

# 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 20, 2020

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

Prayer by Reverend Jane White-Hassler of St. James Episcopal Church in Old Town.

**REVEREND WHITE-HASSLER:** President Jackson and Senators, good morning. I'm honored to be here today to offer the opening prayer and it is a particular honor to be here during the year of Maine's 200<sup>th</sup> Anniversary celebration. So thank you for inviting me. Before I begin the prayer I feel it is important to acknowledge that as we celebrate the Bicentennial of the great state of Maine that we are meeting on the traditional lands of the Wabanaki people. Now let us pray.

O Holy One, I thank You on behalf of the citizens of Maine for all who work in the Maine State government, those who are elected and those who are appointed or hired. I ask Your blessing on all of them as they go about their work, that they may be appreciated and respected for their labor on our behalf. O Holy One, Creator of the Universe, we thank You for this state, with its beautiful shoreline, rivers, and mountains, clear air and clean waters, and for all the creatures that inhabit the woods and waters of our state. Keep us mindful, we pray, of the interconnectedness of all creation and help us to continue to take proper care of the environment so that we will provide a safe habitat for all wild creatures as well as us humans. O Holy One, fountain of wisdom, whose will is good and gracious, we ask You to give courage, wisdom, and foresight to our Senators, our Governor, and our Representatives assembled here in Augusta and to so guide them, that they may enact such laws as shall please You that shall be just and compassionate and shall provide for the wellbeing of all our citizens today as well as tomorrow. All this we ask in Your name, trusting in Your boundless love, grace, and guidance. Amen.

Pledge of Allegiance led by Senator Matthew G. Pouliot of Kennebec County.

Reading of the Journal of Tuesday, February 18, 2020.

Doctor of the day, Renee Fay-LeBlanc, MD of Portland.

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. 757

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 25, 2020 at 10:00 in the Morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

Off Record Remarks

**COMMUNICATIONS**

The Following Communication: S.C. 932

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

February 14, 2020

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

Dear Secretary Grant:

Pursuant to my authority under Title 5 MRSA, §2003, I have appointed Leticia van Vuuren of Rockland to the Maine Library of Geographic Information Board, effective immediately.

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

Sincerely,

S/Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 933

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

February 13, 2020

The Honorable Troy Jackson  
President of the Senate

The Honorable Sara Gideon  
Speaker of the House of Representatives

129th Legislature  
State House  
Augusta, ME 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on Health and Human Services from its review and evaluation of the Maine Developmental Disabilities Council under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The Joint Standing Committee on Health and Human Services finds that the Maine Developmental Disabilities Council is operating within its statutory authority.

Sincerely,

S/Senator Geoffrey M. Gratwick  
Senate Chair

S/Representative Patricia Hymanson  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 934

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

February 13, 2020

The Honorable Troy Jackson  
President of the Senate

The Honorable Sara Gideon  
Speaker of the House of Representatives

129th Legislature  
State House  
Augusta, ME 04333

Dear President Jackson and Speaker Gideon:

Please accept this letter as the report of the findings of the Joint Standing Committee on Health and Human Services from its review and evaluation of the Maine Children's Trust under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

The Joint Standing Committee on Health and Human Services finds that the Maine Children's Trust is operating within its statutory authority.

Sincerely,

S/Senator Geoffrey M. Gratwick  
Senate Chair

S/Representative Patricia Hymanson  
House Chair

**READ and ORDERED PLACED ON FILE.**

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

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Reduce Financial Burdens on Small Water Utilities" (EMERGENCY)

H.P. 1442 L.D. 2032

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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Regarding the Reserve Funds of Certain School Organizational Structures"

H.P. 1366 L.D. 1918

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-681)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-681)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-681) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **LABOR AND HOUSING** on Bill "An Act To Support Emergency Shelter Access for Persons Experiencing Homelessness in Maine"

H.P. 1363 L.D. 1909

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-680)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-680)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-680) **READ** and **ADOPTED**, in concurrence.

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

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**Senate**

**Ought to Pass**

Senator DESCHAMBAULT for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Establish the Central Aroostook County Emergency Medical Services Authority"

S.P. 723 L.D. 2050

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

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

Bill **READ ONCE**.

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

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Senate at Ease.

The Senate was called to order by the President.

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On motion by Senator **CARPENTER** of Aroostook, the Senate **RECONSIDERED** whereby the Bill was **ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY**.

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

Sent down for concurrence.

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Senator GRATWICK for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Amend the Qualifications for the State Nuclear Safety Inspector"

S.P. 724 L.D. 2051

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

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

Bill **READ ONCE**.

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

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

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**SECOND READERS**

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

**House**

Resolve, Regarding Legislative Review of Portions of Chapter 12: Licensure of Manufacturers and Wholesalers, a Major Substantive Rule of the Department of Professional and Financial Regulation, Maine Board of Pharmacy (EMERGENCY)

H.P. 1338 L.D. 1872

Bill "An Act To Require Background Investigations for Certain Individuals To Receive Federal Tax Information in Accordance with Federal Standards" (EMERGENCY)

H.P. 1375 L.D. 1931

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

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On motion by Senator **VITELLI** of Sagadahoc, the Senate **RECONSIDERED** whereby it **PASSED TO BE ENGROSSED** the following:

Bill "An Act To Require Background Investigations for Certain Individuals To Receive Federal Tax Information in Accordance with Federal Standards" (EMERGENCY)

H.P. 1375 L.D. 1931

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

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#### House As Amended

Bill "An Act To Establish Standards for Operation and Maintenance and Asset Management for Publicly Owned Treatment Works and Municipal Satellite Collection Systems"

H.P. 1263 L.D. 1779  
(C "A" H-677)

Bill "An Act To Support Replacement of At-risk Home Heating Oil Tanks"

H.P. 1264 L.D. 1780  
(C "A" H-678)

Bill "An Act To Protect Teachers from Professional Teacher Certificate Endorsement Changes"

H.P. 1329 L.D. 1858  
(C "A" H-676)

Resolve, To Establish the Commission To Study the Use of Adjunct Professors in Maine's Public University and College System

H.P. 1344 L.D. 1878  
(C "A" H-679)

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

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#### Senate As Amended

Bill "An Act To Clarify Lobbyist Reporting Requirements and Simplify Registration Requirements for State Employees Who Lobby on Behalf of a State Department or Agency"

S.P. 639 L.D. 1867  
(C "A" S-389)

Bill "An Act To Amend the Unemployment Compensation Laws" (EMERGENCY)

S.P. 658 L.D. 1911  
(C "A" S-388)

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

Sent down for concurrence.

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

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#### ENACTORS

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

#### Acts

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)

An Act To Clarify the Law Protecting Job Applicants from Identity Theft

S.P. 688 L.D. 1986

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

H.P. 1495 L.D. 2098

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

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

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

#### PAPERS FROM THE HOUSE

#### House Papers

Bill "An Act To Prevent Charter Schools from Using State Funds for Anti-union Campaigns"

H.P. 1506 L.D. 2113

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

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

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Bill "An Act To Limit the Use of Hydrofluorocarbons To Fight Climate Change"

H.P. 1505 L.D. 2112

Comes from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **CARSON** of Cumberland, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

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All matters thus acted upon were ordered sent down forthwith for 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 Statute

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Implement the Recommendations of the State Compensation Commission"

H.P. 1508 L.D. 2115

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, pursuant to the Maine Revised Statutes, Title 3, section 2-B, subsection 2.

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

#### REPORTS OF COMMITTEES

##### House

##### Pursuant to Public Law

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Implement the Recommendations of the Secretary of State Regarding Automatic Voter Registration"

H.P. 1507 L.D. 2114

Reported that the same be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, pursuant to Public Law, chapter 409, section 7.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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

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

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#### Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure an Efficient Contracting Process for the Department of Health and Human Services"

H.P. 1461 L.D. 2057

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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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, February 25, 2020 at 10:00 in the morning.