

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Ninth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 5, 2018

beginning at Page 1

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

An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax

H.P. 481 L.D. 660
(C "A" H-183)

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

An Act To Require Municipalities and School Districts To Provide Notice of Breaches in Personal Data Security

S.P. 209 L.D. 696
(C "A" S-77)

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

An Act To Provide for a Professional Wage and Support for New Educators

S.P. 264 L.D. 898
(C "A" S-59)

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

An Act To Establish the Fund To Support Local Fruits and Vegetables Purchasing

H.P. 675 L.D. 920
(C "A" H-192)

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

An Act To Increase the Viability of Assisted Living Facilities by Increasing the Rate of Reimbursement

H.P. 690 L.D. 935
(C "A" H-198)

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

An Act To Clarify the State's Commitments Concerning Certain Public Service Retirement Benefits

H.P. 808 L.D. 1104
(C "A" H-205)

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

An Act To Require Legislative Hearings on Citizen-initiated Legislation

H.P. 873 L.D. 1209
(C "A" H-204)

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

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise briefly in support of the pending motion. I fully support the people's right to pass citizen initiated legislation. I think legislative hearings are a matter of good government. I think it can be pro citizen initiated legislation and pro hearing. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Chenette.

Senator **CHENETTE:** Thank you, Mr. President. I rise in opposition to the pending motion. We've seen a lot of attacks on our democratic institutions and I view this bill in a similar light. This is a barrier for citizens to take action when their elected officials refuse to. When it comes to legislative hearings, we can already do this, Mr. President. We do not need a legislative bill to direct us to do this. We can already do it. It's repetitive. Moreover, how about counting the numerous public hearings that this Body has had over the last decade over any of the citizen lead initiatives that have been on the ballot? Minimum wage, ranked-choice voting. You name it. We've had dozens of public hearings in this building and consistently the Legislature has voted down common sense reforms, Mr. President. So this is an opportunity for the citizens to say to their elected officials, 'Hey, this is a priority for us,' and it should be recognized not as a glorified poll but as a mandate from the people to the Legislature. The fact of the matter is the process has been disrespected and this bill continues that process. I will be voting no on the pending motion.

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

Senator **CLAXTON:** Thank you, Mr. President. I stand to speak briefly, women and men of this Chamber. The work that went on in the Committee on State and Local Government to get to a unanimous report was based on the sense that this would open up yet another way for citizens to contribute to a conversation about what they want to see and no way, in my understanding,

threatens the impact of the citizen initiatives and, in fact, helps us make them more robust as we begin the process of making legislation around those that are passed. The appropriate Committee also retains the opportunity to introduce legislation to affect the citizen initiative that's being discussed if it becomes readily apparent that it should continue even without the vote of the public. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, like my colleague who feels like this is a road block, I have to look at the way these citizen referendums have gone when folks are so frustrated with the lack of progress by the Legislature for important issues and then they've let them pass through only to come back and ignore and reject them. There is a level of cynicism about some of this that I don't want to add another opportunity for that cynicism to be passed on to the folks who are trying to do something that's important. So I will not support this.

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

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I had the honor of serving on the Legal and Veterans Affairs Committee two years ago. I stand to support the Senator from Androscoggin, Senator Claxton. I just want to give you one quick example. We had a lengthy public hearing on the proposed casino bill, promoted by the individual who started the Bangor slot process, and out of that process we learned a lot about the dark money that really was behind that, and I'm convinced that that public hearing helped to lead to its overwhelming demise at the polls. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Enactment. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#93)

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

NAYS: Senators: CHENETTE, CHIPMAN, MIRAMANT

32 Senators having voted in the affirmative and 3 Senators having voted in the negative, the Bill was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for approval.

Resolves

Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses

H.P. 515 L.D. 710

Resolve, To Direct the Department of Administrative and Financial Services To Study the Costs and Benefits of Telework to the State and Its Employees

H.P. 746 L.D. 1004
(C "A" H-181)

Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Study Registration Fees for All-terrain Vehicles and Snowmobiles

H.P. 836 L.D. 1147
(C "A" H-184)

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

Resolve, To Promote Healthy Living in Maine

H.P. 239 L.D. 315
(C "A" H-197)

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

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/26/19) matter:

Bill "An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy"
H.P. 939 L.D. 1296

Tabled - March 26, 2019 by Senator **H. SANBORN** of Cumberland

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.)