



Senate of Maine

One Hundred and Thirtieth Legislature
First Regular Session

Advance Journal and Calendar

1st Legislative Day

In Senate Room at the Augusta Civic Center, Wednesday, December 2, 2020.

Pursuant to the Provisions of the Constitution and the laws of the State of Maine, the Senators-elect of the One Hundred and Thirtieth Legislature convened in the Senate Room at the Augusta Civic Center and were called to order by **DAREK M. GRANT**, Secretary of the Senate of the One Hundred and Twenty-Ninth Legislature.

Prayer by Senator-elect Richard A. Bennett of Oxford County.

Pledge of Allegiance led by Senator Mark W. Lawrence of York County.

Troy D. Jackson
President of the Senate

Darek M. Grant
Secretary of the Senate

The Following Senate Communication:

S.C. 1

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

November 24, 2020

To Darek M. Grant, Secretary of the Senate in the One Hundred and Twenty-ninth Legislature.

I, Matthew Dunlap, Secretary of State, pursuant to the provisions of Title 3 MRSA, Section 1, hereby certify that the following are the names and residences of the Senators-elect to the One Hundred and Thirtieth Legislature, in accordance with the tabulation submitted to the Governor on November 23, 2020:

District 1	Jackson, Troy Dale, Allagash
District 2	Stewart, Harold L. III, Presque Isle
District 3	Farrin, Bradlee Thomas, Norridgewock
District 4	Davis, Paul T. Sr., Sangerville
District 5	Dill, James F., Old Town
District 6	Moore, Marianne, Calais
District 7	Luchini, Louis, Ellsworth
District 8	Rosen, Kimberley C., Bucksport
District 9	Baldacci, Joseph M., Bangor
District 10	Guerin, Stacey K., Glenburn
District 11	Curry, Glenn Chip, Belfast
District 12	Miramant, David R., Camden
District 13	Maxmin, Chloe S., Nobleboro
District 14	Bellows, Shenna, Manchester
District 15	Pouliot, Matthew Gary, Augusta
District 16	Cyrway, Scott Wynn, Albion
District 17	Black, Russell J., Wilton
District 18	Keim, Lisa M., Dixfield
District 19	Bennett, Richard A., Oxford
District 20	Claxton, Ned, Auburn
District 21	Libby, Nathan L., Lewiston
District 22	Timberlake, Jeffrey L., Turner
District 23	Vitelli, Eloise A., Arrowsic
District 24	Daughtry, Matthea Elisabeth, Brunswick
District 25	Breen, Catherine E., Falmouth
District 26	Diamond, G. William, Windham
District 27	Chipman, Benjamin M., Portland
District 28	Sanborn, Heather, Portland
District 29	Carney, Anne M., Cape Elizabeth
District 30	Brenner, Stacy Fielding, Scarborough
District 31	Bailey, Donna, Saco
District 32	Deschambault, Susan A., Biddeford
District 33	Woodsome, David C., Waterboro
District 34	Rafferty, Joseph E. Jr., Kennebunk
District 35	Lawrence, Mark W., Eliot

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this twenty-fourth day of November in the year Two Thousand and Twenty.

S/Matthew Dunlap
Secretary of State



QUORUM CALL

On motion by Senator **LIBBY** of Androscoggin, the following Senate Order:

S.O. 1

Ordered, that a message be sent to Governor Janet T. Mills, informing her that a quorum of Senators-elect is present in the Senate Room at the Augusta Civic Center, ready to take and subscribe to the oaths of office required by the Constitution to qualify them to enter upon the discharge of their official duties.

ORGANIZATION OF THE SENATE

The Honorable Janet T. Mills, Governor of the State of Maine, enters and addresses the Senate.

The Senators-elect take and subscribe to the oaths of office required by the Constitution.

The Governor withdraws from the Senate Chamber.

ELECTION OF SENATE OFFICERS

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 2

STATE OF MAINE
OFFICE OF THE SECRETARY OF STATE

November 24, 2020

I, Matthew Dunlap, Secretary of State, in accordance with the Constitution and laws of the State of Maine, having tabulated the returns of the votes cast for State Senators at the General Election held on the third day of November in the year Two Thousand and Twenty;

REPORT AS FOLLOWS; that the following named persons having received a plurality of the votes cast, appear to have been elected;

District 1

Jackson, Troy Dale, Allagash	10,937
Schaefer, Brian Vincent, Winterville Plt.	7,485

District 2

Carpenter, Michael E., Houlton	8,208
Stewart, Harold L. III, Presque Isle	10,838
Others	34

District 3

Farrin, Bradlee Thomas, Norridgewock	12,920
Swain, Daniel S., Skowhegan	5,957

District 4

Davis, Paul T. Sr., Sangerville	14,817
Ziemer, David F., Orneville Township	4,629

District 5

Dill, James F., Old Town	11,571
Ireland, Christian Forrest, Howland	8,381

District 6

Lovit, Jeffrey, Addison	7,016
Moore, Marianne, Calais	11,853

District 7

Langley, Brian D., Ellsworth	11,672
Luchini, Louis, Ellsworth	14,280

District 8

Montague, Teresa, Clifton	1,231
Rosen, Kimberley C., Bucksport	13,113
Uhlenhake, Beverly B., Brewer	8,332

District 9

Baldacci, Joseph M., Bangor	10,960
Hinkley, Sean P., Bangor	6,706
Miner, Kristie L., Bangor	2,248

District 10

Austin, Frederick Harold, Newport	6,278
Guerin, Stacey K., Glenburn	14,508

District 11

Curry, Glenn Chip, Belfast	12,789
Milne, Duncan Scott, Liberty	10,826

District 12

Miramant, David R., Camden	14,049
Page, Gordon V. Sr., Owls Head	10,342

District 13

Dow, Dana L., Waldoboro	12,072
Maxmin, Chloe S., Nobleboro	12,806
Others	1

District 14

Bellows, Shenna, Manchester	12,998
Walker, Mark L., Hallowell	10,189

District 15

Hess, Kalie A., Augusta	9,039
Pouliot, Matthew Gary, Augusta	12,167

District 16

Cyrway, Scott Wynn, Albion	11,456
Koch, Hilary D., Waterville	8,920

District 17

Black, Russell J., Wilton	12,776
Collins, Jan M., Wilton	9,032

District 18

Keim, Lisa M., Dixfield	14,247
Perkins, Gabriel M., Bethel	6,840

District 19

Bennett, Richard A., Oxford	13,581
Branch, Katherine S., Paris	9,202

<u>District 20</u>	
Claxton, Ned, Auburn	11,884
Leonard, Matthew Joseph, Auburn	10,361
<u>District 21</u>	
Gallant, Timothy Joseph, Lewiston	6,882
Libby, Nathan L., Lewiston	10,171
<u>District 22</u>	
Poliquin, Martha M.S., Lisbon	8,610
Timberlake, Jeffrey L., Turner	13,270
<u>District 23</u>	
Kopp, Holly J.P., Topsham	10,922
Vitelli, Eloise A., Arrowsic	13,810
<u>District 24</u>	
Daughtry, Matthea Elisabeth, Brunswick	18,297
Pattershall, Bradford Alan, Freeport	9,353
<u>District 25</u>	
Breen, Catherine E., Falmouth	18,587
White, Jennifer L., Gray	11,404
<u>District 26</u>	
Diamond, G. William, Windham	14,267
Lockwood, Karen L., Raymond	9,219
<u>District 27</u>	
Chipman, Benjamin M., Portland	21,813
<u>District 28</u>	
Sanborn, Heather, Portland	20,173
<u>District 29</u>	
Anderson, Stephanie, Cape Elizabeth	8,221
Carney, Anne M., Cape Elizabeth	16,847
<u>District 30</u>	
Brenner, Stacy Fielding, Scarborough	14,960
Rivard, Sara L., Gorham	12,778
<u>District 31</u>	
Bailey, Donna, Saco	13,266
Pendleton, Craig A., Old Orchard Beach	11,007
<u>District 32</u>	
Daigle, Robert A., Arundel	9,612
Deschambault, Susan A., Biddeford	12,838

District 33

McKinney, Michael A., Cornish	7,947
Woodsome, David C., Waterboro	13,408

District 34

Pardue, Michael, Kennebunk	12,947
Rafferty, Joseph E. Jr., Kennebunk	13,949

District 35

Lawrence, Mark W., Eliot	17,099
Moulton, Bradley S., York	10,204

I, Matthew Dunlap, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast for State Senators at the General Election, as reported to me on the returns from the cities, towns, and plantations of the State.

S/Matthew Dunlap
Secretary of State

On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:
S.O. 4

Ordered, that a committee of seven be appointed by the President to whom the returns of votes for Senators for the political years of 2021 and 2022 shall be referred for examination and report.

On motion by Senator **LIBBY** of Androscoggin, the following Senate Order:
S.O. 5

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature in the House Auditorium at the Augusta Civic Center, for the purpose of electing a Secretary of State for the political years 2021 and 2022, a State Treasurer for the political years 2021 and 2022, an Attorney General for the political years 2021 and 2022, and a State Auditor for the political years of 2021 through 2024 as soon as practicable for both chambers to join.

ORDERS

Senate Order

(4-1) On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:
S.O. 6

Ordered, that the Rules of the Senate of the 129th Legislature shall be the Rules of the Senate of the 130th Legislature. Amendments to the Senate Rules may be adopted by a majority vote on or before the third Friday in January of 2021.

(4-2) On motion by Senator **LIBBY** of Androscoggin, the following Senate Order:
S.O. 7

Ordered, that the Secretary of the Senate be authorized to invite the clergy to officiate as Chaplains of the Senate as requested by any member of the Senate; and be it further Ordered, that all clergy acting as Chaplains of the Senate shall receive \$30 for each officiation. The same is to be approved by the Secretary of the Senate.

(4-3) On motion by Senator **BREEN** of Cumberland, the following Senate Order:
S.O. 8

Ordered, that all Bills and Resolves carrying or requiring an appropriation or involving a loss of revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Appropriations and Financial Affairs or the Presiding Officer, be placed on a special calendar to be called up for consideration only by the same.

(4-4) On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:
S.O. 9

Ordered, that all Bills and Resolves carrying or requiring an appropriation of highway revenue or involving a loss of highway revenue that are in order to be passed to be enacted, or finally passed, shall, at the request of a member of the Committee on Transportation or the Presiding Officer, be placed on a special calendar to be called up for consideration only by the same.

(4-5) On motion by Senator **LIBBY** of Androscoggin, the following Senate Order:
S.O. 10

Ordered, that pursuant to Joint Rule 353, subsection 10, a special study table is established in the Senate.

(4-6) On motion by Senator **VITELLI** of Sagadahoc, the following Senate Order:
S.O. 11

Ordered, that the President of the Senate is authorized, at his discretion, to permit radio or sound television film or live television, or any two or three of these communication media, on the floor of the Senate.

Joint Orders

(4-7) On motion by Senator **LIBBY** of Androscoggin, the following Joint Order:
S.P. 1

Ordered, the House concurring, that the Joint Rules of the 129th Legislature are the Joint Rules of the 130th Legislature, except for the following changes.

Joint Rule 202 is amended by striking out all of the first paragraph and inserting in its place the following:

All requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on the 3rd Friday in December.

(4-8) On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:
S.P. 2

Ordered, the House concurring, that the Secretary of the Senate and the Clerk of the House respectively, purchase such services, supplies and equipment as may be needed to carry on the business of the Senate and House, respectively.

(4-9) On motion by Senator **LIBBY** of Androscoggin, the following Joint Order:
S.P. 3

Ordered, the House concurring, that all printing and binding authorized by the Legislature shall be under the direction of the Secretary of the Senate and the Clerk of the House.

(4-10) On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:
S.P. 4

Ordered, the House concurring, that a sufficient number of the Legislative Record for the 130th Legislature be printed, one copy for each of the members of the Senate and the House of Representatives who so desires, the Secretary of the Senate and the Clerk of the House. The remainder to be deposited with the State Law Librarian for exchange and library use; and be it further Ordered, that a suitable index be prepared for such Legislative Record, under the direction of the Secretary of the Senate and the Clerk of the House.

(4-11) On motion by Senator **LIBBY** of Androscoggin, the following Joint Order:
S.P. 5

Ordered, the House concurring, that there be paid to the members of the Senate and the House of Representatives as advances on account of compensation established by statute, 12 payments on a biweekly basis commencing January 6, 2021, according to lists certified to the State Controller by the President of the Senate and Speaker of the House, respectively.

(4-12) On motion by Senator **VITELLI** of Sagadahoc, the following Joint Order:
S.P. 6

Ordered, the House concurring, that the Executive Director of the Legislative Council, with the approval of the President of the Senate and the Speaker of the House, be authorized and directed to prepare weekly, from expense accounts to be submitted to the Executive Director by the members of the Senate and House, expense rosters showing the entitlement of each member for meals allowance and lodging reimbursement and transmit the same to the State Controller for processing and payment, in accordance with the recommendations of the Joint Interim Committee of the 101st Legislature created to study and report on a method of implementing the administration of the provision of law relating to the mileage and expenses for members of the Legislature; and be it further

Ordered, that the Executive Director of the Legislative Council be authorized and directed to provide the forms necessary for such purpose and provide suitable space in the Executive Director's office for the filing and safekeeping of all such expense accounts and other papers and records pertaining thereto.

(4-13) On motion by Senator **LIBBY** of Androscoggin, the following Joint Order:
S.P. 7

Ordered, the House concurring, that when the House and Senate adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively.

(4-14) On motion by Senator **LIBBY** of Androscoggin, the following Joint Order:
S.P. 8

WHEREAS, the spread of the highly contagious disease referred to as "COVID-19" has created significant challenges throughout the State and country; and

WHEREAS, in response to this widespread disease, the World Health Organization has declared a pandemic, the President of the United States has declared a national emergency and the Governor of Maine and other governors around the country have declared civil states of emergency; and

WHEREAS, federal and state guidance on curtailing the spread of the pandemic and maintaining the health and safety of individuals emphasizes minimizing congregating in groups and ensuring physical distancing of individuals; and

WHEREAS, during the legislative session, operation of the Legislature traditionally involves the gathering together of Legislators, members of the public, representatives from other branches of government, experts and constituents; and

WHEREAS, the Legislature has a constitutional duty and responsibility to do the people's work, and it is imperative that the Legislature and its committees continue to meet, take testimony, debate, deliberate and vote, to appropriately address the needs of the State; and

WHEREAS, technology exists that would enable the Legislature to conduct its business in a manner that is consistent with public access to, and transparency of, its proceedings as demanded by the Constitution of Maine; and

WHEREAS, in order to ensure that the Legislature is able to meet the urgent needs of the people of the State while confronting rapidly changing circumstances and public health concerns, it is necessary to implement temporary procedures for that portion of the First Regular Session of the 130th Legislature during which the COVID-19 pandemic necessitates special procedures to allow the Legislature to operate in a safe, accountable and transparent manner; now, therefore, be it

ORDERED, the House concurring, that for the First Regular Session of the 130th Legislature and any special legislative session that occurs during the time period for a first regular session specified in the Maine Revised Statutes, Title 3, section 2:

1. Notwithstanding any Joint Rule to the contrary, for purposes of the Constitution of Maine, a legislative meeting or proceeding held via electronic means is considered to have occurred at the seat of government and all actions taken during the meeting or proceeding have the same legal effect as if the members were physically present at the seat of government;

2. Notwithstanding any Joint Rule to the contrary, upon reference of a bill to a committee, the chairs of the committee, in advance of scheduling the bill for public hearing, may designate that bill for discussion by the committee for a possible change of committee reference. If the committee recommends that the bill be referred to a different committee, the committee shall report the bill back to the floor with a recommendation of "change of committee reference." If the committee does not recommend a change in committee reference, the committee shall schedule the bill for public hearing;

3. Notwithstanding any Joint Rule to the contrary, a member who is in attendance at any meeting or proceeding through approved electronic means is considered present for the purposes of the Joint Rules, including but not limited to for the purposes of a quorum;

4. Notwithstanding any Joint Rule to the contrary, a meeting or proceeding may be conducted through electronic means as long as:

A. Notice of the meeting or proceeding is provided in accordance with applicable rules, including but not limited to Joint Rule 305, and the notice includes the method by which the public may attend;

B. The identity of each participating member is verifiable, and the actions of each participating member can be authenticated, in a manner satisfactory to the chair;

C. Each member who is participating in the meeting or proceeding has the opportunity to hear and speak to other members during the meeting or proceeding; and

D. Members of the public attending the meeting or proceeding at the location identified in the notice given pursuant to paragraph A have the opportunity to hear or participate in, as appropriate, the meeting or proceeding;

5. Notwithstanding any Joint Rule to the contrary, a member who is participating in a meeting or proceeding conducted through electronic means may cast a vote through electronic means as long as the chair is able to both see and hear the member casting the vote, or as long as the member registers that member's vote with the member's presiding officer by noon of the 2nd business day following the vote;

6. A technical failure on the part of an individual member or a group of members that interrupts that member's or group's electronic connection to the meeting or proceeding does not invalidate any action taken by the majority of those in attendance in the meeting or proceeding; and

7. Notwithstanding Joint Rule 208, the Revisor of Statutes shall prepare in concept form: a bill submitted by the Governor that proposes to make supplemental appropriations and allocations for the expenditures of State Government; or a bill that proposes to adopt a uniform law, a model law or an interstate compact; and be it further

ORDERED, the House concurring, that, notwithstanding Joint Rule 103, this order may be suspended with the consent of a majority of members of each chamber voting.
