

# 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  
February 13, 2020

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

Prayer by Pastor Glenn Peterson of Hope Baptist Church in Manchester.

**PASTOR PETERSON:** Let us pray. Our Father in Heaven, we look forward to Valentine's Day tomorrow and it's a reminder of the importance of love. All of us could use more love in our lives because what we see in this world is so much anger. There is anger on our roads. There is anger on our TV sets and on our computers and on our phones. There is anger at our jobs. Yes, I am sure there is even anger here at this beautiful State House. What we need then, God, is Your grace. We need what the hymn writer called amazing grace. Thank You that You are a God of such grace. This undeserved gift of love and forgiveness. We are prone to hurt others. We are prone to anger. We are prone to sin. But we thank You, God, that You are quicker at forgiving than we are at sinning and so we ask, God, that You would help us today with our anger. Help us to see that we need Your grace and forgiveness just as much as other people do. Help us to see on this February Thursday that we both need and have Your grace and when we get angry today remind us of this amazing grace of Jesus, who taught us to turn the other cheek when we are slapped. Thank You for showing us the way to overcome the world's anger. Now we pray that You will give us the power today to live according to that way. In Your great name we pray. Amen.

Pledge of Allegiance led by Senator Jeffrey L. Timberlake of Androscoggin County.

Reading of the Journal of Tuesday, February 11, 2020.

Doctor of the day, James "Jay" Mullen, MD of Freeport.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:  
S.P. 753

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 18, 2020 at 10:00 in the Morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

**COMMUNICATIONS**

The Following Communication: S.C. 912

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

February 10, 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 Education and Cultural Affairs has had under consideration the nomination of Kathie M. Leonard of Auburn, for appointment to the Maine Community College System, Board of Trustees.

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	Millett, R. of Cumberland, Carson, B. of Cumberland
	Representatives	9	Kornfield, V. of Bangor, Brennan, M. of Portland, Dodge, J. of Belfast, Drinkwater, G. of Milford, Farnsworth, D. of Portland, Ingwersen, H. of Arundel, McCrea, D. of Fort Fairfield, Rudnicki, S. of Fairfield, Sampson, H. of Alfred
NAYS		0	
ABSENT		2	Sen. Pouliot, M. of Kennebec, Rep. Fecteau, J. of Augusta

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 Kathie M. Leonard of Auburn, for appointment to the Maine Community College System, Board of Trustees be confirmed.

Signed,

S/Rebecca Millett  
Senate Chair

S/Victoria P. Kornfield  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

The Chair noted the absence of the Senator from Somerset, Senator **FARRIN**, the Senator from York, Senator **WOODSOME**, the Senator from Androscoggin, Senator **LIBBY**, the Senator from Waldo, Senator **HERBIG**, the Senator from York, Senator **LAWRENCE**, the Senator from Cumberland, Senator **H. SANBORN**, and the Senator from Kennebec, Senator **CYRWAY**, and further excused the same Senators 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 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#394)**

YEAS: Senators: None

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

EXCUSED: Senators: CYRWAY, FARRIN, HERBIG, LAWRENCE, LIBBY, SANBORN H, WOODSOME

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 7 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 **Kathie M. Leonard** of Auburn for appointment to the Maine Community College System, Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 917

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

February 11, 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 Judiciary has had under consideration the nomination of Edward David, Esq. of Farmington, for appointment to the Maine Human Rights 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	3	Carpenter, M. of Aroostook, Bellows, S. of Kennebec, Keim, L. of Oxford
	Representatives	8	Bailey, D. of Saco, Babbidge, C. of Kennebunk, Cardone, B. of Bangor, Curtis, P. of Madison, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Reckitt, L. of South Portland
NAYS		0	
ABSTAIN		1	Rep. DeVeau, J. of Caribou
ABSENT		1	Rep. Talbot Ross, R. of Portland

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 Edward David, Esq. of Farmington, for appointment to the Maine Human Rights 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 129<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#395)**

YEAS: Senators: None

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

EXCUSED: Senators: CYRWAY, FARRIN, HERBIG, LAWRENCE, LIBBY, SANBORN H, WOODSOME

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 7 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 **Edward David**, Esq. of Farmington for appointment to the Maine Human Rights Commission was **CONFIRMED**.

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

The Following Communication: S.C. 916

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

February 11, 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 Transportation has had under consideration the nomination of

Jane L. Lincoln of Farmingdale, for appointment to the Maine Turnpike Authority, Board of Directors.

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	Diamond, B. of Cumberland, Chipman, B. of Cumberland
	Representatives	8	McLean, A. of Gorham, Austin, B. of Skowhegan, Bryant, M. of Windham, Cebra, R. of Naples, Martin, T. of Greene, Perkins, M. of Oakland, Sheats, B. of Auburn, White, B. of Waterville
NAYS		0	
ABSENT		3	Sen. Farrin, B. of Somerset, Rep. Collings, B. of Portland, Rep. White, D. of Washburn

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 Jane L. Lincoln of Farmingdale, for appointment to the Maine Turnpike Authority, Board of Directors be confirmed.

Signed,

S/Bill Diamond  
Senate Chair

S/Andrew McLean  
House Chair

**READ and ORDERED PLACED ON FILE.**

The President laid before the Senate the following: "Shall the recommendation of the Committee on **TRANSPORTATION** 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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#396)**

YEAS: Senators: None

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

EXCUSED: Senators: CYRWAY, FARRIN, HERBIG,  
LAWRENCE, LIBBY, SANBORN H, WOODSOME

No Senator having voted in the affirmative and 28 Senators having voted in the negative, with 7 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 **Jane L. Lincoln** of Farmingdale for appointment to the Maine Turnpike Authority, Board of Directors was **CONFIRMED**. The Secretary has so informed the Speaker of the House of Representatives.

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The Following Communication: S.C. 913

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

January 31, 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. 1770 An Act To Amend the Forestry Laws Regarding  
Responsibility for Compliance with Those Laws

This is notification of the Committee's action.

Sincerely,

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

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

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The Following Communication: S.C. 914

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

February 05, 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 Inland Fisheries and Wildlife has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 638 An Act To Legalize the Use of Supplemental  
Minerals To Assist with Wildlife Nutrition

L.D. 695 An Act To Require Biodegradable Hooks and  
Lures for Freshwater Fishing

This is notification of the Committee's action.

Sincerely,

S/Sen. Jim Dill S/Rep. Catherine M. Nadeau  
Senate Chair House Chair

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

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The Following Communication: S.C. 915

**UNIVERSITY OF MAINE SYSTEM  
ORONO, MAINE**

February 1, 2020

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

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

Dear Senate President Jackson and Speaker Gideon:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required Quasi-Independent State Entity Review Report from the University of Maine System due by February 1, 2020.

The UMS has an estimated \$1.5 billion annual total statewide economic impact and increasingly is investing in Maine's economy, with \$54.7 million in goods and services purchased from businesses that are based in Maine or that employ Mainers in FY19.

While competitive procurement is the UMS standard, as provided in State law and corresponding System policy, there are legitimate reasons for waiving competitive procurement in some circumstances. For example, a majority of the expenses for which waivers from our competitive procurement process were granted in FY19 involved the purchase of goods and services that were specifically named in a federal research grant and that were not funded with State dollars. Overall, the value of UMS procurements for which waivers from the competitive process were granted was down 3.75 percent in FY19 from the fiscal year prior.

In an effort to increase transparency and public accountability, the UMS sole source report now includes a description of each relevant transaction and our Board of Trustees reviews this report prior to its submission to the Legislature.

Sincerely,

S/Dannel P. Malloy, Chancellor  
University of Maine System

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

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#### SENATE PAPERS

Bill "An Act Regarding Prior Authorizations for Prescription Drugs"  
S.P. 752 L.D. 2106

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative HYMANSON of York and  
Senators: CLAXTON of Androscoggin, DILL of Penobscot, DOW  
of Lincoln, MOORE of Washington, SANBORN, L. of  
Cumberland, Representatives: BRENNAN of Portland, MEYER of  
Eliot, TEPLER of Topsham.  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 203.

On motion by Senator **VITELLI** of Sagadahoc, **REFERRED** to the  
Committee on **HEALTH COVERAGE, INSURANCE AND  
FINANCIAL SERVICES** 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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#### REPORTS OF COMMITTEES

##### House

##### Pursuant to Statute

The Committee on **JUDICIARY** on Bill "An Act To Implement the  
Recommendations of the Right To Know Advisory Committee  
Concerning Membership of the Archives Advisory Board"  
H.P. 1496 L.D. 2101

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

Comes from the House with the Report **READ** and **ACCEPTED**  
and the Bill **REFERRED** to the Committee on **STATE AND  
LOCAL GOVERNMENT**.

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

Bill and accompanying papers **REFERRED** to the Committee on  
**STATE AND LOCAL GOVERNMENT**, in concurrence.

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##### Pursuant to Statute

The Committee on **JUDICIARY** on Bill "An Act To Implement the  
Recommendations of the Right To Know Advisory Committee"  
H.P. 1497 L.D. 2102

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

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

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

Bill and accompanying papers **REFERRED** to the Committee on  
**JUDICIARY**, in concurrence.

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##### Pursuant to Statute

The Committee on **JUDICIARY** on Bill "An Act To Implement the  
Recommendations of the Right To Know Advisory Committee  
Regarding Public Records Exceptions"  
H.P. 1498 L.D. 2103

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

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

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

Bill and accompanying papers **REFERRED** to the Committee on  
**JUDICIARY**, in concurrence.

**Ought to Pass**

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Require That Parking Lots for State Agencies Meet the Standards Set Forth in the Federal Americans with Disabilities Act of 1990" (EMERGENCY)

H.P. 1439 L.D. 2018

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

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

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

Bill **READ ONCE**.

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

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**Ought to Pass As Amended**

The Committee on **JUDICIARY** on Bill "An Act To Amend the Protection from Abuse Laws Concerning Consent Agreements" H.P. 1336 L.D. 1865

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-674)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-674)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-674) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **MARINE RESOURCES** on Bill "An Act To Provide Noncommercial Lobster and Crab Fishing Licenses and Scallop Licenses to Disabled Veterans at No Cost" H.P. 1348 L.D. 1882

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-672)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-672)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-672) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **TRANSPORTATION** on Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2021" H.P. 1332 L.D. 1861

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-673)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-673)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-673) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Correct the Maine Revised Unclaimed Property Act To Reflect Recent Changes" (EMERGENCY) H.P. 1335 L.D. 1864

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

Signed:

Senators:

CARPENTER of Aroostook  
BELLOWS of Kennebec  
KEIM of Oxford

Representatives:

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



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

Signed:

Representative:  
DeVEAU of Caribou

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

Reports **READ**.

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

Bill **READ ONCE**.

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

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**Senate**

**Ought to Pass**

Senator CARSON for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Amend the Laws Governing Waste Discharge Analysis by Laboratories Operated by Waste Discharge Facilities"

S.P. 708 L.D. 2006

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

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

Bill **READ ONCE**.

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

---

**Ought to Pass As Amended**

Senator CARSON for the Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Add Rivers, Streams and Brooks to the Department of Environmental Protection's Compensation Fee Program"

S.P. 601 L.D. 1777

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-385)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-385) **READ** and **ADOPTED**.

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

---

Senator GRATWICK for the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Require the Department of Health and Human Services To Submit a State Plan Amendment To Exempt Retirement and Educational Assets from Calculations for Medicaid Eligibility

S.P. 102 L.D. 362

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-387)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-387) **READ** and **ADOPTED**.

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

---

Senator DIAMOND for the Committee on **TRANSPORTATION** on Bill "An Act To Amend the Laws Prohibiting the Use of Handheld Phones and Devices While Driving" (EMERGENCY)

S.P. 653 L.D. 1901

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-386)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-386) **READ** and **ADOPTED**.

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

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**SECOND READERS**

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

**House**

Bill "An Act To Remove Nighttime Restrictions on Lobster Fishing in a Certain Area in the Bay of Fundy"

H.P. 1495 L.D. 2098

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED**, in concurrence.

**House As Amended**

Bill "An Act To Include Student Absences for Mental Health or Behavioral Health Needs as Excusable Absences"

H.P. 1326 L.D. 1855  
(C "A" H-671)

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

**Senate As Amended**

Bill "An Act To Authorize Separate Alternative Compliance Payment Rates for Maine's Renewable Portfolio Standard and To Amend the Laws Governing Thermal Renewable Energy Credits" (EMERGENCY)

S.P. 648 L.D. 1896  
(C "A" S-384)

Bill "An Act To Amend the Laws Governing Motor Vehicle Child Restraint Systems To Allow Certain Exceptions"

S.P. 652 L.D. 1900  
(C "A" S-382)

Bill "An Act To Allow the Assignment of State Vehicles to Field Personnel Directly Concerned with Maine National Guard Facilities and To Allow State Vehicles Assigned to Military Bureau Employees To Be Used for Commuting"

S.P. 699 L.D. 1997  
(C "A" S-380)

Bill "An Act To Provide for the 2020 and 2021 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

S.P. 706 L.D. 2004  
(C "A" S-381)

**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 Amend the Laws Governing Recounts in Municipal Elections

S.P. 691 L.D. 1989  
(C "A" S-375)

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with no 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.

**Resolve**

Resolve, Directing the Maine Human Rights Commission To Implement a Pilot Program To Investigate and Report on Incidents of Harassment Due to Housing Status, Lack of Employment and Other Issues

H.P. 937 L.D. 1294  
(H "A" H-666)

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 Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. Just briefly to explain, we did vote on this last year as well and the Human Rights Commission very frequently comes in front of the Judiciary Committee to tell us that they do not have enough personnel to handle all of the work that they currently have. So I believe it's disingenuous for us to add more work to them and then have there be no fiscal note and say that they can do it within existing resources because, as you can see from the title, this is to investigate and report. What we would be tasking them to do is gather information regarding discrimination based on homelessness and then produce a report, yet we have given them no resources in which to do so and it is simply to be added onto the work they already have. So that is the reason for my vote against this today and I urge you to follow my light.

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

Senator **CARPENTER:** Thank you, Mr. President. I understand what the good Senator from Oxford is saying in terms of resources. However, this was a project that the Human Rights Commission indicated to us that they would be willing to do and able to do within existing resources. Thank you.

**THE PRESIDENT:** The pending question before the Senate is Final Passage. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#397)**

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

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

EXCUSED: Senators: CYRWAY, FARRIN, HERBIG, LAWRENCE, LIBBY, WOODSOME

18 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 6 Senators being excused, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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Off Record Remarks

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Senate at Ease.

The Senate was called to order by the President.

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Off Record Remarks

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

**PAPERS FROM THE HOUSE**

**House Paper**

Bill "An Act To Protect Consumers from Surprise Emergency Medical Bills"

H.P. 1501 L.D. 2105

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

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

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1499

**JOINT RESOLUTION  
HONORING THE LEAGUE OF WOMEN  
VOTERS OF MAINE**

WHEREAS, on February 14, 1920, 6 months before the 19th Amendment to the United States Constitution was ratified, the national League of Women Voters was formally organized in Chicago; and

WHEREAS, the purposes of the new organization included equal suffrage and citizen education aimed at all of the electorate; and

WHEREAS, the League of Women Voters is a nonpartisan citizens' organization that strives to improve our government and engage our people and our communities in the decisions that affect our lives; and

WHEREAS, the League of Women Voters has been striving to make democracy work for everyone for 100 years and has held the public trust by respectfully bringing elected leaders and the public together through nonpartisan, civil means and through thoughtfully advancing policy solutions; and

WHEREAS, the League of Women Voters operates at national, state and local levels through nearly 800 state and local leagues in all 50 states, as well as the District of Columbia, the Virgin Islands and Hong Kong; and

WHEREAS, the League of Women Voters of Maine has more than 500 active members and supporters throughout the State, with local chapters serving the Portland area, Bath and Brunswick, Hancock County, Camden and Rockland, Machias, the greater Augusta area and the greater Bangor area; and

WHEREAS, the State has benefited tremendously from the countless volunteer hours donated by league members over the league's history of enhancing democracy; and

WHEREAS, although the League of Women Voters was formed from the movement that secured the right to vote for women, the centerpiece of the league's efforts remains to expand voter participation and give political voice to all Americans; and

WHEREAS, since its inception, the League of Women Voters has helped millions of women and men become informed participants in government, providing information and support on such issues as protection for women and children, the rights of working women, food supply and demand, social hygiene, the legal status of women, American citizenship, aid for maternal and child care programs, social security, food and drug safety and changing the system of hiring within the federal civil service system; and

WHEREAS, the League of Women Voters helped lead the effort to establish the United Nations and to ensure United States participation and was one of the first organizations in the country officially recognized by the United Nations as a nongovernmental organization, and the league continues to maintain official observer status; and

WHEREAS, the League of Women Voters believes in representative government and in the individual liberties established in the United States Constitution and that democratic government depends upon informed and active participation and

respects the citizens' right to information about government records and proceedings; and

WHEREAS, the League of Women Voters believes that every citizen's right to vote should be protected, that every person should have access to free public education that provides equal opportunity for all and that no person or group should suffer legal, economic or administrative discrimination; and

WHEREAS, the League of Women Voters believes that efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing and coordination among the different agencies and levels of government; and

WHEREAS, the League of Women Voters believes that government should be responsive to the will of the people and that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution to economic and social problems that affect the general welfare, promote a sound economy and adopt domestic policies that facilitate solving international problems; and

WHEREAS, the League of Women Voters believes that cooperation with other nations is essential in the search for solutions to world problems and that the development of international organization and international law is imperative in the promotion of world peace; 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 honor the League of Women Voters of Maine on the 100th anniversary of the founding of the national organization and to recognize the distinguished service and accomplishments of the League of Women Voters of Maine for the people of the State; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the League of Women Voters of Maine as a tangible token of appreciation.

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

The Joint Resolution was **READ**.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in support of the pending motion and this Joint Resolution honoring the League of Women Voters of Maine. One hundred years ago tomorrow the League of Women Voters was first formed and in those 100 years the League of Women Voters has been at the forefront of voting rights, not just for women but for all Americans. At its Naturalization Ceremony earlier this year where immigrants became citizens in my district the League of Women Voters was there to register those new Americans to vote and that is something that they do all across Maine and all across this country. In the Veterans and Legal Affairs Committee the League of Women Voters is a strong voice in the public interest for democracy reforms, for voting rights, for clean elections, for public financing, all those things that make our campaigns more representative of the people. The League of Women Voters has been at the forefront of issue campaigns like same day voter

registration. Maine has one of the highest rates of voter participation in the nation, ranking number one or number two in virtually every election in recent memory and that is, in part, because of the good work of the League of Women Voters to expand voter participation. We are so grateful today to the League of Women Voters, to all of their members, for their tireless public service in the interest of all Mainers, and their non-partisan work that they do with integrity and a sense of service and commitment and have been doing for over 100 years. So please join me in recognizing the League of Women Voters.

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

Senator **MILLETT:** Thank you, Mr. President. I rise in support of this Resolution. Very briefly, I just want to say I have very fond memories of my mother bringing me to meetings back in the '70s with the League as she volunteered in all of their amazing work and I know that I rely very heavily today on their fantastic non-partisan voting guide. It's an incredible resource for Maine voters and I'm very grateful for their work around that and all that they do to help protect democracy here in our state and across the nation. So, again, it's a great honor to be able to stand and join in recognizing the League of Women Voters today.

The Joint Resolution was **ADOPTED**, in concurrence.

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

## REPORTS OF COMMITTEES

### House

#### Pursuant to Resolve

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Support and Increase the Recycling of Packaging"

H.P. 1500 L.D. 2104

Reported that the same be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, pursuant to Resolve, chapter 42, section 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

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

Bill and accompanying papers **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in concurrence.

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**Pursuant to Resolve**

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Nursing Facility Licensing Rules To Enhance Cost of Care Collection"

H.P. 1503 L.D. 2107

Reported that the same be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, pursuant to Joint Order, H.P. 1489.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Bill and accompanying papers **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

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Off Record Remarks

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

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On motion by Senator **DAVIS** of Piscataquis, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, February 18, 2020 at 10:00 in the morning.