

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

In Senate Chamber  
Tuesday  
April 2, 2019

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

Prayer by Pastor Mark Allen Doty, Hammond Street Congregational Church, UCC in Bangor.

**PASTOR DOTY:** Let us pray. O' Holy One, as we celebrate the coming of spring we come into Your presence this day powerfully aware of the goodness of Your creation and our debt to You. Most loving God, You have granted to us dominion of the world You have made. Teach us again to be responsible stewards of all that You have entrusted to us. We lift up before You, O' God, the people of this Senate. We are deeply grateful for their willingness to be public servants, for their desire to set before the people of Maine lives of integrity and strength of character. We thank these women and men for modeling the inclusiveness which comes when diversity is truly celebrated. Most loving God, we pray that You might grant to these Senators and those who assist them strength of mind, courage of conviction, and wisdom to discern the correct path. Give them grace this day to do the work You would have them do and may their labors be accomplished with joyful, caring spirits. All this we ask and pray in Your name. Amen.

Pledge of Allegiance led by Senator Marianne Moore of Washington County.

Reading of the Journal of Thursday, March 28, 2019.

Doctor of the day, Karl Santiago, M.D. of Portland.

Off Record Remarks

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 **LABOR AND HOUSING** on Bill "An Act Regarding Pay Equality"

S.P. 90 L.D. 278

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-28).**

Signed:

Senators:

BELLOWS of Kennebec  
LAWRENCE of York

Representatives:

SYLVESTER of Portland  
CARNEY of Cape Elizabeth  
CUDDY of Winterport  
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

Reports **READ.**

Senator **BELLOWS** of Kennebec moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

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 Cumberland, Senator Breen.

Senator **BREEN:** Thank you, Mr. President. Mr. President, women and men of the Senate, today is a fitting day, National Pay Equity Day, to consider L.D. 278. April 2, 2019 marks how far into 2019 women must work to earn what men earned in 2018. It's a day we mark but certainly not a day we celebrate. On average, it takes women an additional quarter of work to catch up to their male counterparts in the workforce and for women of color it takes significantly longer. The effects of this persistent pay gap are several. Women have a much high chance of living in poverty. As single heads of households, nearly 40% of Maine women are raising their children in poverty. Women hold two-thirds of student loan debt nationally, limiting their opportunity to fully participate in our economy. Over a lifespan Maine women make \$354,320 less in compensation. As a result women accrue less in personal savings and social security benefits. Since

women have a longer average life span, this puts us at higher risk for poverty and food insecurity in our older years. Taxpayers, through public assistance, low income housing, subsidized nutrition programs, health insurance coverage, and so on, are tapped to meet the needs of low income women as we age. This gap exists despite statutes and rules that prohibit wage discrimination on the basis of gender and despite the good intentions of so many employers, human resource professionals, public policy makers, and advocates. As policy makers, we must continue to develop tools to pick away at this gap and that's where L.D. 278 comes in. This bill prohibits employers from asking about or using prior wage or salary information until after an offer of employment has been made by the employer. Why? Because even for women with a bachelor's degree their male classmates make an average of 20% more after just one year of employment. If a salary for her next job is based on her first job the woman's perspective employer may, with or without intention, perpetuate the wage gap. In fact, this disparity can follow women and compound the wage disparity throughout their entire work lives, contributing to the outcomes I mentioned previously. Employers certainly can use market rates, education level, previous work experience, and performance and skills of the applicant to make an offer of employment. As policy makers, it's up to us to do all we can to narrow and someday eliminate the wage gap between Maine women and Maine men. Neighboring states like Connecticut, Vermont, Delaware, and Massachusetts, and nine other states, have passed laws like this in recent years. I urge you to do the right thing for Maine women and for Maine taxpayers and follow my light. Thank you, Mr. President.

**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, this bill is not a gender equality bill. There is no mention of gender in this bill. Instead this bill exposes both large and small employers to potentially expensive fines, human rights violations, and litigation costs for something they may inadvertently get caught up in in a job interview. Only seven states in the United States have similar laws and I would ask that we oppose this bill and keep Maine employer/employee friendly.

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, pay inequality is persistent and pervasive. I know this from a personal experience. I've experienced pay discrimination twice. Both times I was working in a job where I was hired on the same day, or within days, of male colleagues hired for the same position, doing the same work. Both times I discovered by accident that I was making significantly less than my male colleagues. That unfair treatment humiliated me and alienated me from the workplace as I otherwise loved and I agonized before going to my supervisors in both cases to plead my case for equal pay. The effect of making less than my male coworkers was even greater than I initially realized. That's because in today's economy employers often base a perspective employee's compensation on what they were making in their prior place of employment. So when my first professional employer out of college paid me less than my male

colleagues for the same exact position and exact same levels of experience and education that employer was setting in motion perpetual pay discrimination for me and my female colleagues. I know that I'm not alone. In the public hearing on this bill our committee learned that 2016 data from the U.S. Department of Education, compiled by the American Association of University Women, shows that one year out of college women with a college degree, working full-time, make 18% less than men. Four years after graduation the same data from the U.S. Department of Education showed that women were making 20% less than their male counterparts. Similarly, a study in the August 2012 issue of Proceedings of the National Academy of Science of the United States of America showed that when employers were presented with identical resumes from employees named John and Jennifer the male applicant was offered a starting salary of almost \$4,000 more. The common employer practice of basing starting pay upon what a person made in their last job continues any inequities that begin immediately following a person's first year of employment following college. An employer may not intend to discriminate against women but the impact of their action is the same if paying them less money than male colleagues for the same work occurs. This is why, despite laws banning pay discrimination such as Maine's Equal Pay Act, the gap persists not only at the start of women's careers but throughout employment.

We understand that any time the government places any restrictions on speech those restrictions must be narrowly tailored to meet a compelling governmental interest. Our governmental interest is clear and crucial. Under the 14<sup>th</sup> Amendment of the U.S. Constitution all people are guaranteed equal protection under the law and all people should receive equal pay for equal work. The State of Maine has an essential interest in protecting the civil and human rights of all people and the data in Maine is clear that right now those human rights are not protected, that women earned approximately 84¢ for every dollar earned by men in Maine according to the 2018 Measures of Growth Report from the Maine Development Foundation. The State of Maine also has a more pragmatic but very important and crucial economic interest in advancing this legislation as well. When women are not paid adequately for their labor there are long-term consequences to their economic livelihoods and the health and wellbeing of their families. According to the U.S. Census Bureau American Communities Survey of 2017 data more than half of all the children living in poverty in Maine live in households headed by single women. Relatively small increases in the earnings of these mothers could have a dramatic impact on the life-chances of their children. Lower earnings make it harder for women to save for retirement and inequities in pay result in inequities in social security benefits upon retirement.

Again, data from the U.S. Census Bureau American Communities Survey of 2017 shows that among retired Mainers the median retirement income for men is \$17,000. For women it's just \$10,000. That's a major contributor to the fact that among Mainers age 75 and older women are one and one-half times more likely to be living in poverty as men. According to the April 2017 report by the National Partnership for Women and Families titled Maine Women and the Wage Gap, Maine women who are employed fulltime lose a combined \$3 billion every year due to the wage gap. The harms to women because of pay inequities are real. The Maine Human Rights Commission presented data to the Labor and Housing Committee that despite Maine's existing laws, including Maine's Equal Pay Act and the Maine Human

Rights Act, and I quote from their testimony: 'Pay inequality persists as a real issue. Between 2008 and 2016 the Commission received 139 complaints that included allegations that complainant's wages were affected by their sex.' The Maine Human Rights Commission went on to testify that: 'One way in which pay inequity for similar work has continued to occur is when salary for a new job is based on an applicant's prior pay. Relying on perspective employee's salary history in setting pay, or in screening and evaluating applicants, forces women to face bias in the workplace, to carry lower earnings, and pay discrimination from job to job. It also penalizes individuals who reduce their hours or left their prior job for childcare or other family reasons and who's prior salary history, therefore, does not reflect their qualifications or current market condition.'

The legislation before you directly advances our governmental interest because if employers cannot base compensation offers on prior pay then it will be impossible for them to perpetuate prior pay inequities. The legislation before you encourages employers to condition starting pay upon a candidate's qualifications, including skills, experience, education, and credentialing. Those are more objective criteria that meet the employer's interests and can be evaluated from a truly independent and gender neutral perspective. In addition to a compelling governmental interest, this legislation has been crafted as narrowly as possible by the Committee to meet our intended objective. This bill does not place a blanket prohibition on the discussion of compensation, contrary to the remarks of my good colleague from Penobscot County. This bill is no way a ban on speech because it merely delays any discussion of compensation history while initial pay is being negotiated with the perspective employee until after the offer of employment, including all terms of compensation, has been negotiated. In meeting with the employer community, members of the Labor and Housing Committee learned that there might be a few narrow circumstances upon which prior compensation inquiries would be appropriate, such as in an economic development program that provides incentives to employers to hire low income people. For that reason, we created a narrow exception in the legislation to allow employers to inquire about prior compensation when the disclosure or verification of prior compensation is specifically required by a state or federal law for employment purposes. We further made it permissible, should the applicant for employment discusses voluntarily their own compensation, that is permissible. The bill also amends the Maine Human Rights Act to provide evidence of unlawful employment discrimination includes an employer seeking information about a perspective employee's compensation history before an offer of employment, including all terms of compensation, to the applicant has been made. By passing this legislation and stopping the transmission of discriminatory pay from one employer to the next we can reduce the impact of structural and implicit biases that discriminate against women. I urge you to join me in voting in favor of the pending motion. Thank you, Mr. President.

**THE PRESIDENT:** The Chair recognizes the Senator from Sagadahoc, Senator Vitelli.

Senator **VITELLI:** Thank you, Mr. President. I rise to present the testimony of a young woman that can give life to this issue that we're talking about. She said: 'I began working at a salary of \$21,000. I worked three jobs for four years to make a total of \$27,000, including cleaning an office building every morning

before going to another job. The next time I transitioned to a new job they did ask for my previous salary. I received a salary for the position that was \$15,000 less than my counterparts with similar work and educational experience. I didn't know about this significant salary difference until I left. The next time I transitioned to a new job they did not ask for my previous salary. I was dreaming of all these high numbers, high to me, but did not start the negotiation. The new employer's salary offer was \$25,000 more than my highest dream offer. I believe that the low salary in my second job was a direct result in their knowing about my previous salary and that if I started with the lower salary with my third job I would not have received the higher offer. I've now learned never to answer that question on an application nor to start the negotiations with my number.' Thank you, Mr. President.

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

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**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 (#34)**

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

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

**EXCUSED:** Senators: KEIM, LIBBY

22 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 2 Senator being excused, the motion by Senator **BELLOWS** of Kennebec to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

**Bill READ ONCE.**

Committee Amendment "A" (S-28) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

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Off Record Remarks  
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**COMMUNICATIONS**

The Following Communication: S.C. 232

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

March 27, 2019

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

RE: Maine Turnpike Authority Board of Directors

Dear President Jackson:

This is to inform you that I am today nominating The Honorable Daniel E. Wathen of Augusta for reappointment to the Maine Turnpike Authority Board of Directors.

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

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

\_\_\_\_\_  
The Following Communication: S.C. 233

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

March 27, 2019

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

RE: Maine Turnpike Authority Board of Directors

Dear President Jackson:

This is to inform you that I am today nominating John E. Dority of Augusta for reappointment to the Maine Turnpike Authority Board of Directors.

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

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

\_\_\_\_\_  
The Following Communication: S.C. 234

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

March 27, 2019

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

RE: Maine Community College System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating The Honorable Jean Ginn Marvin of Scarborough for reappointment to the Maine Community College System Board of Trustees.

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

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 235

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

March 27, 2018

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

RE: University of Maine System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating The Honorable Michael H. Michaud of East Millinocket for appointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 236

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

March 27, 2018

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

RE: University of Maine System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating James O. Donnelly of Brewer for reappointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

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Off Record Remarks

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The Following Communication: S.C. 237

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

March 27, 2018

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

RE: University of Maine System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating Kelly A. Martin of Fort Kent for reappointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

The Following Communication: S.C. 238

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

March 27, 2018

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

RE: University of Maine System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating Sven Bartholomew of Brewer for appointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.  
Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 239

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

March 27, 2019

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

RE: Board of Pesticides Control

Dear President Jackson:

This is to inform you that I am today nominating Dr. Jack L. Waterman of Waldoboro for reappointment to the Board of Pesticides Control.

Pursuant to Title 22, MRSA §1471-B, this reappointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 240

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

March 27, 2018

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

RE: Maine Community College System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating The Honorable Joyce A. Maker of Calais for appointment to the Maine Community College System Board of Trustees.

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

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 241

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

March 27, 2018

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

RE: Maine Community College System Board of Trustees

Dear President Jackson:

This is to inform you that I am today nominating The Honorable Michael H. Michaud of East Millinocket for appointment to the Maine Community College System Board of Trustees.

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

Thank you.

Very truly yours,

S/Janet T. Mills  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 228

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON ENERGY UTILITIES AND TECHNOLOGY**

March 21, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Hubbell of Bar Harbor, to report the following bill Leave to Withdraw:

L.D. 143 An Act To Protect Electric Ratepayers from Gross Output Metering Costs (EMERGENCY)

Sincerely,

S/Sen. Mark W. Lawrence  
Senate Chair

S/Rep. Seth A. Berry  
House Chair

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

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The Following Communication: S.C. 231

**STATE OF MAINE  
ONE HUNDRED AND TWENTY NINTH LEGISLATURE  
COMMITTEE ON HEALTH COVERAGE,  
INSURANCE AND FINANCIAL SERVICES**

March 25, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. O'Neil of Saco, to report the following bill Leave to Withdraw:

L.D. 1361 An Act Regarding Health Care Providers and Patient Trust

Sincerely,

S/Sen. Heather B. Sanborn  
Senate Chair

S/Rep. Denise A. Tepler  
House Chair

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

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The Following Communication: S.C. 229

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

March 7, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Fecteau of Augusta, to report the following bill Leave to Withdraw:

L.D. 1112 An Act To Provide Employee Vaccination Compensation

Sincerely,

S/Sen. Shenna Bellows  
Senate Chair

S/Rep. Mike A. Sylvester  
House Chair

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

The Following Communication: S.C. 230

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

March 26, 2019

Honorable Troy Dale Jackson, Senate President  
Honorable Sara Gideon, Speaker of the House  
129th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Jackson and Speaker Gideon,

Pursuant to Joint Rule 310, we are writing to notify you that we have approved the request by the bill sponsor Rep. Cloutier of Lewiston, to report the following bill Leave to Withdraw:

L.D. 1242 An Act To Reinstitute the State Property Tax Deferral Program for Seniors

Sincerely,

S/Sen. Ben Chipman  
Senate Chair

S/Rep. Ryan Tipping  
House Chair

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

The Following Communication: S.C. 223

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

March 25, 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. 677 An Act Regarding the Use of Seizure and Forfeitures by Law Enforcement

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. 224

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

March 26, 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. 419 An Act To Require a Minimum Salary of \$50,000 for Public School Teachers

L.D. 727 An Act Concerning Funding of Alternative Organizational Structures

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. 225

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

March 5, 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 Environment and Natural Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 621 An Act To Prohibit Extruded Polystyrene Food Service Containers

This is notification of the Committee's action.

Sincerely,

S/Sen. Brownie Carson  
Senate Chair

S/Rep. Ralph L. Tucker  
House Chair

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

The Following Communication: S.C. 226

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

March 25, 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 Labor and Housing has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 122 An Act To Prohibit an Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made

L.D. 123 An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made

L.D. 140 An Act To Facilitate the Employment of Persons with Substance Use Disorder

L.D. 168 Resolve, To Create a Universal Job Application System for Maine's Career Centers

L.D. 220 An Act To Improve Pay for Certain Maine Workers

L.D. 480 An Act To Ensure Pay Transparency and To Reduce Gender and Racial Wage Inequities

L.D. 784 An Act To Amend the Laws Governing Eligibility for Unemployment Benefits

L.D. 888 An Act To Provide Workplace Support to Individuals with Hearing Loss

This is notification of the Committee's action.

Sincerely,

S/Sen. Shenna Bellows  
Senate Chair

S/Rep. Mike A. Sylvester  
House Chair

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

The Following Communication: S.C. 227

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

March 18, 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 Transportation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 487 Resolve, Directing the Department of Transportation To Study the Corner of Smithwheel Road and Ocean Park Road and the Intersection of Saco Avenue, Temple Street and Old Orchard Road in Old Orchard Beach

L.D. 704 An Act To Clarify the Laws Regarding Driver's License Suspensions

L.D. 740 An Act To Include Bucksport and the Penobscot River Basin in the Department of Transportation's Cargo Port Strategy

This is notification of the Committee's action.

Sincerely,

S/Sen. Bill Diamond  
Senate Chair

S/Rep. Andrew McLean  
House Chair

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

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**SENATE PAPERS**

Bill "An Act To Expand Application of the Maine Agricultural Marketing and Bargaining Act of 1973 to Harvesters and Haulers of Forest Products"

S.P. 444 L.D. 1459

Presented by President JACKSON of Aroostook.  
Cosponsored by Representative MARTIN of Eagle Lake and Senators: BELLOWS of Kennebec, CARPENTER of Aroostook, DAVIS of Piscataquis, DILL of Penobscot, DOW of Lincoln, Representatives: COLLINGS of Portland, Speaker GIDEON of Freeport, STEWART of Presque Isle.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

On motion by Senator **DILL** of Penobscot, **REFERRED** to the Committee on **LABOR AND HOUSING**.

Sent down for concurrence.

---

Bill "An Act To Allow the Prohibition of Weapons at Public Proceedings and Voting Places"

S.P. 450 L.D. 1470

Presented by Senator BREEN of Cumberland.  
Cosponsored by Representative BRENNAN of Portland and Representatives: BABINE of Scarborough, DENK of Kennebunk, HARNETT of Gardiner, MATLACK of St. George, PIERCE of Falmouth, RILEY of Jay, TEPLER of Topsham.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

On motion by Senator **DESCHAMBAULT** of York, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent down for concurrence.

---

Bill "An Act To Amend the Charter of the Rumford-Mexico Sewerage District"

S.P. 449 L.D. 1469

Presented by Senator KEIM of Oxford.  
Cosponsored by Representative: DOLLOFF of Rumford.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent down for concurrence.

---

Bill "An Act To Support Collection and Proper Disposal of Unwanted Drugs"

S.P. 445 L.D. 1460

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative HYMANSON of York and Senators: BLACK of Franklin, CLAXTON of Androscoggin, DAVIS of Piscataquis, DILL of Penobscot, President JACKSON of Aroostook, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representative: MADIGAN of Waterville.

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

Sent down for concurrence.

---

Bill "An Act To Support Early Intervention and Treatment of Mental Health Disorders" (EMERGENCY)

S.P. 446 L.D. 1461

Presented by Senator BREEN of Cumberland.  
Cosponsored by Representative WARREN of Hallowell and Senators: CARPENTER of Aroostook, CLAXTON of Androscoggin, DESCHAMBAULT of York, GRATWICK of Penobscot, WOODSOME of York, Representatives: BAILEY of Saco, MADIGAN of Waterville, McCREIGHT of Harpswell.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Create a Commission To Establish a State Bank"

S.P. 452 L.D. 1472

Presented by Senator MIRAMANT of Knox.  
Cosponsored by Representative ACKLEY of Monmouth and Senators: BELLOWS of Kennebec, CHENETTE of York, CHIPMAN of Cumberland, Representatives: BLUME of York, EVANGELOS of Friendship, KESSLER of South Portland, PEBWORTH of Blue Hill, RISEMAN of Harrison.

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

Sent down for concurrence.

**ORDERS**

Bill "An Act To Protect Taxpayers in the Privatization of State Services"

S.P. 443 L.D. 1458

Presented by Senator BELLOWS of Kennebec.  
Cosponsored by Representative MARTIN of Sinclair and Senators: CLAXTON of Androscoggin, DESCHAMBAULT of York, MIRAMANT of Knox, Representatives: HANDY of Lewiston, SYLVESTER of Portland.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide 4-year Terms for Senators and To Set Term Limits for Legislators

S.P. 447 L.D. 1462

Presented by Senator CARPENTER of Aroostook.  
Cosponsored by Representative HARNETT of Gardiner and Senator: KEIM of Oxford, Representative: BAILEY of Saco.

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

Sent down for concurrence.

Resolve, To Name the Route 7 Bridge in Corinna in Honor of PFC Paul Earl Sudsbury

S.P. 451 L.D. 1471

Presented by Senator DAVIS of Piscataquis.  
Cosponsored by Representative COSTAIN of Plymouth and Senators: CARPENTER of Aroostook, CARSON of Cumberland, CYRWAY of Kennebec, FARRIN of Somerset, GUERIN of Penobscot, Representatives: DeVEAU of Caribou, HANINGTON of Lincoln, STROM of Pittsfield.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Provide Consistency in the Laws Governing Culvert Replacement"

S.P. 453 L.D. 1473

Presented by Senator MIRAMANT of Knox.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **DIAMOND** of Cumberland, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed.

Sent down for concurrence.

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

**Joint Resolution**

On motion by Senator **GRATWICK** of Penobscot (Cosponsored by Representative HYMANSON of York and Senators: CLAXTON of Androscoggin, President JACKSON of Aroostook, SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: BEEBE-CENTER of Rockland, DOUDERA of Camden, MADIGAN of Waterville, SYLVESTER of Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214.), the following Joint Resolution:

S.P. 448

**JOINT RESOLUTION**

**MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO LEAD A GLOBAL EFFORT TO PREVENT NUCLEAR WAR**

**WE**, your Memorialists, the Members of the One Hundred and Twenty-ninth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the President of the United States and the United States Congress as follows:

**WHEREAS**, global arsenals have over 14,000 nuclear weapons and most are far more destructive than those that killed hundreds of thousands of people in Hiroshima and Nagasaki, Japan in 1945; and

**WHEREAS**, the detonation of even a small number of these weapons anywhere in the world could have catastrophic human, environmental and economic consequences that could affect everyone on the planet; and

**WHEREAS**, a large-scale nuclear war would likely kill hundreds of millions of people directly and cause unimaginable environmental damage, producing conditions wherein billions of people would likely die from starvation or disease; and

**WHEREAS**, the United States maintains nuclear missiles on hair-trigger alert, capable of being launched within minutes after a presidential order, greatly increasing the risk of an accidental, mistaken or unauthorized launch; and

**WHEREAS**, the United States, as well as the United Kingdom, China, France and Russia, are obligated under the Treaty on the Non-Proliferation of Nuclear Weapons to take concrete steps toward eliminating their nuclear arsenals; and

**WHEREAS**, in July 2017, 122 nations approved the Treaty on the Prohibition of Nuclear Weapons, which makes it illegal under international law to develop, test, produce, manufacture or otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices; and

**WHEREAS**, United States taxpayers spend over \$4 million every hour of every day on nuclear weapons and the planned expenditure of more than \$1.2 trillion over the next 30 years to operate and enhance the United States' nuclear arsenal will exacerbate nuclear dangers by fueling a global arms race and diverting crucial resources needed to ensure the well-being of Maine people; and

**WHEREAS**, in 2017, Maine taxpayers averaged \$192.33 per capita, with the State collectively paying an estimated \$257 million, in federal taxes toward the cost of producing, deploying and maintaining nuclear weapons; now, therefore, be it

**RESOLVED:** That We, your Memorialists, on behalf of the people we represent, take this opportunity to call on the President of the United States and the United States Congress to lead a global effort to prevent nuclear war by renouncing the option of using nuclear weapons first, ending the sole, unchecked authority of any president to launch a nuclear attack, taking United States nuclear weapons off hair-trigger alert, cancelling the plan to replace the country's entire arsenal with enhanced weapons and actively pursuing a verifiable agreement among nuclear-armed states to eliminate their nuclear arsenals; and be it further **RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Donald J. Trump, President of the United States, and to each Member of the Maine Congressional Delegation.

**READ** and **ADOPTED**.

Sent down for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding the Use of Unanticipated State Aid for Kindergarten to Grade 12 Education"  
H.P. 199 L.D. 236

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

Signed:

Senators:

MILLETT of Cumberland  
CARSON of Cumberland

Representatives:

KORNFELD of Bangor  
BRENNAN of Portland  
DODGE of Belfast  
DRINKWATER of Milford  
FARNSWORTH of Portland  
FECTEAU of Augusta  
INGWERTSEN of Arundel  
McCREA of Fort Fairfield

The Minority of the same Committee on the same subject reported that the same **Ought To Pass**.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

RUDNICKI of Fairfield  
SAMPSON of Alfred

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify Residency Requirements for Legislative Candidates"

H.P. 81 L.D. 95

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  
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 To Pass as Amended by Committee Amendment "A" (H-40)**.

Signed:

Representative:

ACKLEY of Monmouth

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.

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each State Senatorial District  
H.P. 283 L.D. 374

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  
COOPER of Yarmouth  
HANINGTON of Lincoln  
HICKMAN of Winthrop  
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-41)**.

Signed:

Representatives:

ANDREWS of Paris  
DOLLOFF of Rumford  
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 RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting  
H.P. 447 L.D. 619

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-42)**.

Signed:

Senators:

LUCHINI of Hancock  
HERBIG of Waldo

Representatives:

SCHNECK of Bangor  
ACKLEY of Monmouth  
COOPER of Yarmouth  
HICKMAN of Winthrop  
HUBBELL of Bar Harbor  
McCREIGHT of Harpswell

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ANDREWS of Paris  
DOLLOFF of Rumford  
HANINGTON of Lincoln  
STROM of Pittsfield

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the **RESOLUTION PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-42)**.

Reports **READ**.

Senator **LUCHINI** of Hancock 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.

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**Senate**

**Ought to Pass As Amended**

Senator MILLETT for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase the Amount of Time School Counselors and Social Workers Spend Providing Students Direct and Indirect Counseling"

S.P. 59 L.D. 247

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-29)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-29) **READ** and **ADOPTED**.

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

Sent down for concurrence.

\_\_\_\_\_  
Senator DILL for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Increase Opportunities for Hunters, Anglers and Sporting Camps by Extending the Seasons on Upland Game"

S.P. 77 L.D. 265

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-26)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-26) **READ** and **ADOPTED**.

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

Sent down for concurrence.

\_\_\_\_\_  
Senator LUCHINI for the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify Liquor Label Approval and Registration Requirements"

S.P. 66 L.D. 254

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-27)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-27) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Align State Law with Current Practice Regarding Required School Attendance"

S.P. 38 L.D. 151

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-30)**.

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:

Senator:  
POULIOT of Kennebec

Representatives:

DRINKWATER of Milford  
FECTEAU of Augusta  
RUDNICKI of Fairfield  
SAMPSON of Alfred

Reports **READ**.

On motion by Senator **MILLETT** of Cumberland, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-30) **READ** and **ADOPTED**.

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

\_\_\_\_\_  
Off Record Remarks

\_\_\_\_\_  
**SECOND READERS**

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

**House**

Bill "An Act To Enhance the Senior Volunteer Benefit Program"  
H.P. 59 L.D. 62

Bill "An Act To Protect Water Quality by Standardizing the Law Concerning Septic Inspection in the Shoreland Zone"  
H.P. 179 L.D. 216

Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 207 L.D. 283

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

---

**House As Amended**

Bill "An Act To Amend the Law Governing the Membership of the Town of York Planning Board and the Town of York Appeals Board" (EMERGENCY)

H.P. 76 L.D. 90  
(C "A" H-36)

Bill "An Act To Extend Internet Availability in Rural Maine" (EMERGENCY)

H.P. 129 L.D. 147  
(C "A" H-43)

Bill "An Act To Enhance Participation on the State Board of Education"

H.P. 139 L.D. 176  
(C "A" H-29)

Bill "An Act To Increase the Safety of Home Buyers Concerning Chimney Inspections"

H.P. 192 L.D. 229  
(C "A" H-44)

Bill "An Act To Help Older Adults Age in Place through Comprehensive Planning"

H.P. 225 L.D. 301  
(C "A" H-31)

Bill "An Act To Provide Architects, Engineers and Certain Other Professionals Immunity from Civil Liability When Volunteering for Evaluating Damage from Disasters"

H.P. 363 L.D. 506  
(C "A" H-34)

Bill "An Act To Protect Public Health through Subsurface Wastewater Disposal System Inspections"

H.P. 400 L.D. 543  
(C "A" H-37)

Bill "An Act To Improve Shoreland Zoning Rules and Enforcement To Support Municipalities"

H.P. 406 L.D. 562  
(C "A" H-38)

Resolve, To Establish a Background Check Consolidation Commission

H.P. 436 L.D. 592  
(C "A" H-35)

Bill "An Act To Phase Out the Insurance Premium Tax on Annuities"

H.P. 453 L.D. 625  
(C "A" H-32)

Bill "An Act To Change the Harassment Prevention Training Required for Legislators, Legislative Staff and Lobbyists"  
H.P. 599 L.D. 825  
(C "A" H-30)

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

---

Bill "An Act To Provide Funding to the Department of Health and Human Services To Support Free Health Clinics in the State"  
H.P. 144 L.D. 181  
(C "A" H-11)

**READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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**Senate As Amended**

Bill "An Act To Raise Juror Pay to \$50 per Day"  
S.P. 91 L.D. 279  
(C "A" S-24)

Bill "An Act To Allow Flexible Business Hours for Certain Agency Liquor Stores"

S.P. 106 L.D. 365  
(C "A" S-22)

Bill "An Act To Change Municipal Campaign Contribution Limits"  
S.P. 224 L.D. 780  
(C "A" S-21)

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

Sent down for concurrence.

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

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**ENACTORS**

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

**Emergency Measure**

An Act To Permit a Veterans Organization To Lease Its Facility to an Organization That Is Registered To Operate Beano or Bingo Games without Obtaining a Commercial Beano Hall Permit  
H.P. 113 L.D. 131  
(C "A" H-16)

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

Senator **DIAMOND:** Thank you, Mr. President. Just briefly, this bill is the result of the work of many veterans representing many veterans' organizations, but their leader was the person we just recognized in the back, Mr. President, Mr. Louis Stack of Standish. He worked very hard and a big thanks goes out to Senator Luchini and his committee for working very well with the veterans. We very much appreciate that. Thank you, Mr. President.

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senator 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.

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**Emergency Measure**

An Act To Resolve Tie Votes by the Washington County Budget Advisory Committee

H.P. 377 L.D. 520  
(C "A" H-27)

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senator 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.

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**Acts**

An Act To Require Notification of Proposed Rate Increases for Long-term Care Policies

H.P. 6 L.D. 5  
(C "A" H-25)

An Act To Improve the Record Keeping of Utilities and the Public Utilities Commission

S.P. 21 L.D. 68  
(C "A" S-12)

An Act To Require an Annual Report on the Activities of the Maine Child Welfare Advisory Panel

H.P. 155 L.D. 192  
(C "A" H-21)

An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act

H.P. 209 L.D. 285

An Act Regarding Responsibility for the Duplicative or Incorrect Payment of Health Insurance Claims

H.P. 215 L.D. 291  
(C "A" H-17)

An Act To Exempt School Buses from Snow Tire Restrictions

H.P. 276 L.D. 350  
(C "A" H-24)

An Act To Reduce Childhood Exposure to Harmful Ultraviolet Radiation by Allowing Students To Use Sunscreen in Schools

S.P. 119 L.D. 441  
(C "A" S-14)

An Act To Strengthen the Qualifications for County Sheriffs

S.P. 134 L.D. 456  
(C "A" S-13)

An Act Regarding the Use of Interchangeable Biological Products

H.P. 480 L.D. 659

An Act To Amend the Charter of the Town of Madison's Department of Electric Works

S.P. 207 L.D. 694

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

---

An Act To Support the Trades through a Tax Credit for Apprenticeship Programs

S.P. 23 L.D. 70  
(C "A" S-10)

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

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An Act To Protect Earned Pay

S.P. 28 L.D. 75  
(C "A" S-11)

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

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An Act To Require the State To Fund Teacher Retirement

H.P. 336 L.D. 427  
(C "A" H-20)

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

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An Act To Amend Educator Evaluation Requirements  
H.P. 78 L.D. 92  
(C "A" H-18)

On motion by Senator **MILLETT** of Cumberland, 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 (#35)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CLAXTON, DESCHAMBAULT, DIAMOND, DILL, GRATWICK, HERBIG, LAWRENCE, 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

EXCUSED: Senators: LIBBY

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

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

**PAPERS FROM THE HOUSE**

**Joint Resolution**

The following Joint Resolution:

H.P. 1046

**JOINT RESOLUTION  
RECOGNIZING APRIL 2, 2019 AS  
NATIONAL SERVICE RECOGNITION DAY**

WHEREAS, service to others is a hallmark of the American character and is central to how we meet our challenges; and

WHEREAS, elected leaders are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, including educating students for the jobs of the 21st century, fighting the opioid epidemic, responding to natural disasters and supporting veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills and leadership pathways for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the effectiveness of the organizations they serve, through both their direct service and their management of millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages nonfederal resources to strengthen the effect of volunteer service in communities and increase the return on taxpayer dollars; and

WHEREAS, by making an intensive commitment to service, national service participants demonstrate commitment, dedication and patriotism, attributes that remain with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service works with local leaders nationwide to engage citizens, improve lives and strengthen communities and is joining with the National League of Cities, the National Association of Counties, Cities of Service and local leaders across the country for National Service Recognition Day on April 2, 2019; 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 recognize April 2, 2019 as National Service Recognition Day and encourage residents to recognize the positive effects of national service in our community, to thank those who serve and to find ways to give back to their communities.

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

The Joint Resolution was **READ**.

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

Senator **BELLOWS:** Thank you, Mr. President. I rise in support of this resolution and in recognition of the volunteers that are here with us today: members of AmeriCorps and Senior Corps. These are incredibly important programs. I know this firsthand because in 1999, when I returned from the Peace Corps, I entered into AmeriCorps Vista, working in Nashville, Tennessee with young people in Nashville's largest public housing project. It was an extraordinary opportunity that set me on a path of engagement in non-profits and leadership. I've seen firsthand in my district how AmeriCorps volunteers and Senior Corps volunteers make a huge difference, whether it's in regards to environmental stewardship, and the Conservation Corps is working on trails in my town, whether it's working in veterans' facilities like the Cabin in the Woods project at Togus and Chelsea, whether it's working with seniors as senior companions helping homebound seniors and other adults maintain independence in their homes, or as foster grandparents. AmeriCorps and Senior Corps members who are here today give so much of themselves to us for very little pay but the reward to the community, and I hope to them, is hugely

important and significant to our state. Over the last year 2,400 Mainers participated in national service through AmeriCorps and Senior Corps in our state and I think it's wonderful that we're recognizing them today for that extraordinary work. Thank you.

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

**THE PRESIDENT:** The Chair would like to recognize in the Chamber volunteers and staff of AmeriCorps and Senior Corps and Libby Hite of the National Corporation for National and Community Service. They are guests today of the entire Maine Senate, but in particular the Senator from Kennebec, Senator Bellows. Would they please wave from the Gallery and accept the greetings of the Maine State Senate.

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

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Senate at Ease.

The Senate was called to order by the President.

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**RECESSED** until the sound of the bell.

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

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

#### **PAPERS FROM THE HOUSE**

##### **House Papers**

Bill "An Act To Allow Community-based Organizations To Participate in Diversion Projects for Persons with Substance Use Disorder"

H.P. 1073 L.D. 1466

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

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

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Resolve, Directing Coordinated State Agencies To Negotiate with the Governing Leaderships of Portland Pipe Line Corporation and Montreal Pipe Line Limited for Sustainability-centered Repurposing of Stranded and At-risk Infrastructure Assets in Maine (EMERGENCY)

H.P. 1048 L.D. 1436

Bill "An Act To Support Electrification of Certain Technologies for the Benefit of Maine Consumers and Utility Systems and the Environment"

H.P. 1071 L.D. 1464

Bill "An Act To Diversify Maine's Energy Portfolio with Renewable Energy"

H.P. 1072 L.D. 1465

Come from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **LAWRENCE** of York, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed, in concurrence.

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Resolve, To Mitigate the Increasing Waiting List for Services under the MaineCare Section 21 Waiver Program

H.P. 1062 L.D. 1450

Bill "An Act To Improve Dental Health for Maine Children and Adults with Low Incomes"

H.P. 1065 L.D. 1453

Come from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

On motion by Senator **GRATWICK** of Penobscot, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed, in concurrence.

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Bill "An Act To Align the Laws Governing Dental Therapy with Standards Established by the American Dental Association Commission on Dental Accreditation"

H.P. 1053 L.D. 1441

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

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

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Bill "An Act To Create Transparency in Tax Increment Financing and Credit Enhancement Agreement Proposals"

H.P. 1052 L.D. 1440

Bill "An Act To Provide Debt-free Educational Opportunities for Maine Residents"

H.P. 1057 L.D. 1445

Come from the House, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion by Senator **HERBIG** of Waldo, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed, in concurrence.

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Bill "An Act To Provide for Court-appointed Advocates for Justice in Animal Cruelty Cases"

H.P. 1054 L.D. 1442

Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

H.P. 1061 L.D. 1449

Bill "An Act To Make References to the Governor and Supreme Judicial Court Justices Gender Neutral"

H.P. 1069 L.D. 1457

Bill "An Act To Eliminate Profiling in Maine"

H.P. 1077 L.D. 1475

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

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

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Bill "An Act Providing Labor Unions with Reasonable Access to Current and Newly Hired Public Sector Workers"

H.P. 1063 L.D. 1451

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

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

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Bill "An Act To Ensure Quality, Safety and Accountability on Public Construction Projects"

H.P. 1051 L.D. 1439

Bill "An Act To Change the Name of Township 17, Range 3 to Van Buren Cove" (EMERGENCY)

H.P. 1067 L.D. 1455

Bill "An Act To Clarify Recounts in Municipal Elections"

H.P. 1078 L.D. 1476

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

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

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Bill "An Act To Enact the Senior Property Tax Reimbursement Act"

H.P. 1055 L.D. 1443

Bill "An Act To Remove Sales and Use Taxation on Gold and Silver Coins"

H.P. 1058 L.D. 1446

Bill "An Act To Expand the Homestead Exemption for Disabled Veterans"

H.P. 1060 L.D. 1448

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

H.P. 1064 L.D. 1452

Come from the House, **REFERRED** to the Committee on **TAXATION** and ordered printed.

On motion by Senator **CHIPMAN** of Cumberland, **REFERRED** to the Committee on **TAXATION** and ordered printed, in concurrence.

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RESOLUTION, Proposing an Amendment to the Constitution of Maine Concerning Alternative Signatures Made by Persons with Disabilities

H.P. 1049 L.D. 1437

Bill "An Act To Clarify the Intent of Referendum Questions for Voters"

H.P. 1050 L.D. 1438

Bill "An Act To Make the Distance to Schools for Marijuana Establishments Consistent with the Liquor Laws"

H.P. 1056 L.D. 1444

Bill "An Act To Simplify Voting in Maine by Placing a Moratorium on Ranked-choice Voting"

H.P. 1059 L.D. 1447

Bill "An Act Concerning Elections in Maine Congressional Districts"

H.P. 1066 L.D. 1454

Bill "An Act To Amend the Laws Governing Raffles"

H.P. 1068 L.D. 1456

Bill "An Act To Create an Automatic Voter Registration System"

H.P. 1070 L.D. 1463

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Facilitate the Use of Ranked-choice Voting for Governor and Members of the Legislature

H.P. 1079 L.D. 1477

Come from the House, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

On motion by Senator **LUCHINI** of Hancock, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed, in concurrence.

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**Pursuant to Statute  
Probate and Trust Law Advisory Commission**

The **Probate and Trust Law Advisory Commission**, pursuant to the Maine Revised Statutes, Title 18-A, section 1-803, subsection 2 asked leave to report that the accompanying Bill "An Act To Enact the Maine Uniform Directed Trust Act"

H.P. 1075 L.D. 1468

Be **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Comes from the House, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218, in concurrence.

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

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

**ENACTORS**

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

**Act**

An Act Regarding Pay Equality

S.P. 90 L.D. 278  
(C "A" S-28)

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

Ordered sent down forthwith.

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

**REPORTS OF COMMITTEES**

**House**

**Pursuant to Joint Order**

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Implement Recommendations of the Department of Environmental Protection Regarding the State's Cellular Telephone Recycling Law"

H.P. 1074 L.D. 1467

Reported that the same be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, pursuant to Joint Order, H.P. 883.

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

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

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

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Off Record Remarks

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On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Thursday, April 4, 2019 at 10:00 in the morning.