

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
FIRST REGULAR SESSION
JOURNAL OF THE SENATE**

In Senate Chamber
Wednesday
June 12, 2019

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

Prayer by Senator Rebecca J. Millett of Cumberland County.

SENATOR MILLETT: Good morning. This is from Beatitudes by Jan Phillips. Blessed be the earth and those who tend her, for she is the source and sustenance of our lives. Blessed be the children who hunger for food, learning, and homes that are safe, for their future is shaped by our choices today. Blessed be the refugees fleeing the violence of war and poverty, may they find shelter, peace, and work that sustains them. Blessed be those who are calling for freedom, resisting oppression, and risking their lives in the struggle for justice, for they are the shapers of a brighter world. Blessed be the persecuted and wrongly judged, for theirs is a sorrow lessened only by mercy and human kindness. Blessed be the prophets who speak and write of a world beyond war, for theirs are the words becoming flesh. Blessed be the storytellers, music makers, and artists at life, for they are the true light of the world. Blessed be the tender hearted who mourn and grieve the wars we fought, the lives we lost, may peace ride in on the river of their tears. Blessed be.

Pledge of Allegiance led by Senator Kimberley C. Rosen of Hancock County.

Reading of the Journal of Tuesday, June 11, 2019.

Off Record Remarks

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Hardwood Products Company, of Guilford, which is celebrating 100 years of operation. Founded by Lloyd Cartwright as the Minto Toothpick and Specialty Company in Saginaw, Michigan, the company moved to Guilford in 1920 and became Hardwood

Products Company, LP, now known as the parent company of Hardwood Products Company, LLC and Puritan Medical Products, LLC. The company, which is owned and operated by the 3rd and 4th generations of the founding family, is the largest employer in Piscataquis County, with 550 full-time employees. We extend our congratulations and best wishes;
SLS 656

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative: STEARNS of Guilford.

The Joint Order was **READ**.

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

Senator DAVIS: Thank you, Mr. President. Mr. President, it is an absolute honor for me to rise today to recognize Hardwood Products Company as they celebrate 100 years in business. Hardwood Products started out as a Minto toothpick and Specialty Company, solely producing mint flavored toothpicks. Over the years, as market demands have increased and changed, the business separated into two operating businesses to meet two different markets. Today Hardwood Products Company and Puritan Medical Products produce a broad variety of wood products. Hardwood Products Company manufactures products for food service, dairy, industrial industries such as spoons, stirring sticks, and toothpicks. Puritan Medical Products is known worldwide for producing healthcare, critical environmental, food safety, drug manufacturing industries items such as tip applicators, tongue depressors, DNA sample swabs, and on and on. Collectively, Hardwood Products is the largest employer of Piscataquis County with more than 550 fulltime workers. The company, which started 100 years ago, is still owned by the same family that started it. I believe this speaks volumes for the quality of products they manufacture, business relationships they have created over a lifetime, and how they treat their employees. My brother-in-law worked there for many years. My sister-in-law still works there to this day. They value their employees and provide competitive health plans, which we had a good discussion on yesterday, which we all know is of great importance to the people today. I believe we are very fortunate to have Hardwood Products and Puritan Medical Products in Guilford and in the state of Maine and I am pleased to be able to congratulate them on the celebration of their 100th anniversary in business. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is extremely pleased to recognize in the rear of the Chamber Guilford Hardwood Products. Virginia Templet, Christina O'Halloran, Scott Wellman, Chuck Martell, Bruce Jones, and Lisa Wentzell, all from the Hardwood Products Company and Puritan Medical Products Company in Guilford. They are the guests today of the Senator from Piscataquis, Senator Davis, and the entire Maine Senate. Would they please rise and accept the greetings of the Maine Senate for their outstanding work for Maine.

Lina Michaud, of Augusta, who has been selected as the 2019 Maine Mother of the Year by the Maine Chapter of American Mothers, Inc. We extend our congratulations and best wishes;
SLS 657

Sponsored by Senator **POULIOT** of Kennebec.
Cosponsored by Representatives: **BRADSTREET** of Vassalboro,
DOORE of Augusta, **FECTEAU** of Augusta.

The Joint Order was **READ**.

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

Senator **POULIOT:** Good morning, ladies and gentlemen of the Senate. I am pleased that Lina Michaud of Augusta is able to join us this morning. She has been named, despite the best efforts of Senator Herbig, as the 2019 Maine Mother of the Year and she represented Maine in April at the 2019 Mother of the Year Convention in Washington D.C. Lina devotes much of her time to her growing family and the youth in her local community through her membership with the Elks, promoting scholarships, organizing the Greater Augusta Area Back to School event, and is an advisor for the Antlers, which is the Junior Elks program. She is a supporter of the Maine Children's Cancer Program, Camp to Belong Maine, Kinship Group of Central Maine, Betsy Ann Ross House of Hope for Homeless Female Veterans, Family Violence Project, and numerous other charitable programs. She's also a member of St. Michael's Parish, the Augusta Emblems Club 233, Veterans of Foreign War, and American Legion Post 2 Auxiliaries, and serves as the ABC Quilts coordinator for the Maine Chapter of American Mothers. Lina is very proud to be the fourth member of the Club Calumet in Augusta to be nominated for this honor and is proud of her Franco-American heritage. In closing, I'd like to thank her for everything that she does and congratulate her on being presented this very deserving honor. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize Lina Michaud and her husband, Michael Michaud, and her many, many guests that are here with her today. All from the city of Augusta. They are the guests today of the Senator from Kennebec, Senator Pouliot, but I think where we all have mothers she's the guest of everyone here in the Maine Senate and thank you so much for all your work. Would Lina please rise and accept the greetings of the Maine Senate.

William Carpenter, of Stockton Springs. Dr. Carpenter is retiring from teaching literature and writing at College of the Atlantic after 48 years of service. We extend our congratulations and best wishes;

SLS 655

Sponsored by Senator **HERBIG** of Waldo.
Cosponsored by Representative: **HUTCHINS** of Penobscot.

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 Bill Carpenter of Stockton Springs and his lovely wife, Donna Gold, to the Senate today. Bill is retiring after teaching at the College of the Atlantic for 48 years. Bill grew up in the Waterville area, went to Dartmouth College, earned his Ph.D. in English from the University of Minnesota, and was teaching literature at the University of Chicago when he saw an article in the Maine Times about a new college opening on Mt. Desert Island. Missing Maine, he took a risk and accepted a position at the College of the Atlantic, and thank goodness he did. The College President, Darron Collins, told me about Bill's profound contributions to the College, the wider community, and the state of Maine. As he said, 'Bill was the first faculty member hired and had a tremendous impact on me, as a student, from 1988 to 1992, and as President beginning in 2011. He has a voracious curiosity and sense of wonder. He's a renowned author and a tremendous teacher.' Over the past half century, Bill has taught world literature, Shakespeare, creative writing, history, film, Maine mythology, poetry, and more to generations of students. He has also written three award winning collections of poetry and two novels. Darron also told me that whether in the classroom, in the dining hall, or on his sailboat, or in his office, one cannot help but emerge from time spent with Bill and feel like a better, wiser, more compassionate person. That is such an incredible compliment. On behalf of the Maine Legislature, it is my great honor to present Bill Carpenter with a Legislative Sentiment. Bill, we are all so much better off because you took a risk and returned to Maine. Thank you for inspiring present and future leaders, instilling a passion for literature and creative writing in our students, and enriching the great state of Maine we all know and love. Congratulations.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is very pleased to recognize in the rear of the Chamber Bill Carpenter and his wife, Donna Gold, from the town of Stockton Springs. They are the guests today of the Senator from Waldo, Senator Herbig. Would they please rise and accept the greetings and congratulations of the Maine Senate.

Off Record Remarks

Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish Wage and Employment Parity between Adult and Child Protective Services Caseworkers in the Department of Health and Human Services" H.P. 337 L.D. 428

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-139)** (5 members)

In Senate, June 10, 2019, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-139)** in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-139) AS AMENDED BY HOUSE AMENDMENT "A" (H-549)** thereto in **NON-CONCURRENCE**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

An Act To Increase Land Permit by Rule Application Fees H.P. 1269 L.D. 1784

In Senate, June 10, 2019, **FAILED ENACTMENT** in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-502) AS AMENDED BY HOUSE AMENDMENT "A" (H-542)** thereto in **NON-CONCURRENCE**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Restore the Laws Governing the Reunification of Parents and Children" H.P. 150 L.D. 187

Majority - **Ought Not to Pass** (11 members)

Minority - **Ought to Pass** (2 members)

In Senate, June 10, 2019, on motion by Senator **CARPENTER** of Aroostook, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Minority **OUGHT TO PASS** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Senator **LIBBY** of Androscoggin moved the Senate **INSIST**.

Senator **TIMBERLAKE** of Androscoggin moved the Senate **RECEDE** and **CONCUR**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#268)

YEAS: Senators: **BLACK, CARSON, CHENETTE, CHIPMAN, CYRWAY, DAVIS, DOW, FARRIN, FOLEY, GUERIN, HAMPER, KEIM, MOORE, POULIOT, ROSEN, TIMBERLAKE, WOODSOME**

NAYS: Senators: **BELLOWS, BREEN, CARPENTER, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, HERBIG, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON**

17 Senators having voted in the affirmative and 18 Senators having voted in the negative, the motion by Senator **TIMBERLAKE** of Androscoggin to **RECEDE** and **CONCUR** **FAILED**.

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

COMMUNICATIONS

The Following Communication: S.C. 587

**STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY**

June 6, 2019

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 Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1346 An Act To Revise the Good Time Laws To Improve Public Safety

This is notification of the Committee's action.

Sincerely,

S/Sen. Susan Deschambault Senate Chair S/Rep. Charlotte May Warren House Chair

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

The Following Communication: S.C. 586

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

June 7, 2019

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 Taxation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 518 An Act To Change the Exclusion Amount under the Estate Tax

This is notification of the Committee's action.

Sincerely,

S/Sen. Ben Chipman Senate Chair S/Rep. Ryan Tipping House Chair

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

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify and Enhance Certain Maine Wildlife Laws" H.P. 1295 L.D. 1818

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-538).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-538) AS AMENDED BY HOUSE AMENDMENT "A" (H-560)** thereto.

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

Bill **READ ONCE.**

Committee Amendment "A" (H-538) **READ.**

House Amendment "A" (H-560) to Committee Amendment "A" (H-538) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-538) as Amended by House Amendment "A" (H-560) thereto, **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-538) AS AMENDED BY HOUSE AMENDMENT "A" (H-560)** thereto, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Enact Laws Governing Private Vehicle Rentals" H.P. 1167 L.D. 1615

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-540).**

Signed:

Senators:
SANBORN, H. of Cumberland
FOLEY of York
GRATWICK of Penobscot

Representatives:
TEPLER of Topsham
BLIER of Buxton
FOLEY of Biddeford
LANDRY of Farmington
MASTRACCIO of Sanford
MELARAGNO of Auburn
PRESCOTT of Waterboro
SWALLOW of Houlton

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

Signed:

Representative:
MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-540)**.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Allow Public Employers of Teachers to Negotiate Regarding Educational Policies"

H.P. 203 L.D. 240

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-518)**.

Signed:

Senator:
BELLOWS of Kennebec

Representatives:
SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
PEOPLES of Westbrook
RYKERSON of Kittery

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

Signed:

Senator:
GUERIN of Penobscot

Representatives:
AUSTIN of Gray
BRADSTREET of Vassalboro
LOCKMAN of Bradley
MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-518)**.

Reports **READ**.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Authorize a Local Option Sales Tax on Meals and Lodging and Provide Funding To Treat Opioid Use Disorder"

H.P. 915 L.D. 1254

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-536)**.

Signed:

Senators:
CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:
CLOUTIER of Lewiston
DENK of Kennebunk
MATLACK of St. George
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senator:
POULIOT of Kennebec

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-536)**.

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Legalize Keno and Historical Instant Racing"

H.P. 1176 L.D. 1633

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

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
ANDREWS of Paris
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HUBBELL of Bar Harbor
McCREIGHT of Harpswell

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-535)**.

Signed:

Representatives:

HICKMAN of Winthrop
STROM of Pittsfield

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

Reports **READ**.

On motion by Senator **LUCHINI** of Hancock, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Allow Maine Clean Election Act Funds To Be Used for Election Recounts"

H.P. 1210 L.D. 1686

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

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ANDREWS of Paris
HUBBELL of Bar Harbor
McCREIGHT of Harpswell
STROM of Pittsfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-534)**.

Signed:

Representatives:

ACKLEY of Monmouth
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HICKMAN of Winthrop

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

Reports **READ**.

On motion by Senator **LUCHINI** of Hancock, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Elections"

H.P. 1232 L.D. 1730

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-459)**.

Signed:

Senators:

LUCHINI of Hancock
CYRWAY of Kennebec
HERBIG of Waldo

Representatives:

SCHNECK of Bangor
ACKLEY of Monmouth
COOPER of Yarmouth
DOLLOFF of Rumford
HANINGTON of Lincoln
HICKMAN of Winthrop
HUBBELL of Bar Harbor
McCREIGHT of Harpswell
STROM of Pittsfield

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

Signed:

Representative:
ANDREWS of Paris

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-459) AS AMENDED BY HOUSE AMENDMENTS "A" (H-525) AND "C" (H-555) thereto AND HOUSE AMENDMENT "A" (H-526).**

Reports **READ.**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-459) **READ.**

House Amendment "A" (H-525) to Committee Amendment "A" (H-459) **READ** and **ADOPTED**, in concurrence.

House Amendment "C" (H-555) to Committee Amendment "A" (H-459) **READ** and **ADOPTED**, in concurrence.

Committee Amendment "A" (H-459) as Amended by House Amendments "A" (H-525) and "C" (H-555) thereto, **ADOPTED**, in concurrence.

House Amendment "A" (H-526) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-459) AS AMENDED BY HOUSE AMENDMENTS "A" (H-525) AND "C" (H-555) thereto, AND HOUSE AMENDMENT "A" (H-526)**, in concurrence.

Senate

Ought to Pass As Amended

Senator **DILL** for the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Improve Geographic Information System Data Acquisition and Maintenance"

S.P. 568 L.D. 1719

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-261).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-261) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator **GRATWICK** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Clarify and Amend MaineCare Reimbursement Provisions for Nursing and Residential Care Facilities" (EMERGENCY)

S.P. 588 L.D. 1758

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-265).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-265) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator **H. SANBORN** for the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act Regarding Insurance Licensees"

S.P. 619 L.D. 1829

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-264).**

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

Bill **READ ONCE.**

Committee Amendment "A" (S-264) **READ** and **ADOPTED.**

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

Sent down for concurrence.

Senator **CHIPMAN** for the Committee on **TAXATION** on Bill "An Act To Create and Sustain Jobs through Development of Cooperatives and Employee-owned Businesses"

S.P. 469 L.D. 1520

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-260).**

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

Bill **READ ONCE**.

Committee Amendment "A" (S-260) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-262)**.

Signed:

Senators:

- DILL of Penobscot
- BLACK of Franklin
- DIAMOND of Cumberland

Representatives:

- HALL of Wilton
- KINNEY of Knox
- KRYZAK of Acton
- SKOLFIELD of Weld

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-263)**.

Signed:

Representatives:

- HICKMAN of Winthrop
- MAXMIN of Nobleboro
- McCREA of Fort Fairfield
- O'NEIL of Saco
- PLUECKER of Warren
- ROBERTS-LOVELL of South Berwick

Reports **READ**.

Senator **DILL** of Penobscot moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-262)** Report.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

ENACTORS

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

Act

An Act To Create an Additional Pathway To Certify Industrial Arts Teachers To Foster Career and Technical Subjects in Maine Schools

H.P. 991 L.D. 1369
(C "A" H-473)

Comes from the House **FAILED ENACTMENT**.

PASSED TO BE ENACTED, in **NON-CONCURRENCE**.

Sent down for concurrence.

RECALLED FROM GOVERNOR'S DESK

An Act To Increase the Number of Franklin County Commissioners

H.P. 695 L.D. 940
(C "A" H-488)

(In Senate, June 10, 2019, **PASSED TO BE ENACTED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 624), in concurrence.)

On motion by Senator **CLAXTON** of Androscoggin, **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

Unfinished Business

The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (6/4/19) matter:

HOUSE REPORTS - from the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry"
H.P. 277 L.D. 351

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-423)** (11 members)

Minority - **Ought to Pass as Amended by Committee Amendment "B" (H-424)** (1 member)

Tabled - June 4, 2019 by Senator **DILL** of Penobscot

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423)**.)

On motion by Senator **DILL** of Penobscot, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-423) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423)**, in concurrence.

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

Constitutional Amendment

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps
H.P. 107 L.D. 125

Tabled - June 6, 2019 by Senator **DILL** of Penobscot

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

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#269)

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

NAYS: Senators: **BELLOWS, BREEN, CARSON, CHENETTE, CHIPMAN, MILLETT, MIRAMANT, SANBORN L**

This being an Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 27 Members of the Senate, with 8 Senators having voted in the negative, and 27 being more than two-thirds of the Members present and voting, was **FINALLY PASSED** and signed by the President, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Create the Task Force To Study and Plan for the Implementation of Maine's Early Childhood Special Education Services (EMERGENCY)

H.P. 369 L.D. 512

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-561)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-561)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-561) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **LABOR AND HOUSING** on Bill "An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System"

H.P. 1009 L.D. 1395

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-551)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-551)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-551) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TRANSPORTATION** on Bill "An Act To Establish a Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems" (EMERGENCY)

H.P. 700 L.D. 945

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-557)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-557)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-557) **READ** and **ADOPTED**, in concurrence.

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

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

ENACTORS

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

Emergency Measure

An Act To Provide for the Merger of Hospital Administrative District No. 4 into MRH Corp., a Maine Nonprofit, Nonstock Private Corporation

H.P. 1220 L.D. 1708
(C "A" H-537)

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

Emergency Measure

An Act Regarding Medical Marijuana

H.P. 1236 L.D. 1738
(C "A" H-545)

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just a question to the Chair, the President. What does the new amendment do, to the Floor. I just wanted to find clarity on that.

THE PRESIDENT: The Senator from Kennebec, Senator Cyrway, has definitely posed a question through the Chair about what the new amendment is on item 7-2 for anyone that can answer. The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY**: Thank you, Mr. President. Men and women of the Senate, I pulled up the amendment on the on-line system so I can read it to the Body if that's helpful. The amendment is a unanimous report of the Committee. Replaces the bill, which is a concept draft. Has an Emergency Preamble in the clause of the Legislation. It establishes a certification program within DHHS governing testing facilities for adult use. It requires these testing facilities under adult use to be certified by the Maine CDC and adds an appropriation and allocation section. That's the committee amendment. Thank you, Mr. President.

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

Senator **CYRWAY**: Thank you, Mr. President. Ladies and gentlemen, I just was concerned because I had heard that some of these lab testing facilities wanted to be connected to the other facilities that do raise the crops, or whatever. So I just wanted to make sure that they were independent of those facilities and be on their own. So that's what I wanted to make sure that we make sure that they are independent and away from the facilities.

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 2 Senators having voted in the negative, and 32 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.

Emergency Measure

An Act To Clarify Certain Standards for the Efficiency Maine Trust's Triennial Plan

H.P. 1251 L.D. 1757
(C "A" H-539)

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

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

ENACTORS

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

Acts

An Act To Ensure That Defendants in Foreclosure Proceedings Receive Proper Notification

H.P. 671 L.D. 907
(C "A" H-543)

An Act To Provide Ready Access to Defibrillators in Businesses and Pharmacies

S.P. 355 L.D. 1169
(C "A" S-233)

An Act To Prohibit Infringing on the Rights of Association of Dependent Adults

H.P. 910 L.D. 1249
(C "A" H-546)

An Act To Enhance the Long-term Stability of Certain At-risk Youth

H.P. 1155 L.D. 1596
(C "A" H-544)

An Act Regarding Criminal Procedure with Respect to Allowable Defenses

H.P. 1175 L.D. 1632

An Act To Authorize the Commissioner of Corrections To Designate Additional Employees of the Department of Corrections To Collect Biological Samples

H.P. 1202 L.D. 1678
(C "A" H-547)

An Act To Amend the Charter of the Boothbay Harbor Sewer District

H.P. 1247 L.D. 1752
(C "A" H-528)

An Act To Expand and Clarify the Prohibition of Hazing at Elementary Schools, Secondary Schools and Postsecondary Institutions

H.P. 1254 L.D. 1765
(C "A" H-529)

An Act To Amend the Barbering and Cosmetology Licensing Laws

H.P. 1255 L.D. 1768
(C "A" H-533)

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

An Act Regarding the Collection of the Sales and Use Tax by Marketplace Facilitators

H.P. 1064 L.D. 1452
(H "A" H-521 to C "A" H-508)

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

An Act Regarding Consent by a Motor Vehicle Operator to a Blood Test

H.P. 567 L.D. 762
(S "A" S-198 to C "A" H-284)

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

Resolves

Resolve, Directing the Department of Education To Study and Develop a State Plan for Computer Science Instruction and Professional Development

H.P. 1003 L.D. 1382
(C "A" H-522)

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

Resolve, To Save Lives by Establishing a Homeless Opioid Users Service Engagement Pilot Project within the Department of Health and Human Services

H.P. 965 L.D. 1337
(C "A" H-429)

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass

Senator **HERBIG** for the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend the Jurisdiction of Certain Reviews Conducted Pursuant to the State Government Evaluation Act"

S.P. 611 L.D. 1810

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

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

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

Sent down for concurrence.

Ought to Pass As Amended

Senator **GRATWICK** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Authorize Limited Disclosure of Cigarette Sales Information To Ensure Continued Receipt of Tobacco Settlement Funds"

S.P. 615 L.D. 1825

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-268)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-268) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

COMMUNICATIONS

The Following Communication: S.C. 590

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

June 10, 2019

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 Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 405 An Act To Increase the Statewide Minimum Salary for Teachers

This is notification of the Committee's action.

Sincerely,

S/Sen. Rebecca Millett
Senate Chair

S/Rep. Victoria P. Kornfield
House Chair

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

The Following Communication: S.C. 589

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

June 11, 2019

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 Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1183 Resolve, To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation by Members of Public Bodies (EMERGENCY)

L.D. 1507 An Act Relating to Amateur Radio Service

This is notification of the Committee's action.

Sincerely,

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

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass Pursuant to Joint Order

Senator HERBIG for the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Resolve, Directing the Commissioner of Professional and Financial Regulation To Create a Working Group To Study Barriers to Credentialing
S.P. 625 L.D. 1841

Reported that the same **Ought to Pass**, pursuant to Joint Order, S.P. 435.

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

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

Sent down for concurrence.

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

Off Record Remarks

RECESSED until the sound of the bell.

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

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

An Act To Prevent Discrimination in Public and Private Insurance Coverage for Pregnant Women in Maine
H.P. 594 L.D. 820
(C "A" H-210)

Placed on Special Appropriations Table - May 21, 2019 by Senator **BREEN** of Cumberland

Pending - **ENACTMENT**

(In Senate, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-210)** 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-210)**, 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-210), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-275) to Committee Amendment "A" (H-210) **READ** and **ADOPTED.**

Committee Amendment "A" (H-210) as Amended by Senate Amendment "A" (S-275) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-210) AS AMENDED BY SENATE AMENDMENT "A" (S-275) thereto, in NON-CONCURRENCE.

Ordered sent down for concurrence.

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

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1312

JOINT RESOLUTION DESIGNATING JUNE 27, 2019 AS POST-TRAUMATIC STRESS INJURY AWARENESS DAY

WHEREAS, all veterans of the United States Armed Forces possess the basic human right to the preservation of personal dignity and deserve the investment of every possible resource to ensure their lasting physical, mental and emotional well-being; and

WHEREAS, the diagnosis known as post-traumatic stress disorder, or PTSD, was initially formulated in 1980 by the American Psychiatric Association to more accurately assess and assist veterans who had endured severe combat stress in Vietnam; and

WHEREAS, combat stress is an invisible wound that has historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability, and the word "disorder" carries a stigma that perpetuates this misconception; and

WHEREAS, it has been shown through electromagnetic imaging that these invisible wounds can cause physical changes to the brain that more accurately indicate an injury than a disorder; and

WHEREAS, referring to invisible wounds as a disorder may discourage the injured from seeking proper and timely medical treatment; and

WHEREAS, referring to invisible wounds as post-traumatic stress injury, or PTSI, is less stigmatizing and viewed as more honorable, and this designation can favorably influence those affected and encourage them to seek treatment without fear of retribution or shame; and

WHEREAS, post-traumatic stress injury can occur following exposure to extremely traumatic events other than combat such as, but not exclusive to, interpersonal violence, life-threatening accidents and natural disasters; and

WHEREAS, post-traumatic stress injury satisfying the criteria for a diagnosis of post-traumatic stress disorder in the Diagnostic and Statistical Manual of Mental Disorders deserves disability compensation equal to that allowed for PTSD under the law; and

WHEREAS, while all citizens suffering post-traumatic stress injuries deserve our compassion and consideration, those brave men and women of the United States Armed Forces who have received these wounds in operational action against an enemy of the United States further deserve our clear and obvious recognition; and

WHEREAS, timely and appropriate treatment of post-traumatic stress injury can diminish complications and avert suicides; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to designate June 27, 2019 as Post-Traumatic Stress Injury Awareness Day and respectfully urge the Department of Health and Human Services and the Department of Defense, Veterans and Emergency Management to continue working to educate victims of interpersonal violence, combat, life-threatening accidents or natural disasters and their families, as well as the general public, about the causes, symptoms and treatment of post-traumatic stress injury.

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

READ and **ADOPTED**, in concurrence.

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. 1313

JOINT RESOLUTION RECOGNIZING SEPTEMBER 1-7, 2019 AS RESILIENCY WEEK IN MAINE

WHEREAS, natural hazard mitigation is the effort to reduce loss of life and property by lessening the impact of disasters. It is most effective when implemented under a comprehensive, long-term mitigation plan; and

WHEREAS, the Pre-Disaster Mitigation Grant Program, administered by the Federal Emergency Management Agency, or FEMA, is designed to assist states and local communities in implementing a sustained pre-disaster natural hazard mitigation program; and

WHEREAS, the recently enacted federal Disaster Recovery Reform Act of 2018 makes money available for states and communities to undertake pre-disaster mitigation measures and creates new incentives for states to implement measures to improve the disaster resilience of buildings; and

WHEREAS, since 1908, natural disasters have cost the country more than one trillion dollars; and

WHEREAS, climate change has increased the probability of extreme weather and thereby natural disasters; and

WHEREAS, disasters and increased disaster recovery times affect local and state economies in lost payrolls and lost sales and income tax; and

WHEREAS, according to a FEMA-commissioned study conducted by the National Institute of Building Sciences, every \$1 spent on natural hazard mitigation provides the nation with \$6 in future benefits; and

WHEREAS, 25% of small businesses that are impacted by a natural disaster never reopen their doors; and

WHEREAS, September is National Preparedness Month, an occasion to recognize the need for all Americans to prepare for a disaster and plan for recovery after a disaster; and

WHEREAS, natural hazard mitigation planning is a key process used to break the cycle of disaster damage, reconstruction and repeated damage; and

WHEREAS, effective pre-disaster mitigation reduces the demand for relief services on volunteer organizations, such as disaster rescue and recovery teams, along with food banks and homeless shelters that serve our communities by changing their operations to provide additional services to those affected by disaster; and

WHEREAS, the development of awareness throughout Maine of the need to improve building resiliency and develop long-range mitigation strategies for protecting people and property from future disasters is essential to the future of our economic growth, health and well-being; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-ninth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to declare the week of September 1-7, 2019 as Resiliency Week in Maine to raise public awareness about the continuing need to plan for future disasters by instituting a pre-disaster natural hazard mitigation strategy, and we honor the brave men and women who, as first responders, selflessly provide aid in a disaster to safeguard Maine citizens.

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

READ and **ADOPTED**, in concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Concerning the Children's Cabinet and Its Advisory Councils"

S.P. 602 L.D. 1778

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-267)**.

Signed:

Senators:

MILLETT of Cumberland
CARSON of Cumberland

Representatives:

KORNFIELD of Bangor
BRENNAN of Portland
DODGE of Belfast
FARNSWORTH of Portland
INGWERSEN of Arundel
McCREA of Fort Fairfield

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

Signed:

Representatives:

DRINKWATER of Milford
RUDNICKI of Fairfield
SAMPSON of Alfred

Reports **READ**.

Senator **MILLETT** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#270)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **MILLETT** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-267) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

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

COMMUNICATIONS

The Following Communication: S.C. 591

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

June 11, 2019

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Mary J. Zmigrodski of Vassalboro, for appointment to the Maine Commission on Indigent Legal Services.

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

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

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 Mary J. Zmigrodski of Vassalboro, for appointment to the Maine Commission on Indigent Legal Services be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

READ and ORDERED PLACED ON FILE.

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

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#271)

YEAS: Senators: None

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

EXCUSED: Senators: TIMBERLAKE

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Mary J. Zmigrodski** of Vassalboro for appointment to the Maine Commission on Indigent Legal Services was **CONFIRMED**.

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

The Following Communication: S.C. 592

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

June 11, 2019

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of the Honorable Roger J. Katz of Brunswick, for appointment to the Maine Commission on Indigent Legal Services.

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 Arostook, Bellows, S. of Kennebec, Keim, L. of Oxford
	Representatives	9	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, Talbot Ross, R. of Portland
NAYS		0	
ABSENT		1	Rep. DeVeau, J. of Caribou

Twelve 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 the Honorable Roger J. Katz of Brunswick, for appointment to the Maine Commission on Indigent Legal Services be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#272)

YEAS: Senators: None

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

EXCUSED: Senators: TIMBERLAKE

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Roger J. Katz** of Brunswick for appointment to the Maine Commission on Indigent Legal Services was **CONFIRMED**.

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

The Following Communication: S.C. 593

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

June 11, 2019

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Robert P. Cummins of Portland, for appointment to the Maine Commission on Indigent Legal Services.

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, Curtis, P. of Madison, Evangelos, J. of Friendship, Haggan, D. of Hampden, Harnett, T. of Gardiner, Reckitt, L. of South Portland, Talbot Ross, R. of Portland

NAYS	Senators	0	
	Representatives	1	Cardone, B. of Bangor

ABSENT		1	Rep. DeVeau, J. of Caribou
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Eleven members of the Committee having voted in the affirmative and one in the negative, it was the vote of the Committee that the nomination of Robert P. Cummins of Portland, for appointment to the Maine Commission on Indigent Legal Services be confirmed.

Signed,

S/Michael E. Carpenter Senate Chair	S/Donna Bailey House Chair
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READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#273)

YEAS: Senators: None

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

EXCUSED: Senators: TIMBERLAKE

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Robert P. Cummins** of Portland for appointment to the Maine Commission on Indigent Legal Services was **CONFIRMED**.

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

The Following Communication: S.C. 594

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

June 11, 2019

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Ronald W. Schneider Jr. of Wells, for appointment to the Maine Commission on Indigent Legal Services.

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	9	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, Talbot Ross, R. of Portland
NAYS		0	
ABSENT		1	Rep. DeVeau, J. of Caribou

Twelve 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 Ronald W. Schneider Jr. of Wells, for appointment to the Maine Commission on Indigent Legal Services be confirmed.

Signed,

S/Michael E. Carpenter
Senate Chair

S/Donna Bailey
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#274)

YEAS: Senators: None

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

EXCUSED: Senators: TIMBERLAKE

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Ronald W. Schneider Jr.** of Wells for appointment to the Maine Commission on Indigent Legal Services was **CONFIRMED**.

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

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator HERBIG for the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Authorize Early Payment of Anticipated Funds to the Loring Job Increment Financing Fund" (EMERGENCY)

S.P. 620 L.D. 1835

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-271)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-271) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Specify the Qualifications of Electors

H.P. 149 L.D. 186

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-531)** (6 members)

In Senate, June 11, 2019, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-531)** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

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

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Ensure That Voting Rights Belong Only to Citizens in Municipal or Other Local Elections
H.P. 993 L.D. 1372

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-530)** (6 members)

In Senate, June 11, 2019, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-530)** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

Senator **LIBBY** of Androscoggin moved the Senate **INSIST**.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#275)

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

NAYS: Senators: **BELLOWS, CHIPMAN, SANBORN H**

32 Senators having voted in the affirmative and 3 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **INSIST PREVAILED**.

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Amend Licensure for Professional Engineers"
H.P. 1273 L.D. 1791

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.

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

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Allow Reentry Houses as Part of Supervised Community Confinement"
H.P. 1201 L.D. 1677

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-562)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-562)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-562) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Resolve, To Promote the Inclusion of African-American History and Culture in the Curricular Offerings of School Administrative Units
H.P. 1215 L.D. 1700

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-563)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-563)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-563) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act To Make References to the Governor and Supreme Judicial Court Justices Gender Neutral"

H.P. 1069 L.D. 1457

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-565)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-565)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-565) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Establishing the Office of Policy Innovation and the Future"

H.P. 1301 L.D. 1830

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-564)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-564)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-564) **READ** and **ADOPTED**, in concurrence.

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

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

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act Regarding Court Facilities in York County"

S.P. 97 L.D. 357

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

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
CARDONE of Bangor
CURTIS of Madison
DeVEAU of Caribou
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 To Pass as Amended by Committee Amendment "A" (S-273)**.

Signed:

Senator:

KEIM of Oxford

Representative:

BABBIDGE of Kennebunk

Reports **READ**.

Senator **CARPENTER** of Aroostook moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#276)

YEAS: Senators: BREEN, CARPENTER, CARSON, GRATWICK, HERBIG, KEIM, LIBBY, MOORE, ROSEN, SANBORN H, SANBORN L, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BELLOWS, BLACK, CHENETTE, CHIPMAN, CLAXTON, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, FARRIN, FOLEY, GUERIN, HAMPER, LAWRENCE, LUCHINI, MILLETT, MIRAMANT, POULIOT, TIMBERLAKE, WOODSOME

13 Senators having voted in the affirmative and 22 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **FAILED**.

The Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-273) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Ban Child Marriage"

S.P. 167 L.D. 545

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

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebec
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:

Senator:

KEIM of Oxford

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#277)

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

NAYS: Senators: FARRIN, KEIM

33 Senators having voted in the affirmative and 2 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS** Report **PREVAILED**.

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

Sent down for concurrence.

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

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act Regarding the Sale of Dogs and Cats at Pet Shops"

S.P. 407 L.D. 1311

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

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

HICKMAN of Winthrop
HALL of Wilton
KINNEY of Knox
KRYZAK of Acton
PLUECKER of Warren

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-272).**

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

MAXMIN of Nobleboro
McCREA of Fort Fairfield
O'NEIL of Saco
ROBERTS-LOVELL of South Berwick
SKOLFIELD of Weld

Reports **READ.**

Senator **DILL** of Penobscot moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#278)

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **DILL** of Penobscot to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (S-272) **READ** and **ADOPTED.**

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

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Reduce Suicides and Violent Crimes by Requiring a 72-hour Waiting Period after the Sale of a Firearm"

S.P. 331 L.D. 1099

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

Signed:

Senators:

CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

WARREN of Hallowell
COREY of Windham
COSTAIN of Plymouth
JOHANSEN of Monticello
PICKETT of Dixfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-276).**

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

BEEBE-CENTER of Rockland
COOPER of Yarmouth
MORALES of South Portland
RECKITT of South Portland
SHARPE of Durham

Reports **READ.**

Senator **DESCHAMBAULT** of York moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

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

Senator **CARSON:** Thank you, Mr. President. I rise to speak in opposition to the pending motion. Ladies and gentlemen of the Senate, there are, unfortunately, too many stories of people, especially young people, who purchase firearms and commit suicide shortly afterwards. One of these stories is from Lewiston in 2004 and is told in the documentary film 'There Ought to Be a Law.' Larry Belanger Jr. killed himself in his Lewiston apartment on May 23, 2004, roughly 36 hours after buying a shotgun at Walmart. In a note he left behind Larry gave no explanation for his decision. His mother, Catherine Crowley, found her son's body when she went looking for him in his apartment, which was located in a house next door to hers. Some of you may have seen the movie that was made about his mother's quest for a law to enact a waiting period. In 2012, after the shooting at Sandy Hook Elementary School, an incident which is vividly etched in all of our memories, two researchers at Harvard University studied the impact of a waiting period in 43 states and the District of Columbia. More than 38,000 people die in gun related incidents every year, most recently reported 2016, and these account for more deaths than motor vehicle crashes. If the United States could lower our firearm death to that of Finland, the high income country with the second highest gun violence death rate, roughly 20,000 fewer people would die from guns every year. However, there has been no meaningful reduction in the U.S. firearm related death rate for more than a decade. In 2017, Maine lost 174 to gun violence. In Maine 86% of gun deaths are by suicides, like that of Larry Belanger Jr. To address this serious problem we must reassess the laws governing the sale, possession, and ownership of firearms which are used in half of all suicides. Of all suicide attempts with a firearm 90% results in death. L.D. 1099 would require a 72 hour waiting period to purchase a firearm. By passing this bill Maine would join numerous other states with mandatory waiting periods for firearm purchases, including California, Florida, the District of Columbia, Hawaii, Illinois, and Rhode Island. Some of these states have waiting periods as long as 10 days, while others are as short as 24 hours for some guns, putting Maine's 72 hour waiting period on the shorter end of the spectrum. I add there is an exemption in this bill, as I'm sure you all know, for firearm purchases by law enforcement officers, by security guards, and by sales of firearms to gun dealers. For those of us who have lost a loved one or a friend in a way that might have been prevented, we wish that we could go back, that we could somehow have safeguarded that person. L.D. 1099 offers a useful tool that would help safeguard families, our children, and our communities. I respectfully ask that you vote yes to pass L.D. 1099. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#279)

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

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

24 Senators having voted in the affirmative and 11 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Better Enforce the Prohibition against Dangerous Persons Possessing Firearms" S.P. 396 L.D. 1276

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-274)**.

Signed:

Senator:
DESCHAMBAULT of York

Representatives:
WARREN of Hallowell
BEEBE-CENTER of Rockland
COOPER of Yarmouth
MORALES of South Portland
RECKITT of South Portland
SHARPE of Durham

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

Signed:

Senators:
CARPENTER of Aroostook
ROSEN of Hancock

Representatives:

COREY of Windham
 COSTAIN of Plymouth
 JOHANSEN of Monticello
 PICKETT of Dixfield

Reports **READ**.

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

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 Cumberland, Senator L. Sanborn.

Senator **L. SANBORN:** Thank you, Mr. President. Mr. President, colleagues in the Senate, I rise in support of the pending motion. In many places there is more rigorous screening of people who want to adopt dogs than of people who want to purchase firearms. That is certainly true of my experience in adopting a rescue from Arkansas a few years ago. After each incident of gun violence we mourn the deaths and sympathize with the victim's families but we do nothing fundamental to reduce our vulnerability. The phrase 'our thoughts and prayers are with you' has worn thin, become insincere, and even, to some like me, become irritating as it is a reminder of our lack of action. As our youth have shouted out enough is enough and no more, it is time to address this public health crisis for what it is, preventable, not inevitable. Gun enthusiasts often protest cars kill about as many people as guns and we don't ban them. No, but automobile related deaths are actually a model for the public health approach that we need to help our gun violence crisis. We don't ban cars but we work hard to regulate them and limit access to them so as to reduce the death rate for hundreds of millions of miles driven by 95% since 1921. For skeptics who think that gun safety laws don't make a difference consider what happened in two states, Missouri and Connecticut. In 1995, after the Sandy Hook School shooting that was mentioned just moments ago, Connecticut tightened licensing laws while Missouri eased licensing laws. The upshot, after tightening gun laws firearm homicide rates dropped 40% in Connecticut. After Missouri eased gun laws gun homicide rates rose 25%. Likewise, estimated changes in rates of gun suicides followed suit, decreasing by 15% in Connecticut and increasing by 16% in Missouri. Efforts by states and other entities to pass firearm legislation introduces a unique opportunity for research on the efficacy and effectiveness of such laws and policies to decrease firearm related morbidity and mortality.

L.D. 1276 provides one such opportunity. This bill would require background checks of the purchasers of firearms for all private gun sales at gun shows or private sales resulting from advertising or marketing. Currently, Maine has no background check requirements for firearms purchased in the state, only federal law mandates that gun stores require a background check for all purposes. This leaves a substantial loophole for individuals prone to committing gun violence to purchase guns whether it's at a gun show, on Craig's List, or through Uncle Henry's. This bill would close that loophole by requiring all gun sales in Maine be conducted at a federally licensed gun store. For private sales, both parties would present the firearm and necessary identifying

information to the federally licensed dealer who would run the background check. If the buyer passes, the sale can continue. If not, the dealer must inform the seller. The arguments against this bill when it was presented as a referendum question now ring false. Valid arguments have been addressed in this bill by explicitly exempting family members from the background check requirement when transferring a firearm amongst themselves. It also exempts hunters and sport shooters who are simply loaning each other guns for the purposes of engaging in sport. The Committee has further amended this bill to exempt transfers of a firearm between unlicensed persons if the firearm is a curio, relic, or antique, or if the transfers are done in the line of law enforcement work or as a member of the armed forces. One of the lessons of gun research is that we often focus just on the firearms themselves when it may be more productive to focus on who gets access to them. About 80% of firearms acquired for criminal purposes and 96% of those acquired by prohibited people are obtained in private party transfers. Many of these guns are trafficked from states with weak gun laws to states with strong gun laws, undermining existing background check laws. Although there are important areas where Mainers disagree on guns, large majorities of both gun owners and non-gun owners strongly support this measure, in both the first and second C.D. and in all political parties. Let us take a public health approach to figuring out just what these policies do or what policies do and do not work to lower the risk of gun violence and violence is one of the leading preventable causes of death in the U.S. We must close senseless loopholes, easy access for felons, domestic abusers, the seriously mentally ill, and others prohibited from owning firearms by requiring background checks for all commercial gun sales, including those at gun shows and through classified ads with limited exemptions. Lives depend upon it. I hope that you'll follow my light. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Knox, Senator Miramant.

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I brought one of the bills that became this bill, because it took several pieces that we had determined during the Citizen Referendum were the reasons that people weren't going to vote for it. They told me at the doors over and over. I took the notes. I came back. I put that down for when we'd need it. Each one, as our colleague has just mentioned, were ticked off for 'this makes no sense, why is it in here.' We took it out, we took it out, we took it out. This places an unfair burden on legitimate businesses, legitimate firearm dealers who set up a brick and mortar shop and they can't get around this law, but someone can just set up a business selling it privately, no sales. Who's going to be drawn to that? Someone who has something to hide maybe? Not every time. Maybe there's a good deal once in a while. But you're undermining the very businesses that you want to be there when you want to go and get your legitimate gun and pick it up three days later. So this bill was thought out and would be a great step to close that loophole that allows people to get around and we do them a service. We have one of our own colleagues in the other Body who forgot he was a felon and for years possessed firearms. So, you know, we would have been helping him to remember that he was a felon and not get in any trouble. So there's a few reasons right there that we could be helping out our colleagues. So we should vote for this. Thanks.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#280)

YEAS: Senators: BREEN, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DILL, GRATWICK, LAWRENCE, LIBBY, LUCHINI, MILLETT, MIRAMANT, SANBORN H, SANBORN L, VITELLI

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

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion by Senator **DESCHAMBAULT** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **FAILED**.

The Minority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

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

HOUSE REPORTS - from the Committee on **LABOR AND HOUSING** on Bill "An Act To Allow Public Employers of Teachers to Negotiate Regarding Educational Policies"

H.P. 203 L.D. 240

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-518)** (7 members)

Minority - **Ought Not To Pass** (5 members)

Tabled - June 12, 2019 by Senator **LIBBY** of Androscoggin

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report in concurrence

(In House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-518).**)

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

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Mr. President. Ladies and gentlemen of the Chamber, this bill, which would make education policy negotiable, is really about local control over how our public schools are run and whether decisions should be made in the best interest of children in full view, in full public view, or done behind closed doors in negotiations with teachers' unions. It is also about protecting property tax payers from having outside arbitrators decide the cost of education in our communities. Current law, that bans the negotiation of education policies, is grounded and defined in pages of court cases over the last 50 years, but that prohibition boils down to this fundamental point articulated by the Maine Supreme Court. Education policies, the court said, involves value choices so fundamental that binding decisions concerning them should be made by persons directly responsible to the people. Those people are the school boards. Such value choices include what subjects should be taught, how students should be graded, the proper rules of student behavior, choice of textbooks, if the parent-teacher conferences should be held, the length of the school day, and dozens of other matters directly involving the welfare and instruction of our children. The court essentially put the elected school board in charge of adopting education policies that effect students and parents because they have to answer to the people in the districts they serve. I have a resolve from my own school board, the school that I taught at, one of the schools in the district, SAD 40. It's a Resolution in opposition to L.D. 240 and it says, 'Whereas the RSU 40 school board believes strongly in the value of collaboration with its employees as a means of improving education for all students. Whereas L.D. 240, an Act to Allow Public Employers of Teachers to Negotiate Regarding Educational Policies, would be the first step in requiring local education policies to be bargained with unions and ultimately be decided by outside arbitrators and thereby severely limiting local control over our schools.' I won't read the rest of the whereas, but here's the conclusion, 'Be it resolved therefore by the RSU 40 school board that it strongly and unequivocally urges its local legislators, and legislature as a whole, to reject L.D. 240.' SAD 40, RSU 40, is a school comprised of five towns, one of them is in Lincoln County and the other four are in Knox County. Thank you, Mr. President.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I want to clarify the original bill was negotiation over educational policy without limitations. The amendment that the Committee spent many hours working on in consultation with stakeholders would simply allow teachers to negotiate over planning and prep periods. That's it. Planning and

prep periods. Educators use planning and prep periods to prepare for lessons, to prepare for the classroom, and it used to be, 10 years ago, 20 years ago, that this was routine. This was part of the work day. Unfortunately, I'm sure we've all heard the horror stories of teachers without planning and prep periods in the work day being forced to work long hours after the school day has ended and on weekends. It's become, unfortunately, not only an underpaid profession but a profession in which there is no meaningful regular work day. So I ask you to support the pending motion. This is simply to allow negotiations that brings Maine in line with every single other New England state and it is simply about planning and prep periods. I urge you to support the pending motion, support our teachers, support learning at the local level, and the ability to have a conversation. Thank you.

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

Senator **GUERIN:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, while the original L.D. 240 started out trying to make all education policies negotiable, it is now down to just this one. That is by no means good news for our children, local school districts, or property taxpayers. The teacher preparation time this bill now references is hardly insignificant. It will disrupt current schedules, require the hiring of additional staff, or limit class options for students or both. It ignores the reality, particularly in rural Maine, that there is no additional money or time to make this mandate work. The truth is teachers have preparation periods now and they vary in length and frequency. Negotiating these periods would make the system ridged, affect a number of courses district offer, likely require additional teachers or ed techs, and change class schedules during the day and the week. I'm told one option would be to extend the school day or year, but that would require an increased commitment from the state and local property taxpayers. I don't see a consensus around a longer school year in this Body or in the communities I represent. I have also heard that the real issue is providing teachers with more collaborative time to support students who are struggling. This bill, even in its amended form, is focused on preparation time for the adults in the building. As a former second grade teacher, I believe the focus should be how we can spend more time helping our students.

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

Senator **MILLETT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm puzzled because the argument in the opposition is we already have them but then in the same statement it says but if we have them we're going to have to make all these changes. That makes absolutely no sense to me. Yes, there are planning prep time in some districts of some amounts, but the point is that not all do and not all teachers are included in that collaborative process. I happen to represent a district where collaboration does exist but, after serving in the Education Committee my full term here in the State House, I'm here to tell you that there is inconsistency across the state, district by district, to the point that in the last Legislature there was bi-partisan agreement between the Republican Senator and the Democratic House Chair to work harder on developing leadership capacity here in the State of Maine. It has such a huge impact on what happens in our schools. We are reminded over and over

again that what happens in one district is not representative of what's happening in all the other districts. It's unfortunate. We hear stories of educators who are threatened the loss of their teaching prep time if they do not follow the request of the leadership in that district. That's not okay. Teacher prep time is about the kids and planning is about the kids. Our teachers are being asked to do more and more every year. The problems that we are sending into those schools are increasingly unmanageable and they are burning out. We need to allow them to be a part of that process to discuss how much time, as professionals, they can put into their preparation to support the learning that happens in their classrooms. This should be a fundamental right, to be able to have the conversation. We're not mandating what it's going to look like. We're not mandating it has to be 30 minutes or an hour, once a week, once every other week. We are just saying to allow the teachers the opportunity to have that conversation in negotiations. It's as simple as that. These dedicated, passionate professionals deserve our respect and our support. We have seen we are facing a crisis. We do not have enough people being trained to be educators and we have a huge tidal wave of retirements coming up. If we continue to treat our educators as somehow undeserving of basic respect we are not going to turn this tide around. This is the first step that we can take here. Thank you, Mr. President.

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

Senator **H. SANBORN:** Thank you, Mr. President. I rise, too, as a former public school teacher and my experiences in working as a public school teacher lead me to believe very strongly that we need to pass L.D. 240 tonight. We already have given our teachers the ability to negotiate in good faith with respect to wages, hours, and working conditions and I put forward to you today, men and women of the Senate, that if we do not allow for those teachers to negotiate their planning and their prep periods then we are effectively gutting their right to negotiate their wages and their hours because, Mr. President and men and women of the Senate, planning and preparation for teaching are not optional. They are a required part of the profession and so if we can't do them during our negotiated hours of work we do them at home. We do them in the morning before our kids get out of bed and before we head off to school. We do them while we're balancing a toddler on our hip before we take her or him to daycare. We do them in the evening after we put our kids to bed and we burn the midnight oil grading tests, prepping the next days' lessons, and planning units to align with our learning results. Those things are not optional. They are part of our profession as teachers when we serve as public school teachers. So they are, in fact, directly related to our wages and our hours because our teachers, if we were to divide out the number of hours that they are truly devoting to their profession, are among the most poorly compensated professionals in this state and so we really need to include planning and preparation periods because they are not educational policies, they are instead part of the hours that every great public school teacher works, regardless of whether they're being paid for them. Thank you, Mr. President.

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

Senator **DILL**: Thank you, Mr. President. May I pose a question through the Chair?

THE PRESIDENT: The Senator from Penobscot, Senator Dill, would like to pose a question through the Chair to anyone who can answer.

Senator **DILL**: I'm holding the summary of the bill and it says, 'this amendment specifies that planning and preparation periods are mandatory items of collective bargaining and may not be considered matters of educational policy exempted from mandatory collective bargaining.' Therefore, does that mean that this is a mandate and we need two-thirds?

THE PRESIDENT: The Senator from Penobscot, Senator Dill, has posed a question through the Chair to anyone who can answer. I would imagine that OFPR would probably tell us that subsequently. The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT**: Thank you, Mr. President. I'm looking at the fiscal note to the amendment and there is no mandate.

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

Senator **BELLOWS**: Yes, and I would just point the direction of the Chamber to the language in the amendment itself and, basically, the amendment itself simply states, it's very simple, we struck and replaced the whole bill and we replaced it with adding planning and preparation periods immediately after working conditions, which is in the permissive section of law for collective bargaining, and then adding the sentence 'planning and preparation periods are not educational policy' because, as my good colleague from Cumberland pointed out, essentially planning and prep periods have become working conditions because not having planning and prep periods during the work day has extended the work day for so long. So the mandate or mandatory do not appear in statute itself and there is no mandate preamble on this nor was it part of the committee amendment.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought to Pass as Amended Report. If you are in favor of accepting that report you will be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#281)

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

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-518) **READ** and **ADOPTED**, in concurrence.

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

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

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

An Act To Increase the Number of Franklin County Commissioners

H.P. 695 L.D. 940
(C "A" H-488)

Tabled - June 12, 2019 by Senator **CLAXTON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, June 10, 2019, **PASSED TO BE ENACTED** in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 624), in concurrence.)

On motion by Senator **CLAXTON** of Androscoggin, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

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-488)**, 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-488), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-266) to Committee Amendment "A" (H-488) **READ** and **ADOPTED**.

Committee Amendment "A" (H-488) as Amended by Senate Amendment "A" (S-266) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-488) AS AMENDED BY SENATE AMENDMENT "A" (S-266) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/7/19) matter:

SENATE REPORT - from the Committee on **TAXATION** on Bill "An Act To Improve the Educational Opportunity Tax Credit" S.P. 352 L.D. 1164

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-229)**

Tabled - June 7, 2019 by Senator **CHIPMAN** of Cumberland

Pending - **ACCEPTANCE OF REPORT**

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-229) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/7/19) matter:

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Exempt Overtime Pay from Individual Income Tax" H.P. 718 L.D. 963

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-259)** (3 members)

Tabled - June 7, 2019 by Senator **CHIPMAN** of Cumberland

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

Senator **CHIPMAN** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

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

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just a question. What group is this going to effect and what's the percentage that it would raise their taxes?

THE PRESIDENT: The Senator from Kennebec, Senator Cyrway, has posed a question through the Chair for anyone to answer. The pending question before the Senate is Acceptance of the Minority Ought to Pass as Amended Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#282)

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

NAYS: Senators: CARSON, CHENETTE, CHIPMAN, SANBORN H, SANBORN L

30 Senators having voted in the affirmative and 5 Senators having voted in the negative, the motion by Senator **CHIPMAN** of Cumberland to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-259) **READ**.

On motion by Senator **LIBBY** of Androscoggin, under unanimous consent on behalf of President **JACKSON**, Senate Amendment "A" (S-256) to Committee Amendment "A" (H-259) **READ**.

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

Senator **LIBBY**: Thank you, Mr. President. Men and women of the Senate, this amendment is fairly straight forward. It provides a pretty significant income tax reduction for many tens of thousands of working class folks who work a lot of overtime each week, make that sacrifice to bring in some additional income and sacrifice their time with their family. I think it provides that relief from overtime income tax in a more fiscally responsible way than the original committee report. The original committee report would cut a fairly significant hole in the next biennium in terms of the revenue we need to balance our budget, to pay for schools, to pay for roads, to pay for healthcare for Mainers and the amendment that I'm proposing strikes the right balance by providing that income tax reduction for folks who are working overtime by asking Maines top one-tenth of 1% to pay just a little bit more in income taxes. I think that's fair. I think it's fair in consideration of the fact that the last seven or eight years Maines one-tenth of 1%, the very wealthiest Mainers, have done pretty well. They were the beneficiaries of some pretty significant income tax cuts that weren't needed, that weren't asked for, but they got them anyways and they've been reaping those savings, they've been growing their stock portfolios, they've been growing those estates that they're going to pass on to others, and they're going to pass those on without taxes as well because of significant estate tax cuts that the top one-tenth of 1% of Mainers received in the last seven or eight years. So what we're asking for is for those multi-millionaires in Maine to pay just a little bit more and that little bit more provides some humungous tax cuts for Maine's working people. So I'd ask you to support this pending amendment. It's really aimed at helping out Maine's working class. It's a good amendment. I thank the Senate President for offering it today. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#283)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **LIBBY** of Androscoggin to **ADOPT** Senate Amendment "A" (S-256) to Committee Amendment "A" (H-259) **PREVAILED**.

Committee Amendment "A"(H-259) as Amended by Senate Amendment "A" (S-256) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A"(H-259) AS AMENDED BY SENATE AMENDMENT "A" (S-256)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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

HOUSE REPORTS - from the Committee on **JUDICIARY** on Resolve, To Implement an Intensive Drug Treatment Court Pilot Project in the Midcoast

H.P. 796 L.D. 1073

Majority - **Ought Not to Pass** (10 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-475)** (3 members)

Tabled - June 10, 2019 by Senator **CARPENTER** of Aroostook

Pending - **ACCEPTANCE OF EITHER REPORT**

(In House, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-475)**.)

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-475) **READ** and **ADOPTED**, in concurrence.

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

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

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.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Establish a Fund for Portions of the Operations and Outreach Activities of the University of Maine Cooperative Extension Diagnostic and Research Laboratory and To Increase Statewide Enforcement of Pesticide Use"

H.P. 1111 L.D. 1518

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-554)**.

Signed:

Senator:

DIAMOND of Cumberland

Representatives:

- HICKMAN of Winthrop
- MAXMIN of Nobleboro
- McCREA of Fort Fairfield
- O'NEIL of Saco
- PLUECKER of Warren
- ROBERTS-LOVELL of South Berwick
- SKOLFIELD of Weld

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

Signed:

Representatives:

- HALL of Wilton
- KINNEY of Knox
- KRYZAK of Acton

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-554)**.

Reports **READ**.

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

The Senator from Penobscot, Senator **DILL**, requested and received leave of the Senate to be excused from voting pursuant to Senate Rule 401.3.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#284)

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

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

EXCUSED: Senators: DILL

23 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **DIAMOND** of Cumberland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (H-554) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Attract, Educate and Retain New State Residents To Strengthen the Workforce"

H.P. 468 L.D. 647

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-556)**.

Signed:

Senators:

HERBIG of Waldo
MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
BABINE of Scarborough
CROCKETT of Portland
FECTEAU of Biddeford
HANDY of Lewiston
HIGGINS of Dover-Foxcroft
PERRY of Bangor

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

HARRINGTON of Sanford
STETKIS of Canaan

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-556)**.

Reports **READ**.

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

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

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I rise in support of the pending motion and as a co-sponsor, the lead co-sponsor, on this bill. As I think a lot of folks know, I represent the second largest city in the state that happens to be home to the second largest community of New Mainers. Folks that I represent in Lewiston largely moved to Maine in 2001, so they've been here for about 17 or 18 years, and over that period of time the community's changed fairly dramatically. One of the big ways it's changed is with regards to workforce. We discovered quite a while ago that the New Mainers that were coming to Lewiston possessed enormous skills that they received overseas and when they came to Maine their talents were not fully utilized. In our community we have engineers trained in

Africa who are working as carpenters and landscapers. We have doctors who are working as CNAs and medical assistants. We've got enormous talent that isn't fully utilized and it's largely due to credentialing barriers set up in our state. So this bill is about breaking down those barriers and helping to integrate more New Mainers into the workforce and filling those gaps in the workforce and helping to address labor shortage. So I'd ask you to vote in favor of the pending motion. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#285)

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **HERBIG** of Waldo to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-556) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Increase Faculty in Nursing Education Programs"

H.P. 587 L.D. 799

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-558)**.

Signed:

Senators:

HERBIG of Waldo
MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
BABINE of Scarborough
FECTEAU of Biddeford
HANDY of Lewiston
HIGGINS of Dover-Foxcroft
PERRY of Bangor

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

AUSTIN of Gray
HARRINGTON of Sanford
STETKIS of Canaan

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-558)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#286)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **HERBIG** of Waldo to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-558) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** on Bill "An Act To Require Postsecondary Institutions To Meet the Expected Family Contribution without Additional Loan Burdens for Students"

H.P. 990 L.D. 1368

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

Signed:

Senators:

HERBIG of Waldo
GUERIN of Penobscot
MILLETT of Cumberland

Representatives:

DAUGHTRY of Brunswick
AUSTIN of Gray
FECTEAU of Biddeford
HIGGINS of Dover-Foxcroft
PERRY of Bangor
STETKIS of Canaan

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-559)**.

Signed:

Representatives:

BABINE of Scarborough
CROCKETT of Portland
HANDY of Lewiston

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

Reports **READ**.

On motion by Senator **HERBIG** of Waldo, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States under the State Retirement System"

H.P. 351 L.D. 467

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-550)**.

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

SYLVESTER of Portland
AUSTIN of Gray
CARNEY of Cape Elizabeth
DOORE of Augusta
PEOPLES of Westbrook
RYKERSON of Kittery

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

Signed:

Representatives:

BRADSTREET of Vassalboro
LOCKMAN of Bradley
MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-550)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-550) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **TAXATION** on Bill "An Act To Create Jobs and Slow Climate Change by Promoting the Production of Natural Resources Bioproducts"

H.P. 1213 L.D. 1698

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-552)**.

Signed:

Senators:

CHIPMAN of Cumberland
SANBORN, H. of Cumberland

Representatives:

TIPPING of Orono
BICKFORD of Auburn
CLOUTIER of Lewiston
DENK of Kennebunk
MATLACK of St. George
STANLEY of Medway
STEWART of Presque Isle
TERRY of Gorham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-553)**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

KRYZAK of Acton
MAREAN of Hollis

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552)**.

Reports **READ**.

On motion by Senator **CHIPMAN** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-552) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-552)**, in concurrence.

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

COMMUNICATIONS

The Following Communication: S.C. 598

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

June 12, 2019

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Peter Geiger of Lewiston, for appointment to the State Board of Education.

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	6	Kornfield, V. of Bangor, Brennan, M. of Portland, Dodge, J. of Belfast, Farnsworth, D. of Portland, Ingwersen, H. of Arundel, McCrea, D. of Fort Fairfield

NAYS 0

ABSENT 5 Sen. Pouliot, M. of Kennebec, Rep. Drinkwater, G. of Milford, Rep. Fecteau, J. of Augusta, Rep. Rudnicki, S. of Fairfield, Rep. Sampson, H. of Alfred

Eight 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 Peter Geiger of Lewiston, for appointment to the State Board of Education 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?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#287)

YEAS: Senators: None

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

No Senator having voted in the affirmative and 35 Senators having voted in the negative, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Peter Geiger** of Lewiston, for appointment to the State Board of Education was **CONFIRMED**.

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

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

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **TAXATION** on Bill "An Act To Make Technical Changes to the Maine Tax Laws"

H.P. 1294 L.D. 1817

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.

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

Ought to Pass As Amended

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Classify Recovery Residences as One-family Dwellings for the Purposes of the Fire Code"

H.P. 279 L.D. 353

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-577)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-577)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-577) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Driver's License Suspensions for Criminal Negligence"

H.P. 815 L.D. 1111

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-576)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-576)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-576) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Establish the Securities Restitution Assistance Fund for Victims of Securities Violations"

H.P. 1219 L.D. 1704

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-569)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-569)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-569) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Harmonize State Income Tax Law and the Centralized Partnership Audit Rules of the Federal Internal Revenue Code of 1986"

H.P. 1296 L.D. 1819

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-570)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-570)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-570) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators"

H.P. 880 L.D. 1220

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-566)**.

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
PEOPLES of Westbrook
RYKERSON of Kittery

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-567)**.

Signed:

Representatives:

AUSTIN of Gray
BRADSTREET of Vassalboro
LOCKMAN of Bradley
MORRIS of Turner

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)**.

Reports **READ**.

Senator **BELLOWS** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)** Report, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#288)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **BELLOWS** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)** Report, in concurrence, **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (H-566) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-566)**, in concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **LABOR AND HOUSING** on Bill "An Act To Modify Retirement Plans for Fire Investigators and Sergeants"

H.P. 1082 L.D. 1480

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-568)**.

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

SYLVESTER of Portland
CARNEY of Cape Elizabeth
CUDDY of Winterport
DOORE of Augusta
MORRIS of Turner
PEOPLES of Westbrook

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

Signed:

Representatives:

AUSTIN of Gray
BRADSTREET of Vassalboro

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-568)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-568) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prevent Overdose Deaths" H.P. 704 L.D. 949

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

Signed:

Senators:

GRATWICK of Penobscot
CLAXTON of Androscoggin
MOORE of Washington

Representatives:

HYMANSON of York
CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
MADIGAN of Waterville
MEYER of Eliot
O'CONNOR of Berwick
PERRY of Calais
STOVER of Boothbay

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-571)**.

Signed:

Representative:

TALBOT ROSS of Portland

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

Reports **READ**.

On motion by Senator **GRATWICK** of Penobscot, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Require Recording of Interviews of Suspects" H.P. 588 L.D. 800

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-572)**.

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship
HARNETT of Gardiner
TALBOT ROSS of Portland

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

Signed:

Senator:

KEIM of Oxford

Representatives:

CURTIS of Madison
DeVEAU of Caribou
HAGGAN of Hampden
RECKITT of South Portland

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act"

H.P. 564 L.D. 759

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-572)**.

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-573)**.

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

BAILEY of Saco
BABBIDGE of Kennebec
CARDONE of Bangor
EVANGELOS of Friendship
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

Signed:

Senator:

KEIM of Oxford

Representatives:

CURTIS of Madison
DeVEAU of Caribou
HAGGAN of Hampden

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-572) **READ** and **ADOPTED**, in concurrence.

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-573)**.

Reports **READ**.

Senator **CARPENTER** of Aroostook moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

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

REPORTS OF COMMITTEES

House

Divided Report

ROLL CALL (#290)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-573) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Provide for Court-appointed Advocates for Justice in Animal Cruelty Cases"

H.P. 1054 L.D. 1442

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-574)**.

Signed:

Senators:
CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:
BAILEY of Saco
BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship
HARNETT of Gardiner
RECKITT of South Portland
TALBOT ROSS of Portland

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

Signed:

Senator:
KEIM of Oxford

Representatives:
CURTIS of Madison
DeVEAU of Caribou
HAGGAN of Hampden

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-574)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#291)

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

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

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-574) **READ** and **ADOPTED**, in concurrence.

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

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

REPORTS OF COMMITTEES

House

Divided Report

Ten members of the Committee on **JUDICIARY** on Bill "An Act To Clarify the Disposition of Funds Presumed Abandoned in a Lawyer's Trust Account"

H.P. 1085 L.D. 1483

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-575)**.

Signed:

Senators:

CARPENTER of Aroostook
BELLOWS of Kennebec

Representatives:

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

Two members of the same Committee on the same subject reported in Report "**B**" that the same **Ought to Pass**.

Signed:

Senator:

KEIM of Oxford

Representative:

CURTIS of Madison

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

Signed:

Representative:

DeVEAU of Caribou

Comes from the House with Report "**A**", **OUGHT TO PASS AS AMENDED, READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-575)**.

Reports **READ**.

Senator **CARPENTER** of Aroostook moved the Senate **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED**, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#292)

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

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **CARPENTER** of Aroostook to **ACCEPT** Report "**A**", **OUGHT TO PASS AS AMENDED**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-575) **READ and ADOPTED**, in concurrence.

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

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

ENACTORS

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

Emergency Measure

An Act To Clarify and Amend MaineCare Reimbursement Provisions for Nursing and Residential Care Facilities
S.P. 588 L.D. 1758
(C "A" S-265)

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

Emergency Measure

An Act To Clarify and Enhance Certain Maine Wildlife Laws
 H.P. 1295 L.D. 1818
 (H "A" H-560 to C "A" H-538)

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

An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System
 H.P. 1009 L.D. 1395
 (C "A" H-551)

An Act To Establish the Maine Prescription Drug Affordability Board
 S.P. 461 L.D. 1499
 (C "A" S-251)

An Act To Protect Consumers from Unfair Practices Related to Pharmacy Benefits Management
 S.P. 466 L.D. 1504
 (C "A" S-253)

Emergency Resolve

Resolve, To Authorize the Legislature To Contract for an Independent Review To Evaluate and Plan for the Implementation of Maine's Early Childhood Special Education Services
 H.P. 369 L.D. 512
 (C "A" H-561)

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

An Act To Amend the Laws Governing Elections
 H.P. 1232 L.D. 1730
 (H "A" H-525; H "C" H-555 to C "A" H-459; H "A" H-526)

An Act To Increase Land Permit by Rule Application Fees
 H.P. 1269 L.D. 1784
 (H "A" H-542 to C "A" H-502)

An Act To Update the Laws Governing Personal Vehicle Rental Coverage
 S.P. 606 L.D. 1793
 (C "A" S-255)

Emergency Resolve

Resolve, To Establish the Blue Ribbon Commission To Study and Recommend Funding Solutions for the State's Transportation Systems

H.P. 700 L.D. 945
 (C "A" H-557)

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

An Act Regarding Insurance Licensees
 S.P. 619 L.D. 1829
 (C "A" S-264)

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

Acts

An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry

H.P. 277 L.D. 351
 (C "A" H-423)

An Act To Further Expand Drug Price Transparency
 S.P. 350 L.D. 1162
 (C "A" S-252)

An Act To Require Residential Mortgage Loan Servicers To Act in Good Faith in Dealings with Homeowners

S.P. 415 L.D. 1327
 (C "A" S-258)

An Act Regarding Net Neutrality and Internet Policy
 H.P. 986 L.D. 1364
 (S "C" S-257 to C "A" H-301)

An Act To Establish Wage and Employment Parity between Adult and Child Protective Services Caseworkers in the Department of Health and Human Services

H.P. 337 L.D. 428
 (H "A" H-549 to C "A" H-139)

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

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

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

An Act To Improve Rural Health Care

S.P. 418 L.D. 1350
(C "A" S-259)

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

An Act To Create and Sustain Jobs and Encourage Affordable Housing through Development of Cooperatives and Employee-owned Businesses

S.P. 469 L.D. 1520
(C "A" S-260)

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

An Act To Improve Geographic Information System Data Acquisition and Maintenance

S.P. 568 L.D. 1719
(C "A" S-261)

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

An Act To Prevent Discrimination in Public and Private Insurance Coverage for Pregnant Women in Maine

H.P. 594 L.D. 820
(S "A" S-275 to C "A" H-210)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#293)

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

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, was **PASSED TO BE ENACTED**.

On motion by Senator **LIBBY** of Androscoggin, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENACTED**, in concurrence.

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

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

Senator **GUERIN:** Mr. President, ladies and gentlemen of the Senate, the majority of Mainers do not support taxpayer funded abortion. Planned Parenthood and Maine Family Planning have been proclaiming that the majority of Mainers support L.D. 820. There are a number of problems with the poll they referenced. First, none of the questions in the survey directly asked Mainers if they approve their taxpayer dollars funding abortions. That question was not asked clearly. Second, the firm hired by the abortion industry was the number three donor to the Legislative Majority PAC which is committed to promoting Democrat majorities in State Legislatures, according to OpenSecrets.Org., bringing into question the subjectivity of Union Park's strategies. Third, the idea that Mainers support taxpayer funded abortions flies in the face of every national and local poll that have consistently showed the nation's lack of support for this concept, regardless of age, race, or geography. Citizens who value the lives of pre-born children should not be forced to pay for the ending of these children's lives.

Members of this Body may wonder why a strong-willed, independent woman like me would be Pro-Life. Well, it's a personal story. I had never given abortion much thought one way or the other. I had two healthy sons and was pregnant with my third son when I started bleeding. I lost that baby and had to have a DNC due to the complications. This procedure was done in the very next room to where I had many times joyfully listened to my baby's beating hearts. I asked the nurse if this is where they did abortions and she said yes it was. In weeks following my DNC, I had many times questioned the decision of having the procedure, agonizing over it actually. One day as I was pondering this and I thought of the women who had been in the same room who had heard a beating heart and had chosen to silence that heart. My heart broke for those women. If I had heartache for a post-miscarriage procedure, what silent torture were many of these women living with? Since then many medical advances have shown us the beauty of pre-born babies through pregnancy sonograms. These are real children, boys and girls, precious humans who can feel pain and deserve love and protection by society if they are not wanted by their parents. Please vote against the pending motion that will force unwilling Mainers to pay for abortions against their religious and moral convictions. Personally, I have lost many votes in this Chamber this session and I've had to live with that as a difference in policy. I am, however, horrified that those of you in this Chamber who vote for this retched bill tonight will be forcing me to pay for the murder of innocent children.

Senate at Ease.

On motion by Senator **LIBBY** of Androscoggin, **ADJOURNED** until Thursday, June 13, 2019 at 10:00 in the morning.

The Senate was called to order by the President.

THE PRESIDENT: The Chair would like to remind members that it is not appropriate to impugn the motives of any other member of the Body. The Chair recognizes the Senator from Cumberland, Senator Breen.

Senator **BREEN:** Thank you, Mr. President. I just want to be a little bit more explicit about what this amendment that I moved tonight does. It simply restores a small amount of General Fund to the original fiscal note on the bill. We have debated this bill in the past. I just want to remind folks of some of the basic fundamentals of this bill does. L.D. 820 prevents discrimination in insurance coverage for the full range of healthcare services available under Maine law. It ends discrimination in coverage for low income families in Maine. Lastly, it equalizes all insurance coverage with the coverage that all of us in this Body enjoy in the taxpayer funded State employee health plan. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Enactment. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#294)

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

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

19 Senators having voted in the affirmative and 16 Senators having voted in the negative, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

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

Off Record Remarks
