JOINT RESOLUTION
SUPPORTING THE MAINE COMPLETE
COUNT COMMITTEE AND COORDINATION
OF EFFORTS TO REDUCE THE UNDERCOUNT
OF MAINE RESIDENTS IN THE 2020 FEDERAL
DECENNIAL CENSUS**

WHEREAS, Article I, Section 2 of the United States Constitution requires an enumeration of the population every 10 years to apportion congressional representation among the states; and

WHEREAS, pursuant to 13 United States Code, Section 141, the next Federal Decennial Census of the population will be taken beginning April 1, 2020 and concluding on July 31, 2020; and

WHEREAS, data derived from the census determines how approximately \$800 billion in federal spending to support education, transportation, publicly funded health care, law enforcement and other important public services is allocated among the states; and

WHEREAS, a complete and accurate count of Maine's population is essential because the census count determines congressional representation and state redistricting and also determines federal formula grant allocations for Medicaid, the Children's Health Insurance Program, Title IV-E foster care, Title IV-E adoption assistance and the Child Care and Development Fund for an entire decade until the next Federal Decennial Census is taken; and

WHEREAS, Maine's fiscal loss in programs guided by Federal Medical Assistance Percentages was \$16,420 per person missed in the 2010 census over the 10-year census cycle; and

WHEREAS, the United States Department of Commerce, Bureau of the Census acknowledges the long-standing undercount of young children in the Federal Decennial Census and has spent years researching children who were missed in the 2010 census and creating resources in an attempt to reduce this undercount in the 2020 census; and

WHEREAS, it is vitally important to ensure that every Maine resident is counted in the 2020 census and that Maine gets its fair share of federal funds; and

WHEREAS, the Governor has, by Executive Order 12 FY 19/20, created the Maine Complete Count Committee, which, using the knowledge and expertise of Maine's administrative agencies, will develop and coordinate a census outreach program to increase awareness about the 2020 census and motivate residents in the community to respond; and

WHEREAS, such complete count committees have also been established by Maine's tribal and local governments and community organizations, faith-based groups, schools, libraries, businesses, the media and others, which will play a key role in educating and motivating residents to participate in the 2020 census; 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 support the Maine Complete Count Committee and

Maine's tribal, county and municipal governments in the work to develop, recommend and assist in the administration of a census outreach strategy to encourage full participation in the 2020 Federal Decennial Census; and be it further

RESOLVED: That We also support the development of additional outreach programs and partnerships with nonprofit and community organizations, faith-based groups, schools, libraries, businesses, the media and others to encourage full participation in the 2020 Federal Decennial Census, including a multilingual, multimedia campaign designed to ensure an accurate and complete count of Maine's population.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 836

**STATE OF MAINE
129TH LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

January 22, 2020

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

Dear Secretary Grant:

Pursuant to my authority under Title 5 MRSA, Chapter 371-A, §7030, I am pleased to reappoint Kate Elmes of Woolwich to seat number 8 on the Permanent Commission on the Status of Women. Her reappointment is effective the date of this letter and her term will last until November 28, 2021.

Please let me know if you have any questions.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 837

**STATE OF MAINE
129TH LEGISLATURE
OFFICE OF THE PRESIDENT
AUGUSTA, MAINE**

January 22, 2020

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

Dear Secretary Grant:

Pursuant to my authority under Title 5 MRSA, Chapter 371-A, §7030, I am pleased to reappoint Muriel Mosher of Augusta to seat number 10 on the Permanent Commission on the Status of Women. Her reappointment is effective the date of this letter and her term will last until November 28, 2021.

Please let me know if you have any questions.

Sincerely,

S/Troy D. Jackson
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 840

**STATE OF MAINE
DEPARTMENT OF DEFENSE, VETERANS
AND EMERGENCY MANAGEMENT
AUGUSTA, MAINE**

January 17, 2020

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

Dear Senator Jackson:

As the Commissioner of the Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 129th Maine Legislature on Tuesday, February 18th at 11:00 a.m.

Sincerely,

S/Major General Douglas A. Farnham
Commissioner and Adjutant General

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 843

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

January 24, 2020

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

RE: Appointment of Kimberly N. Lindlof of Fairfield to the Maine State Workforce Investment Board

Dear President Jackson:

This is to inform you that I am today nominating for appointment to the Maine State Workforce Investment Board, Kimberly N. Lindlof of Fairfield.

Pursuant to Title 26 MRSA §2006, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Labor and Housing.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 844

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

January 23, 2020

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

RE: Appointment of Kathie M. Leonard of Auburn to the Maine Community College System Board of Trustees

Dear President Jackson:

This is to inform you that I am reposting the nomination of Kathie M. Leonard of Auburn for appointment to the Maine Community College System Board of Trustees. This is necessary because her hearing could not be scheduled within thirty days of the original posting.

Pursuant to Title 20-A, MRSA § 12705, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 845

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

January 23, 2020

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

RE: Appointment of Peter DelGreco of North Yarmouth to the
Maine Community College System Board of Trustees

Dear President Jackson:

This is to inform you that I am reposting the nomination of Peter
DelGreco of North Yarmouth for appointment to the Maine
Community College System Board of Trustees. This is necessary
because his hearing was cancelled due to inclement weather and
could not be re-scheduled within thirty days of the original posting

Pursuant to Title 20-A, MRSA § 12705, this appointment is
contingent on the Maine State Senate's confirmation after review
by the Joint Standing Committee on Education and Cultural
Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 846

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

January 24, 2020

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

RE: Maine Turnpike Authority Board of Directors

Dear President Jackson:

This is to inform you that I am reposting the nomination of Jane
Lincoln of Farmingdale for appointment to the Maine Turnpike
Authority Board of Directors. This is necessary because her
hearing was cancelled due to inclement weather and could not be
re-scheduled within thirty days of the original posting.

Pursuant to Title 23, MRSA §1964-A, this appointment is
contingent on the Maine State Senate's confirmation after review
by the Joint Standing Committee on Transportation.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 847

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

January 24, 2020

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

RE: Re-appointment of Robin L. Foster of Orrington to the School
Board of the Maine Educational Center for the Deaf and Hard of
Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Robin L. Foster
of Orrington to the School Board of the Maine Educational Center
for the Deaf and Hard of Hearing and the Governor Baxter School
for the Deaf.

Pursuant to Title 20-A §7406, this reappointment is contingent on
the Maine State Senate's confirmation after review by the Joint
Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 848

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

January 24, 2020

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

RE: Appointment of Jennifer Gaulin of Winslow to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Jennifer Gaulin of Winslow to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 849

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

January 24, 2020

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

RE: Re-appointment of Amber Oakes of Old Town to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Amber Oakes of Old Town to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 851

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

January 24, 2020

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

RE: Appointment of Corda L. Kinzie of Readfield to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Corda L. Kinzie of Readfield to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 850

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

January 24, 2020

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

RE: Re-appointment of Anna Perna of Holden to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Anna Perna of Holden to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 852

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

January 24, 2020

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

RE: Appointment of Paula Matlins of Bangor to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Paula Matlins of Bangor to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 853

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

January 24, 2020

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

RE: Appointment of Thomas W. Minch of Portland to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Thomas W. Minch of Portland to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 854

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

January 24, 2020

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

RE: Appointment of Jane Hecker-Cain of Kennebunk to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

Dear Mr. President:

This is to inform you that I am today nominating Jane Hecker-Cain of Kennebunk to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 839

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

January 21, 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 Veterans and Legal Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1837 Resolve, Regarding Legislative Review of Chapter 1: Adult Use Marijuana, a Late-filed Major Substantive Rule of the Department of Administrative and Financial Services, Office of Marijuana Policy (EMERGENCY)

This is notification of the Committee's action.

Sincerely,

S/Sen. Louis J. Luchini
Senate Chair

S/Rep. John C. Schneck
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 841

MIDCOAST REGIONAL REDEVELOPMENT AUTHORITY

January 16, 2020

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

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

Dear President Jackson and Speaker Gideon:

Pursuant to 5 MRSA, Section 12023, please consider this the letter of transmittal for the required report from the Midcoast Regional Redevelopment Authority.

MRRRA was created in 2006 by the Maine Legislature (5 MRSA §13083-G) as a municipal corporation charged with the responsibility to implement the reuse master plans for Naval Air Station Brunswick (NAS Brunswick) and the Topsham Annex, which closed as a result of the 2005 Base Realignment and Closure (BRAC) process.

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

Sincerely,

S/Jeffrey K. Jordan
Deputy Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 842

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
STATE COMPENSATION COMMISSION**

January 15, 2020

The Honorable Troy Jackson, President
Maine State Senate

The Honorable Sara Gideon, Speaker
Maine State House of Representatives
State House
Augusta Maine 04333

Dear President Jackson and Speaker Gideon:

Pursuant to 3 MRSA §2-B, sub section 2, the State Compensation Commission is pleased to submit its January 2020 report. Copies of the full report have been distributed to interested committees and individuals, and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Fiscal and Program Review at <http://legislature.maine.gov/doc/3822>.

Sincerely,

S/Hon. Vendean Vafiades
Chair

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

At this point a message was received from the House of Representatives, borne by Representative BAILEY of Saco, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:45 this morning in the Hall of the House for the purpose of welcoming the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as pleases her.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Kristina Kelly, of Lincolnville, a student at Camden Hills Regional High School and a player on the girls soccer team, who has been named National Soccer Player of the Year for High School Girls by United Soccer Coaches. We extend our congratulations and best wishes;

SLS 938

Sponsored by Senator HERBIG of Waldo.
Cosponsored by Senator: MIRAMANT of Knox, Representatives: DOUDERA of Camden, ZEIGLER of Montville.

The Joint Order was **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Herbig.

Senator **HERBIG:** Thank you, Mr. President. Women and men of the Senate, it is my privilege to welcome Kristina Kelly of Lincolnville to the Senate Chamber today. Kristina is a senior at Camden Hills Regional High School and was named the National Player of the Year for High School Girls by the United Soccer Coaches in Kansas City. Kristina is the first Mainer to ever receive this award. Kristina led the Windjammers to three straight unbeaten seasons and four straight Class A State Championships. In 2019, she scored 49 goals for a career total of 159, the third most of any high school player in Maine history. That was with a restriction from her coach that she could only score three goals per game, setting up her teammates to score after that. Kristina's coach, Meredith Messer, told me that it's Kristina's desire to get better that separates her from others at her level. Her coach says one of the things that makes Kristina special is she has an incredible work ethic and is still incredibly humble. She loves to challenge herself and let that help her team. She's always team first. I should also mention that this last winter Kristina won a girls' state championship for wrestling on her first try in the 113 pound class. Way to go.

Kristina sets an example for girls throughout Waldo County, the state of Maine, and the country. With hard work, determination, and perseverance there is nothing you can't do. As her coach put it, 'It doesn't matter where you're from or what your size is, it's all about how you use your talent and challenge yourself to stay driven. It's all about where you see yourself going and how you get there.'

Next fall Kristina will attend Central Connecticut State University where she'll study biology and compete in Division 1. On behalf of the Maine Legislature, it is my great honor to present Kristina Kelly with a Legislative Sentiment. Thank you for inspiring all of us to reach for the stars and never give up. Congratulations, Kristina.

The Joint Order was **PASSED**.

Sent down for concurrence.

Charles "Tex" Haeuser, of South Portland, on his nearly three decades of service as Planning Director for the City of South Portland. Mr. Haeuser has overseen planning and development as the city has continued to evolve from its mostly working-class roots and its time as a shipbuilding center during World War II. We extend our congratulations and best wishes;
SLS 990

Sponsored by Senator MILLETT of Cumberland.
Cosponsored by Representatives: KESSLER of South Portland, MORALES of South Portland, RECKITT of South Portland.

The Joint Order was **READ**.

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen, we are joined today by the consentient professional, Tex Haeuser. For nearly three decades Tex has overseen one of the busiest planning departments in Maine and staffed the planning board for South Portland, Maine's fourth

largest city. His work during these nearly thirty years have included developing new traffic patterns for Mill Creek Shopping Center and the Knightville neighborhood right near the bridge following the construction of the Casco Bay Bridge. That is no small feat. He had a central role in developing South Portland's extensive Greenbelt Walkway system, and I highly recommend it to everyone to check it out. In addition, also funding of public transportation through TIF financing and promoting solar development, the City of South Portland was an early adopter of the solar array on its municipal landfill, and other energy saving measures like efficient LED streetlights. With his leadership, the City adopted new zoning to control Airbnb style rentals in residential areas, to allow residential development near the Maine Mall, and promote village-style development in the Redbank neighborhood. In recognition of his leadership and his many accomplishments, he was voted Maine Professional Planner of the Year in 2010 by his peers. We will miss his leadership and vision but look forward to seeing what new contributions he will make to our state as part of his next adventures. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the Chamber Tex Haeuser and his wife, Sally. They're from the city of South Portland and they are the guests today of the Senator from Cumberland, Senator Millett. Will they please rise and accept the greetings of the Maine Senate.

THE PRESIDENT: The Chair is pleased to recognize once again Kristina Kelly, who is the National Soccer Player of the Year, high school for girls. She's joined today by her parents. They are from the town of Lincolnville and they are guests of the Senator from Waldo, Senator Herbig. Will they all please rise and accept the greetings of the Maine Senate.

Off Record Remarks

REPORTS OF COMMITTEES

Senate

Pursuant to Resolve

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify the Laws Governing Financial Relationships between Entities within the Three-tier System for Distribution of Alcohol"

S.P. 737 L.D. 2088

Reported that the same be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, pursuant to Resolve, chapter 15, section 3.

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

Bill and accompanying papers **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

Sent down for concurrence.

Pursuant to Resolve

Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify Certificate of Approval Requirements under the State's Liquor Laws"
S.P. 738 L.D. 2089

Reported that the same be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, pursuant to Resolve, chapter 15, section 3.

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

Bill and accompanying papers **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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:

Act

An Act Regarding the Presumption of Abandonment of Gift Obligations

H.P. 1164 L.D. 1612
(H "A" H-661)

PASSED TO BE ENACTED 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 matter 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 (1/21/20) matter:

Bill "An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System"
H.P. 1454 L.D. 2043

Tabled - January 21, 2020 by Senator **DESCHAMBAULT** of York

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.)

Senator **DESCHAMBAULT** of York moved to **REFER** the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in concurrence.

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

Senator **CYRWAY:** Mr. President, ladies and gentlemen of the Senate, I just had a question: why we would be sending Inland, Fisheries, and Wildlife laws to Criminal Justice and Public Safety?

THE PRESIDENT: I believe the bill has parts of both agencies and the determination was that Criminal Justice would have jurisdiction over laws that have penalties changing. The Chair recognizes the Senator from Kennebec, Senator Cyrway.

Senator **CYRWAY:** I think we went and did this before and they went to both. So if we can, I can just ask to make sure we do that again. I know this happened about three years ago. Thank you.

THE PRESIDENT: I believe the Chairs of Committees and Leads can make that determination once the bill gets to committee. Certainly should have at least a letter or something in those regards but certainly I appreciate the conflict of both committees and would like to see that resolved. The Chair recognizes the Senator from Penobscot, Senator Dill.

Senator **DILL:** Thank you, Mr. President. Just to follow up, if I may, we did have a discussion and I actually had a discussion with IF&W Department. They gave me the suggestions that they wanted, which I have passed along to Senator Deschambault and we've had a discussion about it. So I think we're okay but will certainly be keeping an eye on it just to let the good Senator know.

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. Yes, Senator Dill is correct. There has been some discussion and IF&W will be speaking at the hearing in Criminal Justice. We understand what those concerns are and we felt it was up to the full committee. Thank you.

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

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

An Act To Address Student Hunger with a 'Breakfast after the Bell' Program

S.P. 99 L.D. 359
(S "A" S-100 to C "A" S-78)

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" (S-78) AS AMENDED BY SENATE AMENDMENT "A" (S-100)** thereto.)

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

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-78) AS AMENDED BY SENATE AMENDMENT "A" (S-100)** thereto.

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-78) as Amended by Senate Amendment "A" (S-100) thereto.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Senate Amendment "A" (S-100) to Committee Amendment "A" (S-78) and **INDEFINITELY POSTPONED** same.

On further motion by same Senator, Senate Amendment "B" (S-373) to Committee Amendment "A" (S-78) **READ** and **ADOPTED.**

Committee Amendment "A" (S-78) as Amended by Senate Amendment "B" (S-373) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-78) AS AMENDED BY SENATE AMENDMENT "B" (S-373) thereto, in **NON-CONCURRENCE.**

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 Create Affordable Workforce and Senior Housing and Preserve Affordable Rural Housing

H.P. 1180 L.D. 1645
(C "A" H-481)

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-481)**, in concurrence.)

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

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-481)**, 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-481) and **INDEFINITELY POSTPONED** same.

On further motion by same Senator, Senate Amendment "A" (S-374) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-374), in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

Off Record Remarks

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

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Require the Board of Pesticides Control To Annually Publish Certain Information Regarding Pesticides and To Prohibit Certain Uses of Neonicotinoids"

H.P. 1484 L.D. 2083

Bill "An Act Prohibiting Certain Confinement of Egg-laying Hens and the Sale of Their Eggs"

H.P. 1485 L.D. 2084

Come from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

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

Bill "An Act To Ensure Access to Sexual and Reproductive Health Care and Education in All Maine's Jails and State Correctional and Detention Facilities"

H.P. 1486 L.D. 2085

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

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

Resolve, To Create a Criminal Records Review Committee

H.P. 1487 L.D. 2086

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

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

Bill "An Act Relating to Fair Chance in Employment"

H.P. 1488 L.D. 2087

Comes from the House, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

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

Bill "An Act To Update the Mileage Allowance Paid to State Employees Not Subject to a Collective Bargaining Agreement"
H.P. 1475 L.D. 2074

Comes from the House, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

On motion by Senator **CLAXTON** of Androscoggin, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

**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 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

H.P. 1483 L.D. 2082

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.

**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 115: Part II Requirements for Specific Certificates and Endorsements, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1476 L.D. 2075

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.

**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 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1477 L.D. 2076

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.

**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 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1478 L.D. 2077

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.

**Pursuant to Statute
Public Utilities Commission**

The **Public Utilities Commission**, 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 311: Portfolio Requirement, a Major Substantive Rule of the Public Utilities Commission (EMERGENCY)

H.P. 1482 L.D. 2081

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** 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 **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Maine Health Data Organization**

The **Maine Health Data Organization**, 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 100: Enforcement Procedures, a Major Substantive Rule of the Maine Health Data Organization (EMERGENCY)

H.P. 1479 L.D. 2078

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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **REJECTED**.

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

**Pursuant to Statute
Department of Health and Human Services**

The **Department of Health and Human Services**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 104: Maine State Services Manual, Section 8, Wholesale Prescription Drug Importation Program, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 1481 L.D. 2080

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 COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

Report **READ** and **REJECTED**.

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

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

Off Record Remarks

On motion by Senator **BLACK** of Franklin, **ADJOURNED** until Thursday, January 30, 2020 at 10:00 in the morning.