

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

In Senate Chamber  
Wednesday  
May 31, 2017

Senate called to order by President Michael D. Thibodeau of  
Waldo County.

Prayer by Pastor Steve Christner, Calvary Baptist Church in  
Turner.

**PASTOR CHRISTNER:** Let us pray. Lord Jesus, we thank You,  
God, for our country You have given to us. We thank You, God,  
for Your blessings, Your protection, Your provisions, the beauty of  
our country, but most of all we thank You for the freedom and  
liberty You give to us. Thank You, Lord, for the freedom to live,  
raise our families, believe, exercise our beliefs. Thank You for  
those that had the vision and the courage, invested their lives to  
give us the nation that we have today. Thank You for those that  
right now are protecting those freedoms here in our streets and  
abroad all over the world. Please, God, protect them. Please,  
God, bless them. Bless their families. Bless their loved ones.  
God, we need You today. We need Your help and Your blessing.  
We need Your guidance and Your wisdom, Your protection.  
Years ago someone, people, believed it was important to start  
this session asking You for Your blessing and, God, today we are  
doing that right now. Please, God, bless this meeting, this  
session, this Chamber. Bless these Senators today. Thank You,  
God, for each one of them, the place You put them. Give them  
courage. Give them wisdom. Give them humility. God, bless  
them today. God, we thank You, Lord, for Your love to us, Your  
grace. Thank You, God, for Your forgiveness, Your mercy.  
Thank You for the hope that we have of eternal life. Thank You  
for Your son. We pray, Lord, in Jesus' name. Amen. Thank you.

Pledge of Allegiance led by Senator Everett B. Carson of  
Cumberland County.

Reading of the Journal of Tuesday, May 30, 2017.

Doctor of the day, Alan Bean, M.D. of Harrison.

Off Record Remarks

The Chair noted the absence of the Senator from York, Senator  
**HILL**, and the Senator from Cumberland, Senator **DION**, and  
further excused the same Senators from today's Roll Call votes.

Off Record Remarks

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **AGRICULTURE,  
CONSERVATION AND FORESTRY** on Bill "An Act Regarding  
the Regulation of Rabbit Production for Local Consumption"  
H.P. 131 L.D. 175

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

Minority - **Ought to Pass** (6 members)

In Senate, May 25, 2017, on motion by Senator **DAVIS** of  
Piscataquis, the Majority **OUGHT NOT TO PASS** Report **READ**  
and **ACCEPTED** in **NON-CONCURRENCE**.

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

On motion by Senator **DAVIS** of Piscataquis, the Senate  
**INSISTED**.

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill  
"An Act To Clarify That Petitions for Certiorari to the Supreme  
Court of the United States Are Included within the Definition of  
Indigent Legal Services"  
H.P. 594 L.D. 845

Majority - **Ought to Pass as Amended by Committee  
Amendment "A" (H-205)** (9 members)

Minority - **Ought Not to Pass** (4 members)

In Senate, May 25, 2017, on motion by Senator **KEIM** of Oxford,  
the Minority **OUGHT NOT TO PASS** Report **READ** and  
**ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **ADHERED** to its former  
action whereby the Majority **OUGHT TO PASS AS AMENDED**  
Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE  
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT  
"A" (H-205)**.

On motion by Senator **KEIM** of Oxford, the Senate **INSISTED**.

**Non-Concurrent Matter**

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Exempt Diapering Products from the Sales Tax" H.P. 63 L.D. 76

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-231)** (6 members)

In Senate, May 25, 2017, on motion by Senator **DOW** of Lincoln, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Minority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-231)**.

On motion by Senator **DOW** of Lincoln, the Senate **INSISTED**.

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**Non-Concurrent Matter**

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws Governing the Political Party Representation of Election Clerks" S.P. 258 L.D. 813

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-139)** (7 members)

Minority - **Ought Not to Pass** (6 members)

In Senate, May 25, 2017, on motion by Senator **COLLINS** of York, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-139)** in **NON-CONCURRENCE**.

On motion by Senator **CUSHING** of Penobscot, the Senate **INSISTED**.

Sent down for concurrence.

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**Joint Order**

The following Joint Order:

H.P. 1119

**JOINT RESOLUTION  
RECOGNIZING MAY 7-13, 2017 AS  
NATIONAL CORRECTIONAL OFFICERS  
AND EMPLOYEES WEEK**

WHEREAS, correctional officers are trained law enforcement professionals dedicated to maintaining safe correctional facilities and ensuring the public safety; and

WHEREAS, correctional facilities in the State are run by highly qualified and experienced individuals with a deep understanding of the challenges of the profession; and

WHEREAS, correctional officers and employees are responsible for the custody, care and rehabilitation of thousands of offenders every year, as well as the maintenance of safe and secure facilities; and

WHEREAS, correctional officers and employees are resourceful, capable, committed, patient and persistent professionals in criminal justice and our State; and

WHEREAS, correctional officers and employees serve admirably in many different capacities, including jail administrators, wardens, chaplains, nurses, supervisors, social workers, teachers, managers and directors; and

WHEREAS, correctional officers and employees teach, train, mentor, counsel and treat thousands of offenders; and

WHEREAS, correctional officers and employees provide offenders with direction, hope and a new focus while assisting with reentry and life outside corrections; and

WHEREAS, correctional officers and employees rise to meet any challenge and serve this honorable profession nobly and admirably; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize May 7-13, 2017 as National Correctional Officers and Employees Week and commend correctional officers and employees for their service and exceptional performance under the most difficult of circumstances.

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

**READ** and **PASSED**, in concurrence.

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**COMMUNICATIONS**

The Following Communication: S.C. 456

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

May 30, 2017

The Honorable Michael Thibodeau  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Thomas Bolen of Albion for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 457

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

May 30, 2017

The Honorable Michael Thibodeau  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating John B. Herweh of Presque Isle for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 458

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

May 30, 2017

The Honorable Michael Thibodeau  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Matthew A. Anderson of Hampden for appointment to the Board of Trustees, Maine School of Science and Mathematics.

Pursuant to Title 20-A, MRSA §8204, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 459

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

May 30, 2017

The Honorable Michael Thibodeau  
President of the Senate  
3 State House Station  
Augusta, Maine 04333

Dear President Thibodeau:

This is to inform you that I am today nominating Eric P. Ward of Greenville Jct. for appointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12, MRSA §10308, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 461

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
OFFICE OF THE PRESIDENT**

May 30, 2017

Honorable Heather J.R. Priest  
Secretary of the Senate  
3 State House Station  
Augusta, ME 04333

Dear Secretary Priest:

Pursuant to my authority under Title 1, MRSA, Chapter 13, Section 411, I am pleased to appoint Senator Lisa Keim of Oxford to the Right to Know Advisory Committee representing a member of the Maine Senate. With this appointment, Senator Keim will replace Senator David Burns. This appointment is effective the date of this letter.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 455

**STATE OF MAINE  
ONE HUNDRED AND TWENTY EIGHTH LEGISLATURE  
COMMITTEE ON LABOR, COMMERCE, RESEARCH AND  
ECONOMIC DEVELOPMENT**

May 26, 2017

Honorable Michael D. Thibodeau, Senate President  
Honorable Sara Gideon, Speaker of the House  
128th Maine State Legislature  
State House  
Augusta, Maine 04333

Dear President Thibodeau and Speaker Gideon,

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

L.D. 1621 An Act To Retain Jobs in Maine

Sincerely,

S/Sen. Amy F. Volk  
Senate Chair

S/Rep. Ryan M. Fecteau  
House Chair

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

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

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The Following Communication: H.C. 195

**STATE OF MAINE  
CLERK'S OFFICE  
2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

May 30, 2017

The Honorable Heather J.R. Priest  
Secretary of the Senate  
128th Maine Legislature  
Augusta, Maine 04333

Dear Secretary Priest:

The House voted today to insist on its former action whereby it accepted

- the Majority Ought to Pass as Amended Report of the Committee on Health and Human Services on Bill "An Act To Continue MaineCare Coverage for Parents during the Rehabilitation and Reunification Process" (S.P. 153) (L.D. 451) and Passage to be Engrossed as Amended by Committee Amendment "A" (S-105)
- the Majority Ought to Pass as Amended Report of the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Require That Employees Be Informed of Potential Eligibility for the Earned Income Tax Credit" (S.P. 359) (L.D. 1088) and Passage to be Engrossed as Amended by Committee Amendment "A" (S-125)
- the Majority Ought Not to Pass Report of the Committee on Labor, Commerce, Research and Economic Development on Bill "An Act To Modernize Data Collection and Reporting and Information Access for the Department of Labor" (S.P. 525) (L.D. 1500)
- the Majority Ought to Pass as Amended Report of the Committee on Education and Cultural Affairs on Bill "An Act To Ensure Federal Title I Funding Is Directed to Classroom Learning" (S.P. 448) (L.D. 1319) and Passage to be Engrossed as Amended by Committee Amendment "A" (S-104)

Sincerely,

S/Robert B. Hunt  
Clerk of the House

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

The Following Communication: S.C. 451

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

26 May 2017

The 128<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 128<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 349, "An Act To Facilitate the Recycling of Discarded Mattresses."

Mattress-stewardship programs are only operating in three high-population density states: California, Rhode Island and Connecticut. Maine is a predominantly rural state with our population spread over a wide geographic area, where waste-collection strategies designed for cities do not work.

I understand illegal dumping of mattresses is a problem, but let's use our litter-control laws and make the polluter pay, rather than applying another tax on the citizens and businesses of this State. This law would put our border retailers at a further disadvantage to their New Hampshire counterparts. The additional tax would give more incentives to consumers to buy their mattresses over the border. Not only would we not get the mattress tax, but we would lose the sales tax revenue from the sale of the mattresses.

I will not support a bill that takes us in the wrong direction. For these reasons, I return LD 349 unsigned and vetoed. I urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Establish a Mattress Stewardship Program  
S.P. 115 L.D. 349

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

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

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The Following Communication: S.C. 452

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

26 May 2017

The 128<sup>th</sup> Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 128<sup>th</sup> Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 576, "An Act To Amend the Laws Governing Funding for Landfill Closure Costs."

This bill amends state law to provide special consideration and extend state financing for the closure of the Old Town landfill, but only at a considerable cost to other municipalities and the state. Under this legislation, eligibility for the Department of Environmental Protection's landfill closure and remediation cost-share program would be extended to the Old Town landfill. While a windfall for Old Town, increasing the number of landfills eligible for the Department's cost-share program will reduce the Department's ability to satisfy our reimbursement obligations to already qualifying municipalities. Although this bill was introduced solely on Old Town's behalf and does not extend program eligibility to other communities, I cannot help but wonder who will be next. Will we be seeing proposals to extend eligibility to even more communities?

The Department is already obligated to reimburse municipalities for nearly \$6 million in closure and remediation costs. Since this program is funded through fees on the disposal of construction and demolition debris, increasing the number of participating municipalities will significantly reduce each municipality's reimbursement and impose additional interest and debt payment costs on both currently participating municipalities and the Department.

I believe that expanding the eligibility for this successful program is poor public policy that will impose real costs on municipalities and the State, and it could ultimately imperil the successful closure and remediation of these sites. For this reason, I return LD 576 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Amend the Laws Governing Funding for Landfill Closure Costs

S.P. 191 L.D. 576

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

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

The Following Communication: S.C. 453

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

26 May 2017

The 128th Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 671 "An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence."

This bill is intended to decrease mandatory driver's license suspensions for those who have been caught drunk driving, but who have pled to lesser charges. Those who choose to drink and drive put our public safety at risk. They deserve to have their licenses suspended, and I am not in favor of decreasing the time of the suspension.

For these reasons, I return LD 671 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence

S.P. 233 L.D. 671

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

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

The Following Communication: S.C. 454

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

26 May 2017

The 128th Legislature of the State of Maine  
State House  
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1045, "An Act To Create More Transparency in the Setting of Normal Teacher Retirement Costs."

While this bill correctly suggests that the cost of normal teacher retirement should be based on actuarial estimates and calls for greater transparency in the establishment of those estimates, I am concerned the analysis required is not possible to do within existing resources; therefore, it constitutes an unfunded mandate for the Maine Public Employees Retirement System and the Maine Department of Education.

In addition, I am concerned this bill seeks to advance an argument made by some this session that the State should bear the full burden of normal teacher retirement costs. This financial burden ought to remain a shared commitment between the state and the local employer. I am not able to support a bill that would seek to further shift this financial obligation entirely to the state.

For these reasons, I return LD 1045 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage  
Governor

**READ and ORDERED PLACED ON FILE.**

The accompanying Bill:

An Act To Create More Transparency in the Setting of Normal Teacher Retirement Costs

S.P. 347 L.D. 1045

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

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

Senate at Ease.

The Senate was called to order by the President.

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

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**SENATE PAPERS**

Bill "An Act To Make a Needed Clarification to the Term 'Heroin' as Used in the Maine Criminal Code"

S.P. 576 L.D. 1623

Presented by Senator CYRWAY of Kennebec. (GOVERNOR'S BILL)

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent down for concurrence.

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Bill "An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices"

S.P. 575 L.D. 1622

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

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

Sent down for concurrence.

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RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting

S.P. 577 L.D. 1624

Presented by Senator BREEN of Cumberland.  
Cosponsored by Representative PIERCE of Falmouth and Senators: CHENETTE of York, CHIPMAN of Cumberland, DION of Cumberland, GRATWICK of Penobscot, MILLETT of Cumberland, MIRAMANT of Knox, VITELLI of Sagadahoc.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act To Repeal the Ranked-choice Voting Law"  
S.P. 578 L.D. 1625

Presented by Senator MASON of Androscoggin.  
Cosponsored by Representative SIROCKI of Scarborough and Senators: CARPENTER of Aroostook, COLLINS of York, HILL of York, President THIBODEAU of Waldo, Representatives: DUNPHY of Old Town, FREDETTE of Newport, MARTIN of Eagle Lake, TUCKER of Brunswick.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent down for concurrence.

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

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**ORDERS**

**Joint Orders**

Expressions of Legislative Sentiment recognizing:

Laura Parent, of Manchester, who won the 2017 Class B Girls Classical Skiing State Championship and was named the *Kennebec Journal* Girls Nordic Skier of the Year. We extend to Laura our congratulations and best wishes;

SLS 333

Sponsored by Senator BELLOWS of Kennebec.  
Cosponsored by Representative: WARREN of Hallowell.

Zachary Holman, of Mount Vernon, who won the 2017 Class B Boys Classical Skiing State Championship and was named the *Kennebec Journal* Boys Nordic Skier of the Year. We extend to Zachary our congratulations and best wishes;

SLS 334

Sponsored by Senator BELLOWS of Kennebec.  
Cosponsored by Senator: SAVIELLO of Franklin, Representative: HILLIARD of Belgrade.

Steve DeAngelis, of Readfield, coach of the Maranacook Community High School Nordic Ski Team, who was named Coach of the Year at the Varsity Maine Awards. Mr. DeAngelis has been coaching the team for more than 30 years. This past season, both his boys and girls Nordic ski teams were Class B champions. We extend to Mr. DeAngelis our congratulations and best wishes;

SLS 335

Sponsored by Senator BELLOWS of Kennebec.  
Cosponsored by Senators: MASON of Androscoggin, SAVIELLO of Franklin, Representatives: HICKMAN of Winthrop, HILLIARD of Belgrade, WARREN of Hallowell.

Nathan Delmar, of Readfield, a senior at Maranacook Community High School and a member of the Boys Alpine Ski Team, who won the slalom competition at the Class B State Championship. We extend to Nathan our congratulations and best wishes;  
SLS 336

Sponsored by Senator BELLOWS of Kennebec.  
Cosponsored by Representative: HICKMAN of Winthrop.

The Maranacook Community High School Boys Nordic Ski Team, of Readfield, which won the Class B State Championship. We extend to all the members of the team our congratulations and best wishes;

SLS 337

Sponsored by Senator BELLOWS of Kennebec.  
Cosponsored by Representative: HICKMAN of Winthrop.

**READ.**

**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 to recognize the ski teams from Maranacook Community High. Both the boys and girls Nordic Ski Teams swept the Class B Championships this year, the first time since 2009. If you think back to late February, the conditions on that day, on February 24<sup>th</sup>, were soft. Said one team member, Laura Parent, in the newspaper, it was the first time she'd ever raced in a t-shirt. But we are pretty good at skiing in adverse conditions and really that's what this team has demonstrated. Support for one another. Boys and girls working together to support each of them. Support among the classes; freshmen, sophomores, juniors, and seniors competing and winning. I want to run through a few of the highlights that are listed as individual sentiments on the program. Laura Parent won the 2017 Class B Girls Classical Skiing State Championship and was named the Kennebec Journal Girls Nordic Skier of the Year. Zachary Holman won the Class B Boys Classical Skiing State Championship and was named the Kennebec Journal Boys Nordic Skier of the Year. Nathan Delmar won the Class B State Championship for the slalom competition. Ruslan Reiter competed in two Paralympic World Cups. It's not often that one of our teams has an Olympic Class athlete. He competed last fall in Finland and then in March in South Korea, placing 14<sup>th</sup> in the World Cup, the top finisher in North America, and winning the Wow Factor Award at the Varsity Maine Awards. They are led by their coaches: Assistant Coach Kathy Despres and Coach Steve DeAngelis. He was named Coach of the Year at the Varsity Maine Awards. He's been coaching for more than 30 years. He has helped so many skiers to really reach their full potential and we are so fortunate to have people like him working in our community. These skiers are not just excellent on the slopes, but in the classroom as well. Several members of these ski teams have been here to the Senate shadowing me or as pages or have sent me letters about issues of the day. Molly Searway, a member of the team, is the Valedictorian for Maranacook Community High and Nathan Delmar is the Salutatorian of his class. These excellent students are joined today by their Superintendent, Donna Wolfrom, their Principal, Dwayne

Conway, and several proud parents. I hope all of you will join me in applauding the accomplishments of these excellent students who represent the very best of team work and discipline and hard work to improve upon the years before. We are so very proud of Maranacook Community High for scooping the Class B Nordic Championships. Thank you.

**PASSED.**

Sent down for concurrence.

**THE PRESIDENT:** The Chair is pleased to recognize in the Chamber both the Maranacook High School Boys Nordic Team and the Girls High School Nordic Team, as well as coaches and teachers. Would they please all rise and accept the congratulations of the State Senate.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass As Amended**

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Exempt School Resource Officers from Department of Education Background Check and Fingerprinting Requirements"

H.P. 778 L.D. 1104

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-283).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-283).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-283) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory"

H.P. 536 L.D. 756

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-314).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-314).**



Report **READ**.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

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The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase Access to Brain Injury Waiver Services  
H.P. 701 L.D. 1000

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-295)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-295)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-295) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Prohibit the Feeding of Deer from August 15th to December 15th"

H.P. 547 L.D. 767

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-308)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-308)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-308) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Amend the Laws Governing Tagging of Harvested Animals To Reflect the Closure of Tagging Stations Due to Holidays and Other Legitimate Reasons"

H.P. 618 L.D. 869

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-309)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-309)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-309) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **JUDICIARY** on Bill "An Act To Amend Certain Laws Affecting the Judicial Branch"

H.P. 427 L.D. 611

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-292)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-292)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-292) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Remove Barriers to Professional Licensing for Veterans"

H.P. 1096 L.D. 1592

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-307)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-307)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-307) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **MARINE RESOURCES** on Bill "An Act To Improve the Aquaculture Leasing and Licensing Laws"  
H.P. 993 L.D. 1438

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-287)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-287)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-287) **READ** and **ADOPTED**, in concurrence.

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

---

The Committee on **MARINE RESOURCES** on Bill "An Act To Create an Aquaculture License"  
H.P. 1044 L.D. 1520

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-288)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-288) **READ** and **ADOPTED**, in concurrence.

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

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The Committee on **TAXATION** on Bill "An Act To Phase Out the Insurance Premium Tax on Annuities"  
H.P. 223 L.D. 290

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-282)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-282)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-282) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act Regarding the State Retirement System"

H.P. 657 L.D. 929

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-277)**.

Signed:

Senators:

BREEN of Cumberland  
KATZ of Kennebec

Representatives:

GATTINE of Westbrook  
FREY of Bangor  
HUBBELL of Bar Harbor  
JORGENSEN of Portland  
MARTIN of Eagle Lake  
TEPLER of Topsham

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

Signed:

Senator:

HAMPER of Oxford

Representatives:

SEAVEY of Kennebunkport  
SIROCKI of Scarborough  
TIMBERLAKE of Turner  
WINSOR of Norway

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-277)**.

Reports **READ**.

Senator **MASON** of Androscoggin moved to **TABLE** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

Same Senator requested and received leave of the Senate to withdraw his motion to **TABLE** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT**.

On further motion by same Senator, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-277) **READ** and **ADOPTED**, in concurrence.

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

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)** Report, in concurrence.

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)** Report, in concurrence. (Roll Call Ordered)

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase State Funding to Maine Public Charter Schools"

H.P. 842 L.D. 1206

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-304)**.

Signed:

Senators:

LANGLEY of Hancock  
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor  
DAUGHTRY of Brunswick  
FARNSWORTH of Portland  
FULLER of Lewiston  
McCREA of Fort Fairfield  
PIERCE of Falmouth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-305)**.

Signed:

Senator:

MAKER of Washington

Representatives:

GINZLER of Bridgton  
SAMPSON of Alfred  
STEWART of Presque Isle

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)**.

Reports **READ**.

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Ensure That Charter School Students Have Access to Extracurricular Activities"

H.P. 850 L.D. 1228

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

Signed:

Senator:

MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor  
DAUGHTRY of Brunswick  
FARNSWORTH of Portland  
FULLER of Lewiston  
McCREA of Fort Fairfield  
PIERCE of Falmouth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-285)**.

Signed:

Senators:

LANGLEY of Hancock  
MAKER of Washington

Representatives:

GINZLER of Bridgton  
SAMPSON of Alfred  
STEWART of Presque Isle  
TURNER of Burlington

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

Reports **READ**.

On motion by Senator **LANGLEY** of Hancock, the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-285)** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Bill **READ ONCE**.

Committee Amendment "A" (H-285) **READ** and **ADOPTED**.

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

Ordered sent down forthwith for concurrence.

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Modernize the Renewable Portfolio Standard"

H.P. 810 L.D. 1147

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-272)**.

Signed:

Senators:

WOODSOME of York  
CUSHING of Penobscot  
DION of Cumberland

Representatives:

BERRY of Bowdoinham  
COOPER of Yarmouth  
DeCHANT of Bath  
HARVELL of Farmington  
RILEY of Jay  
RYKERSON of Kittery  
SANBORN of Portland  
WADSWORTH of Hiram

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

Signed:

Representatives:

HANLEY of Pittston  
O'CONNOR of Berwick

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-272)**.

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Provide Maine Landlords Advance Notice of Water Disconnection Postings"

H.P. 1038 L.D. 1514

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

Signed:

Senator:

WOODSOME of York

Representatives:

BERRY of Bowdoinham  
COOPER of Yarmouth  
DeCHANT of Bath  
RILEY of Jay  
RYKERSON of Kittery  
SANBORN of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-273)**.

Signed:

Senator:

CUSHING of Penobscot

Representatives:

HANLEY of Pittston  
HARVELL of Farmington  
O'CONNOR of Berwick  
WADSWORTH of Hiram

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Create a Pilot Project To Reduce Substance Use Disorders among Youth in Piscataquis County To Be Used as a Model for All Maine Communities"

H.P. 102 L.D. 144

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

Signed:

Senators:

BRAKEY of Androscoggin  
HAMPER of Oxford

Representatives:

HYMANSON of York  
CHACE of Durham  
HAMANN of South Portland  
HEAD of Bethel  
MADIGAN of Waterville  
MALABY of Hancock  
PARKER of South Berwick  
PERRY of Calais  
SANDERSON of Chelsea

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-299).**

Signed:

Senator:

CHIPMAN of Cumberland

Representative:

DENNO of Cumberland

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Adequately Pay for Emergency Medical Services"

H.P. 699 L.D. 998

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-296).**

Signed:

Senators:

BRAKEY of Androscoggin  
CHIPMAN of Cumberland

Representatives:

HYMANSON of York  
CHACE of Durham  
DENNO of Cumberland  
HAMANN of South Portland

HEAD of Bethel  
MADIGAN of Waterville  
MALABY of Hancock  
PARKER of South Berwick  
PERRY of Calais  
SANDERSON of Chelsea

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

Signed:

Senator:

HAMPER of Oxford

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-296).**

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-296) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reduce Morbidity and Mortality Related to Opioid Misuse"

H.P. 920 L.D. 1326

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-293).**

Signed:

Senators:

BRAKEY of Androscoggin  
CHIPMAN of Cumberland

Representatives:

HYMANSON of York  
CHACE of Durham  
DENNO of Cumberland  
HAMANN of South Portland  
HEAD of Bethel  
MADIGAN of Waterville  
MALABY of Hancock  
PARKER of South Berwick  
PERRY of Calais

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-294)**.

Signed:

Senator:  
HAMPER of Oxford

Representative:  
SANDERSON of Chelsea

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293)**.

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-293) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-293)**, in concurrence.

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**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Expand Opportunities for Moose Permit Winners To Swap Their Permits"  
H.P. 446 L.D. 630

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-312)**.

Signed:

Senators:  
CYRWAY of Kennebec  
WOODSOME of York

Representatives:  
DUCHESNE of Hudson  
ALLEY of Beals  
HARLOW of Portland  
LYFORD of Eddington  
MASON of Lisbon  
NADEAU of Winslow  
REED of Carmel  
STEARNS of Guilford  
WOOD of Greene

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-313)**.

Signed:

Representative:  
THERIAULT of China

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-312)**.

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Create a Local Option for a Sunday Exception Allowing Deer Hunting with Rifles"  
H.P. 485 L.D. 694

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

Signed:

Senators:  
CYRWAY of Kennebec  
WOODSOME of York

Representatives:  
DUCHESNE of Hudson  
ALLEY of Beals  
HARLOW of Portland  
LYFORD of Eddington  
MASON of Lisbon  
NADEAU of Winslow  
REED of Carmel  
STEARNS of Guilford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-311)**.

Signed:

Representatives:  
THERIAULT of China  
WOOD of Greene

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Protect Rights and Privileges Granted under the United States Constitution and the Constitution of Maine"  
H.P. 631 L.D. 903

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

Signed:

Senator:  
HILL of York

Representatives:  
MOONEN of Portland  
BABBIDGE of Kennebunk  
BAILEY of Saco  
CARDONE of Bangor  
McCREIGHT of Harpswell  
RECKITT of South Portland  
SHERMAN of Hodgdon

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

Signed:

Senators:  
KEIM of Oxford  
WHITTEMORE of Somerset

Representatives:  
BRADSTREET of Vassalboro  
GUERIN of Glenburn  
JOHANSEN of Monticello

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Protect Condominium Owners in the Event of a Power Outage"  
H.P. 740 L.D. 1057

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

Signed:

Senators:  
KEIM of Oxford  
WHITTEMORE of Somerset

Representatives:  
MOONEN of Portland  
BABBIDGE of Kennebunk  
BAILEY of Saco  
BRADSTREET of Vassalboro  
CARDONE of Bangor  
GUERIN of Glenburn  
JOHANSEN of Monticello  
RECKITT of South Portland  
SHERMAN of Hodgdon

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-291)**.

Signed:

Senator:  
HILL of York

Representative:  
McCREIGHT of Harpswell

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Advance Payment of Costs for Public Records Requests"  
H.P. 986 L.D. 1432

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

Signed:

Senators:  
KEIM of Oxford  
HILL of York  
WHITTEMORE of Somerset

Representatives:

MOONEN of Portland  
BAILEY of Saco  
BRADSTREET of Vassalboro  
CARDONE of Bangor  
GUERIN of Glenburn  
JOHANSEN of Monticello  
McCREIGHT of Harpswell  
RECKITT of South Portland  
SHERMAN of Hodgdon

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-290)**.

Signed:

Representative:

BABBIDGE of Kennebunk

Comes from the House with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

Reports **READ**.

On motion by Senator **KEIM** of Oxford, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Ensure Transparency in Public Union Negotiations" H.P. 552 L.D. 772

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

Signed:

Senators:

VOLK of Cumberland  
BELLOWS of Kennebec  
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford  
BATES of Westbrook  
DUNPHY of Old Town  
HANDY of Lewiston  
MASTRACCIO of Sanford  
SYLVESTER of Portland  
VACHON of Scarborough

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-306)**.

Signed:

Representatives:

AUSTIN of Gray  
LOCKMAN of Amherst  
STETKIS of Canaan

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act Requiring a Dynamic Fiscal Analysis of Changes to Visual Media Production Tax Credits and Reimbursements" (EMERGENCY) H.P. 656 L.D. 928

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

Signed:

Senators:

DOW of Lincoln  
CUSHING of Penobscot

Representatives:

TIPPING of Orono  
BICKFORD of Auburn  
GRANT of Gardiner  
HILLIARD of Belgrade  
McCREIGHT of Harpswell  
STANLEY of Medway  
WARD of Dedham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-281)**.

Signed:

Senator:

CHENETTE of York

Representatives:

COOPER of Yarmouth  
POULIOT of Augusta  
TERRY of Gorham



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

Reports **READ**.

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

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The President requested the Sergeant-At-Arms escort the Senator from Androscoggin, Senator **MASON**, to the rostrum where he assumed the duties as President Pro Tempore.

The President retired from the Chamber.

The Senate was called to order by President Pro Tempore **GARRETT P. MASON** of Androscoggin County.

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**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Amend the Property Tax Laws"

H.P. 1045 L.D. 1521

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

Signed:

Senators:

DOW of Lincoln  
CHENETTE of York  
CUSHING of Penobscot

Representatives:

TIPPING of Orono  
COOPER of Yarmouth  
GRANT of Gardiner  
McCREIGHT of Harpswell  
STANLEY of Medway  
TERRY of Gorham  
WARD of Dedham

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-280)**.

Signed:

Representatives:

BICKFORD of Auburn  
HILLIARD of Belgrade  
POULIOT of Augusta

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

Reports **READ**.

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

---

**Divided Report**

The Majority of the Committee on **TAXATION** on Bill "An Act To Authorize a Local Option Sales Tax"

H.P. 1046 L.D. 1522

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-279)**.

Signed:

Senator:

CHENETTE of York

Representatives:

TIPPING of Orono  
COOPER of Yarmouth  
McCREIGHT of Harpswell  
POULIOT of Augusta  
TERRY of Gorham  
WARD of Dedham

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

Signed:

Senators:

DOW of Lincoln  
CUSHING of Penobscot

Representatives:

BICKFORD of Auburn  
GRANT of Gardiner  
HILLIARD of Belgrade  
STANLEY of Medway

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

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Establish New Monetary Caps for Legislative Candidates under the Maine Clean Election Act"

H.P. 94 L.D. 126

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

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

LUCHINI of Ellsworth  
CASÁS of Rockport  
HICKMAN of Winthrop  
LONGSTAFF of Waterville  
MONAGHAN of Cape Elizabeth  
SCHNECK of Bangor

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-303)**.

Signed:

Senators:

MASON of Androscoggin  
COLLINS of York

Representatives:

DILLINGHAM of Oxford  
FARRIN of Norridgewock  
HANINGTON of Lincoln  
WHITE of Washburn

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

Reports **READ**.

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

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

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**. (Roll Call Ordered)

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**Divided Report**

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Joint Resolution - Making Application To The Congress Of The United States For Calling A Convention To Propose Amendments To The Constitution Of The United States To Limit The Power Of The Federal Government  
H.P. 987

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

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

MARTIN of Sinclair  
BEEBE-CENTER of Rockland  
BRYANT of Windham  
HOGAN of Old Orchard Beach  
MADIGAN of Rumford  
SPEAR of South Thomaston

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

Signed:

Senators:

DAVIS of Piscataquis  
KEIM of Oxford

Representatives:

GRIGNON of Athens  
HARRINGTON of Sanford  
ORDWAY of Standish  
PICKETT of Dixfield

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

Reports **READ**.

On motion by Senator **DAVIS** of Piscataquis, the Minority **OUGHT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Joint Resolution **READ**.

Pursuant to Joint Rule 215 a Division was had. 14 Members having voted in the affirmative and 19 Members having votes in the negative, with 14 being less than two-thirds of the members present and voting the Joint Resolution **FAILED ADOPTION**.

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**Divided Report**

Ten members of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Ensure Safe Drinking Water for Families in Maine"

H.P. 321 L.D. 454

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-270)**.

Signed:

Senators:

BRAKEY of Androscoggin  
CHIPMAN of Cumberland

Representatives:

HYMANSON of York  
CHACE of Durham  
DENNO of Cumberland  
HAMANN of South Portland  
HEAD of Bethel  
MADIGAN of Waterville  
MALABY of Hancock  
PERRY of Calais

Two members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass**.

Signed:

Senator:

HAMPER of Oxford

Representative:

SANDERSON of Chelsea

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-271)**.

Signed:

Representative:

PARKER of South Berwick

Comes from the House with Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)**.

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-270)**, in concurrence.

---

Senate at Ease.

The Senate was called to order by  
President Pro Tempore Mason.

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**Divided Report**

Seven members of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Repeal the Maine Certificate of Need Act of 2002"

H.P. 345 L.D. 482

Reported in Report "A" that the same **Ought Not to Pass**.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York  
DENNO of Cumberland  
HAMANN of South Portland  
MADIGAN of Waterville  
PARKER of South Berwick  
PERRY of Calais

Five members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-300)**.

Signed:

Senator:

HAMPER of Oxford

Representatives:

CHACE of Durham  
HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-301)**.

Signed:

Senator:

BRAKEY of Androscoggin

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

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** Report "C" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-301)**, in **NON-CONCURRENCE**.

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

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** Report "C" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-301)**, in **NON-CONCURRENCE**. (Roll Call Ordered)

**Senate**

**Ought to Pass**

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Enable Earlier Introduction of Career and Technical Education in Maine Schools" S.P. 554 L.D. 1576

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

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

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

Sent down for concurrence.

**Ought to Pass As Amended**

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Laws Governing Forensic Examination Kits" S.P. 410 L.D. 1219

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-161)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-161) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding the Threatened Use of Force in the Crime of Robbery" S.P. 474 L.D. 1387

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-160)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-160) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Rename and Repurpose the Mountain View Youth Development Center as the Mountain View Correctional Facility and To Eliminate the Charleston Correctional Facility as a Facility Separate from Mountain View" (EMERGENCY) S.P. 503 L.D. 1457

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-158)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-158) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Amend the Law Relating to the Crime of Hindering Apprehension or Prosecution" (EMERGENCY) S.P. 504 L.D. 1458

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-157)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-157) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator ROSEN for the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Resolve, To Establish a Pilot Project To Facilitate the Acquisition of Basic Emergency Medical Training in Rural Communities in the State S.P. 508 L.D. 1462

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-159)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-159) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Prohibit the Falsification of Medical Records"

S.P. 475 L.D. 1388

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-162)**.

Signed:

Senators:

- ROSEN of Hancock
- CYRWAY of Kennebec
- DIAMOND of Cumberland

Representatives:

- COREY of Windham
- GERRISH of Lebanon
- GROHMAN of Biddeford
- HERRICK of Paris
- LONGSTAFF of Waterville
- MAREAN of Hollis
- NADEAU of Winslow
- RECKITT of South Portland
- TALBOT ROSS of Portland

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

Signed:

Representative:

- WARREN of Hallowell

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-162) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Promote Academic Achievement through Hunger Relief for Maine Children"

S.P. 261 L.D. 816

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-150)**.

Signed:

Senators:

- LANGLEY of Hancock
- MAKER of Washington
- MILLETT of Cumberland

Representatives:

- KORNFIELD of Bangor
- DAUGHTRY of Brunswick
- FARNSWORTH of Portland
- FULLER of Lewiston
- GINZLER of Bridgton
- McCREA of Fort Fairfield
- PIERCE of Falmouth
- SAMPSON of Alfred
- STEWART of Presque Isle

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

Signed:

Representative:

- TURNER of Burlington

Reports **READ**.

Senator **LANGLEY** of Hancock 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.

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. (Roll Call Ordered)

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**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Sustain and Attract Skilled Workers to Maine by Improving the Job Creation Through Educational Opportunity Program"

S.P. 392 L.D. 1171

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-151)**.

Signed:  
Senator:  
MILLETT of Cumberland

Representatives:  
KORNFELD of Bangor  
DAUGHTRY of Brunswick  
FARNSWORTH of Portland  
FULLER of Lewiston  
McCREA of Fort Fairfield  
PIERCE of Falmouth

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

Signed:  
Senators:  
LANGLEY of Hancock  
MAKER of Washington

Representatives:  
GINZLER of Bridgton  
SAMPSON of Alfred  
STEWART of Presque Isle

Reports **READ**.

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** 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.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Restore Public Health Nursing Services" (EMERGENCY)

S.P. 362 L.D. 1108

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-155)**.

Signed:  
Senator:  
CHIPMAN of Cumberland

Representatives:  
HYMANSON of York  
DENNO of Cumberland  
HAMANN of South Portland

MADIGAN of Waterville  
PARKER of South Berwick  
PERRY of Calais

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

Signed:  
Senators:  
BRAKEY of Androscoggin  
HAMPER of Oxford

Representatives:  
CHACE of Durham  
HEAD of Bethel  
MALABY of Hancock  
SANDERSON of Chelsea

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish an Independent Citizens Oversight Committee on Maine's Welfare Programs" S.P. 486 L.D. 1408

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-156)**.

Signed:  
Senator:  
CHIPMAN of Cumberland

Representatives:  
HYMANSON of York  
DENNO of Cumberland  
HAMANN of South Portland  
HEAD of Bethel  
MADIGAN of Waterville  
MALABY of Hancock  
PARKER of South Berwick  
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin  
HAMPER of Oxford

Representatives:

CHACE of Durham  
SANDERSON of Chelsea

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding Generic Drug Pricing"

S.P. 432 L.D. 1280

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-153)**.

Signed:

Senators:

BELLOWS of Kennebec  
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford  
BATES of Westbrook  
DUNPHY of Old Town  
HANDY of Lewiston  
LOCKMAN of Amherst  
MASTRACCIO of Sanford  
STETKIS of Canaan  
SYLVESTER of Portland  
VACHON of Scarborough

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

Signed:

Senator:

VOLK of Cumberland

Representative:

AUSTIN of Gray

Reports **READ**.

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

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**Divided Report**

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program"

S.P. 457 L.D. 1343

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-152)**.

Signed:

Senator:

BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford  
BATES of Westbrook  
DUNPHY of Old Town  
HANDY of Lewiston  
MASTRACCIO of Sanford  
SYLVESTER of Portland

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

Signed:

Senator:

VOLK of Cumberland

Representatives:

AUSTIN of Gray  
LOCKMAN of Amherst  
STETKIS of Canaan  
VACHON of Scarborough

Reports **READ**.

Senator **VOLK** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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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 Amend the Marijuana Legalization Act to Provide Licensing, Rulemaking and Regulatory and Enforcement Authority within the Department of Administrative and Financial Services; Assign Rulemaking, Regulatory and Enforcement Authority Related to Agricultural Purposes to the Department of Agriculture, Conservation and Forestry; and Allocate Funds for Implementation

H.P. 176 L.D. 243  
(C "A" H-221)

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

**Emergency Measure**

An Act To Recodify and Revise Certain Portions of the Maine Criminal Code

H.P. 280 L.D. 374  
(C "A" H-223)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

**Emergency Measure**

An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2017-18

H.P. 756 L.D. 1078  
(C "A" H-237)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

**Emergency Measure**

An Act To Amend the Law Regarding Super Cribbage Tournaments

H.P. 877 L.D. 1254  
(C "A" H-262)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

**Emergency Measure**

An Act To Reduce Regulations for Small Nonalcoholic Beverage Producers

S.P. 487 L.D. 1409  
(C "A" S-110)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

**Emergency Resolve**

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a Major Substantive Rule of the Department of Education

H.P. 95 L.D. 127  
(C "A" H-225)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

**Acts**

An Act To Strengthen the Farm and Open Space Tax Law

H.P. 85 L.D. 117  
(C "A" H-229)



An Act To Strengthen Intragovernment Communication  
H.P. 110 L.D. 152  
(C "A" H-180)

An Act To Establish a Pilot Project for Medicaid Reimbursement  
for Acupuncture Treatment of Substance Abuse Disorders  
H.P. 141 L.D. 185  
(C "A" H-192)

An Act To Add an Exception to Prescription Monitoring Program  
Requirements  
H.P. 206 L.D. 273  
(C "A" H-203)

An Act Relating to the Provision of Nicotine Replacement  
Products by Pharmacists  
H.P. 322 L.D. 455  
(C "A" H-204)

An Act To Inform Patients of the Dangers of Addicting Opioids  
H.P. 342 L.D. 479  
(C "A" H-246)

An Act Regarding Transfers of Liquor between Licensed  
Manufacturers' Facilities  
S.P. 194 L.D. 579  
(C "A" S-137)

An Act To Amend the Maine Guaranteed Access Reinsurance  
Association Act  
S.P. 221 L.D. 659  
(C "A" S-123)

An Act Regarding Guardianships  
S.P. 252 L.D. 807

An Act To Amend the Laws Governing the Determination of a  
Wind Energy Development's Effect on the Scenic Character of  
Maine's Special Places  
H.P. 629 L.D. 901  
(C "A" H-213)

An Act To Increase Efficiency in the Enforcement of Restitution  
and Bail Orders  
S.P. 322 L.D. 983  
(C "A" S-115)

An Act To Establish a 6-day Nonresident Archery License  
H.P. 721 L.D. 1019  
(C "A" H-218)

An Act To Amend the Laws Regarding Dealers in Secondhand  
Precious Metals  
S.P. 354 L.D. 1072  
(C "A" S-129)

An Act Regarding Anesthesia Care in Rural Maine  
S.P. 387 L.D. 1166  
(C "A" S-108)

An Act To Extend to One Year the Probationary Period for Certain  
Municipal Employee Positions  
H.P. 828 L.D. 1191

An Act Relating to the Licensure of Physicians  
H.P. 837 L.D. 1200  
(C "A" H-206)

An Act To Repeal the Former Interstate Compact for Juveniles  
S.P. 411 L.D. 1220

An Act To Clarify and Amend Certain Provisions of Law  
Regarding Victim Services  
S.P. 412 L.D. 1221  
(C "A" S-116)

An Act To Ensure Life Insurance Claims Are Paid  
H.P. 851 L.D. 1229  
(C "A" H-241)

An Act To Require Insurance Coverage for Contraceptive  
Supplies  
H.P. 860 L.D. 1237  
(C "A" H-179)

An Act To Adjust the Procedure for Recounts in Certain Municipal  
Elections  
H.P. 881 L.D. 1269  
(C "A" H-243)

An Act To Require the Secretary of State To Inform Commercial  
Drivers about Human Trafficking Prevention  
H.P. 890 L.D. 1277  
(C "A" H-240)

An Act To Amend the Military Bureau Laws and Veterans Service  
Laws  
H.P. 891 L.D. 1278  
(C "A" H-263)

An Act To Allow Voluntary Payments in Lieu of Taxes in the  
Unorganized Territory  
S.P. 441 L.D. 1289  
(C "A" S-122)

An Act To Support Innovation, Entrepreneurship and Maine's  
Economic Future  
H.P. 918 L.D. 1324  
(C "A" H-207)

An Act To Authorize the Town of Atkinson To Withdraw from  
School Administrative District No. 41  
H.P. 928 L.D. 1334  
(C "A" H-252)

An Act To Conform the State Workforce Board and Workforce  
Development Programs to the Federal Workforce Innovation and  
Opportunity Act  
S.P. 468 L.D. 1360

An Act To Update the Operations of the Bureau of Rehabilitation Services and To Conform to the Federal Workforce Innovation and Opportunity Act of 2014

S.P. 470 L.D. 1362

An Act Governing Direct Primary Care Service Agreements

S.P. 472 L.D. 1385  
(C "A" S-127)

An Act To Support Maine Military Charities

H.P. 1001 L.D. 1449  
(C "A" H-264)

An Act To Clarify the Status of the Financial Industry Regulatory Authority and the National Association of Registered Agents and Brokers under the Maine Insurance Code

H.P. 1025 L.D. 1486

An Act To Clarify the Applicability of the Records Preservation Surcharge within County Registries of Deeds

H.P. 1031 L.D. 1498  
(C "A" H-244)

An Act To Amend the Laws Governing Unemployment Compensation

S.P. 536 L.D. 1530

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

Ordered sent down forthwith.

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An Act To Provide Funding for a Therapeutic Adult Day Service Center

H.P. 46 L.D. 59  
(C "A" H-168)

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

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An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles

H.P. 67 L.D. 99  
(C "A" H-249)

On motion by Senator **COLLINS** of York, placed on the **SPECIAL HIGHWAY TABLE**, pending **ENACTMENT**, in concurrence.

---

An Act To Provide MaineCare Coverage for Dental Services to Adults with Intellectual Disabilities or Autism Spectrum Disorder

H.P. 74 L.D. 106  
(C "A" H-245)

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

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An Act To Exempt Feminine Hygiene Products from Sales Tax

H.P. 162 L.D. 206  
(C "A" H-196)

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

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An Act To Fully Fund the Waiting List for the Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder Waiver

H.P. 237 L.D. 323  
(C "A" H-257)

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

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An Act To Make Abuse of Corpse a Class C Crime

S.P. 112 L.D. 346  
(C "A" S-111)

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

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An Act To Increase the Maximum Pension Deduction for State Income Tax

S.P. 174 L.D. 513  
(C "B" S-119)

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

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An Act To Amend Teacher Evaluation Requirements

H.P. 449 L.D. 633  
(C "A" H-197)

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

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An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan

S.P. 238 L.D. 721  
(C "A" S-114)

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

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An Act To Restore Full Cost-of-living Increases for All Maine State Retirees

H.P. 510 L.D. 726  
(C "A" H-250)

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

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An Act To Adjust the Formula for Calculating the Allocation of Moose Permits for Hunting Lodges

H.P. 592 L.D. 843  
(C "A" H-217)

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

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An Act To Ensure Access to Opiate Addiction Treatment in Maine

S.P. 307 L.D. 952  
(C "A" S-106)

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

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An Act To End Homelessness by Expanding Housing Support Services

H.P. 683 L.D. 970  
(C "A" H-209)

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

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An Act Regarding Housing Insecurity of Older Citizens

H.P. 707 L.D. 1006  
(C "A" H-210)

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

An Act To Assist Seniors and Certain Persons with Disabilities in Paying Property Taxes

H.P. 833 L.D. 1196  
(C "A" H-236)

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

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An Act To Strengthen Efforts To Recruit and Retain Primary Care Professionals and Dentists in Rural and Underserved Areas of the State

S.P. 439 L.D. 1287  
(C "A" S-121)

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

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An Act To Improve Access to Preventive, Cost-saving Dental Services

H.P. 898 L.D. 1301  
(C "A" H-248)

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

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An Act To Promote Social and Emotional Learning and Development in Early Childhood

S.P. 450 L.D. 1321  
(C "A" S-128)

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

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**Resolves**

Resolve, To Direct the Development of After-school Programs

S.P. 139 L.D. 412  
(C "A" S-132)

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

Ordered sent down forthwith.

Resolve, To Establish the York County Jail Drug Detoxification and Rehabilitation Pilot Program

S.P. 118 L.D. 377  
(C "A" S-112)

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

Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth

S.P. 173 L.D. 512  
(C "A" S-131)

On motion by Senator **CUSHING** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

Resolve, To Study the Student Transfer Process

H.P. 717 L.D. 1015  
(C "A" H-198)

On motion by Senator **CUSHING** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

Resolve, To Alleviate Hunger in Rural Maine in Areas of High Unemployment

S.P. 352 L.D. 1070  
(C "A" S-107)

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

Resolve, To Establish the Committee To Study the Processing of Evidence from Sexual Assault Test Kits

H.P. 791 L.D. 1128  
(C "A" H-253)

On motion by Senator **CUSHING** of Penobscot, placed on the **SPECIAL STUDY TABLE**, pending **FINAL PASSAGE**, in concurrence.

Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families

S.P. 426 L.D. 1263  
(C "A" S-109)

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

Resolve, To Improve Access to Neurobehavioral Services

H.P. 911 L.D. 1314  
(C "A" H-202)

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

Senate at Ease.

The Senate was called to order by President Pro Tempore Mason.

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

**COMMUNICATIONS**

The Following Communication: S.C. 462

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

May 30, 2017

The Honorable Michael D. Thibodeau  
President of the Senate of Maine  
128th Maine State Legislature  
State House  
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Honorable Ronald A. Daigle of Fort Kent, for reappointment as an Active Retired Judge of the District Court .

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

YEAS	Senators	2	Keim of Oxford, Hill of York
	Representatives	9	Moonen of Portland, Babbidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Guerin of Glenburn, McCreight of Harpswell, Reckitt of South Portland, Sherman of Hodgdon

NAYS 0  
 ABSENT 2 Sen. Whittemore of  
 Somerset, Rep. Johansen of  
 Monticello

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable Ronald A. Daigle of Fort Kent, for reappointment as an Active Retired Judge of the District Court be confirmed.

Signed,

S/Lisa Keim  
 Senate Chair

S/Matthew W. Moonen  
 House Chair

**READ and ORDERED PLACED ON FILE.**

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Mr. President. Men and women of the Senate, I appreciate the opportunity to stand and speak about Judge Ronald Daigle. I had the opportunity yesterday to go before the Joint Standing Committee on the confirmation hearing. I'm not sure if I'd been any more prepared, but I would have liked to have said what a great man Judge Daigle is in Fort Kent. I believe Senator Carpenter has appeared before the Judge many times. I think I might have appeared before him a couple of times in a different manner. But I don't think anyone in Fort Kent or the surrounding areas is any more revered for being truly a great, great man to speak to in and outside of the court. Someone that I think everyone believes is very fair, very compassionate, and I really honestly hear this a lot, but I don't think I've ever heard anyone utter a bad word about the Judge. So for myself, I think it's a great choice. I think the Governor, the Chief Executive, was very well - made a great decision to reappoint him, and I just wanted to take the opportunity to congratulate the Judge for a lifetime of work in the area and how much I appreciate everything that he's done for the community and I really look forward to voting for him in this capacity.

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

Senator **CARPENTER:** Thank you, Mr. President. I echo everything the other Senator from Aroostook, the junior Senator from Aroostook, Senator Jackson, said about Judge Daigle. Judge Daigle was here yesterday morning and we recognized him. I'm not sure where he is this morning, but he did stay over and we're getting this through so that he can be sworn in. I just have to say that if you have been nominated to the bench by two Republican Governors, by two Democrat Governors, and one Independent; five separate Governors have nominated this man to the bench, maybe we can just forego the nomination process and the confirmation process for other judgeships in the future. I'm not sure if that's a record, but it may well be. Congratulations to a very, very good public servant. Thank you.

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, President Pro Tem. I also wanted to just stand and say that at the confirmation hearing I was impressed with Judge Daigle's resume and his strong work ethic, which was apparent even during his early years in law school. While in law school, he kept busy doing a diverse range of work, which included pumping gasoline and being a legal writing instructor, dedicating time to Pine Tree Legal Services, and also worked as an immigration inspector. Yes, he was appointed by five different Governors, which speaks volumes to how well respected he is. What was also made clear in the public hearing is that Judge Daigle has an empathetic approach to working with pro se litigants and individuals who are in tough situations, such as those of harassment or violence. He was also recognized for being aft with settlement conferences which saved people time, money, and distress. So I am pleased with what we learned about Judge Daigle at the hearing and I am confident in our support of his reappointment. Thank you.

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

In accordance with 3 M.R.S.A., Chapter 6, Section 158 and with Joint Rule 506 of the 128<sup>th</sup> Legislature, the vote was taken by the Yeas and Nays.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#191)**

YEAS: Senators: None

NAYS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

EXCUSED: Senator: HILL

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **Ronald A. Daigle** of Fort Kent, for reappointment as an Active Retired Judge of the District Court was **CONFIRMED**.

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

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

**RECALLED FROM GOVERNOR'S DESK**

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services  
H.P. 941 L.D. 1364

(In Senate, May 23, 2017, **FINALLY PASSED**, in concurrence.)

(**RECALLED** from the Governor's Desk, pursuant to Joint Order (S.P. 574), in concurrence.)

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

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

On further motion by same Senator, the Senate **SUSPENDED THE RULES.**

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

On further motion by same Senator, Senate Amendment "A" (S-164) **READ** and **ADOPTED.**

**PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-164)**, in **NON-CONCURRENCE.**

Sent down for concurrence.

**ORDERS OF THE DAY**

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

An Act To Establish a Mattress Stewardship Program  
S.P. 115 L.D. 349

Tabled - May 31, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, May 17, 2017, **PASSED TO BE ENACTED.**)

(In Senate, Veto Communication (S.C. 451) **READ** and **ORDERED PLACED ON FILE.**)

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you, Mr. President Pro Tem. Ladies and gentlemen of the Senate, I just want to clarify a few things and hope that you will vote to override this veto. First of all, the comment in here that it is not done in any rural states is an absolute comment. In fact, that's why the mattress recycling group has supported our efforts through this process because this will be the first time a program that we suggested to manage recycling of mattresses, or products from mattresses, is being tried in a rural area and they are hoping that this becomes the framework that they can take to other states and have agreed to work with us as we implement the program. The second part of it, I would say, is I'm sure that if we were on the New Hampshire border this would be the least of the problems of selling mattresses to that state. So I ask you to override this veto.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#192)**

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senator: BRAKEY

EXCUSED: Senator: HILL

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, and 33 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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

An Act To Amend the Laws Governing Funding for Landfill Closure Costs

S.P. 191 L.D. 576

Tabled - May 31, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, May 16, 2017, **PASSED TO BE ENACTED.**)

(In Senate, Veto Communication (S.C. 452) **READ** and **ORDERED PLACED ON FILE.**)

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you, Mr. President Pro Tem and ladies and gentlemen of the Senate. I, again, ask you to override this veto. This is - a couple of years ago, before any of us got here, the DEP required that all municipal landfills be closed. There were a number of them that were not because of financial issues and in 2010 we passed some legislation that allowed funding for that program. The Old Town landfill, home of Jim Dill, or Senator Dill, I forgot, had actually applied in a timely manner to have their closure of operations of their landfill, and ultimately closure of their landfill, and was processed - the application was processed. Unfortunately, it was completed within a few months after this deadline was artificially set and I think it makes all reason to include them as we go forward. All this does is it delays the payment, perhaps, by months instead of years. So it makes sense to expand this to them, and there is a clear and bright line in the sand now as to who's eligible and who's not. So I would ask you to override that veto. Thank you.

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

Senator **DILL:** Thank you, Mr. President. I would just like to add that a couple of things that the Chief Executive said. He was concerned that there would be more doing the same thing. As Senator Saviello just pointed out, it's truly a strong line, I think, now that Old Town had applied about a year and a half before they got their actual final award of their permit and the other thing that has been pointed out is that the money comes from this through debris, construction debris, and Old Town's other landfill certainly gets its fair share of construction debris coming into it. So I think it's just a fair tradeoff that some of these funds go back into Old Town to close their other landfill. Thank you, Mr. President.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#193)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senator: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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

An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence

S.P. 233 L.D. 671

Tabled - May 31, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, May 16, 2017, **PASSED TO BE ENACTED.**)

(In Senate, Veto Communication (S.C. 453) **READ** and **ORDERED PLACED ON FILE.**)

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Kennebec, Senator Katz.

Senator **KATZ:** Thank you, Mr. President. I rise briefly to just argue against the veto and to correct something I said in caucus, so half the people heard this before, but this bill simply deals with a situation where somebody's been charged with an OUI, has gone to the Secretary of State's Office and has had their license suspended for a period of 150 days, as is required by law. Then, because of lack of evidence or other reasons, the District Attorney agrees to reduce the charge to driving to endanger. That crime carries a suspension of 30 days, but there is no intention that the 30 days be on top of the 150 days that have already been

ordered administratively because if the person had gone ahead and plead guilty to OUI they would have ended up with a total of 150 days suspension. This just makes clear that the person gets credit, if you will, and those run concurrently so the total suspension is only 150 days. Thank you, Mr. President.

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#194)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senator: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

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

An Act To Create More Transparency in the Setting of Normal Teacher Retirement Costs

S.P. 347 L.D. 1045

Tabled - May 31, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, May 17, 2017, **PASSED TO BE ENACTED.**)

(In Senate, Veto Communication (S.C. 454) **READ** and **ORDERED PLACED ON FILE.**)

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#195)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senator: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

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

Senate at Ease.

The Senate was called to order by President Pro Tempore Mason.

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

HOUSE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase State Funding to Maine Public Charter Schools"

H.P. 842 L.D. 1206

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-304)** (8 members)



Minority - **Ought To Pass as Amended by Committee Amendment "B" (H-305)** (4 members)

Tabled - May 31, 2017, by Senator **LANGLEY** of Hancock

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)** Report in concurrence (Roll Call Ordered)

(In House, May 30, 2017, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)**.)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#196)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)** Report, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-304) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-304)**, in concurrence.

---

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

HOUSE REPORT - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Ensure Transparency in Public Union Negotiations"

H.P. 552 L.D. 772

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

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-306)** (3 members)

Tabled - May 31, 2017, by Senator **VOLK** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence

(In House, May 30, 2017, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

On motion by Senator **BELLOWS** of Kennebec, 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 (#197)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **VOLK** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

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

HOUSE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Establish New Monetary Caps for Legislative Candidates under the Maine Clean Election Act"

H.P. 94 L.D. 126

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

Minority - **Ought To Pass as Amended by Committee Amendment "A" (H-303)** (6 members)

Tabled - May 31, 2017, by Senator **CUSHING** of Penobscot

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report in **NON-CONCURRENCE** (Roll Call Ordered)

(In House, May 30, 2017, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#198)**

YEAS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KEIM, LANGLEY, MAKER, THIBODEAU, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, JACKSON, KATZ, LIBBY, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI

EXCUSED: Senator: HILL

15 Senators having voted in the affirmative and 19 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CUSHING** of Penobscot to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **FAILED**.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

HOUSE REPORT - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Repeal the Maine Certificate of Need Act of 2002"

H.P. 345 L.D. 482

Report "A" - **Ought Not to Pass** (7 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "A" (H-300)** (5 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "B" (H-301)** (1 member)

Tabled - May 31, 2017, by Senator **CUSHING** of Penobscot

Pending - motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** Report "C" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-301)** in **NON-CONCURRENCE** (Roll Call Ordered)

(In House, May 30, 2017, Report "A" **OUGHT NOT TO PASS** **READ** and **ACCEPTED**.)

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, if you're looking for a way to drive up the cost of healthcare, as though it's not high enough already, this is a great way to do it by voting in favor of this motion. The Certificate of Need requires hospitals and healthcare organizations, when they want to do a major expansion, to seek approval from the Department of Health and Human Services. There's a good reason for that. When they do a major expansion, a major addition, or something like that we're all paying for that when we pay for healthcare and just a point I thought you might want to know is that 95% of requests that are made for these projects are approved by the Department, but 5% aren't and there's probably a good reason why they aren't, and it does help keep healthcare costs down. So I stand in opposition to the pending motion and I hope you will join me in defeating this motion. Thank you.

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Penobscot, Senator Gratwick.

Senator **GRATWICK:** Thank you very much, Mr. Speaker Pro Tem and ladies and gentlemen of the Senate. I, too, am opposed to the current motion on the floor. I've lived with the Certificate of Need since the early 1980s. They are most assuredly not perfect, but they are really trying to bring some order, some planning, into what is really a chaotic healthcare system. In case people aren't aware of it, healthcare is not a usual commercial enterprise. Let's repeat - it's not a usual commercial enterprise. This is not something where you're like selling cars for a lower price and the market comes to bear. Healthcare is a very, very peculiar individual market where at least 60% to 65% of all health care is funded by government in one sense or another. For nursing homes their statistic is 82%. In other words, this is not a free market. If it were a free market abolishing the CON would be appropriate, but since it's not a free market we really need some regulation, particularly going forward, particularly as we have fewer and fewer resources that we, as a society, can afford to spend inappropriately. What the abolition of this would do would be to create an area of haves and have nots. Simply, if you live in a wealthy area of Maine you'd be able to have many more MRI machines. People put them in there. If you live in a poor area of Maine, a rural area of Maine, elderly people, you would not be able to house many MRI machines, etcetera. I am of the firm opinion we're all in this together. We all have to be caring for other Mainers, their best health, and keeping a CON in place is not perfect, but it's amended many problems over the past. It's a work in progress and it should most assuredly stay. Thank you, Mr. President Pro Tem.

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY:** Thank you, Mr. President. Since we're debating this motion, I rise in support of the motion before us. You know, I was very pleased two years ago when a similar bill, very similar to this report, passed out of this Body, though it failed in the other Chamber. I'm hoping we'll have to opportunity to pass this out of this Body again today. A little context on this. The Certificate of Need is a requirement that healthcare providers, in order to expand services, must first receive permission from the State government and demonstrate the genuine need for those services exists in the community. Now to understand this requirement it's helpful to have a little bit of historical context. The Certificate of Need law originated in the 1974 National Health Planning, Resources, and Development Act which required states to establish health planning agencies to control future healthcare expansion based on need. The thought process at the time was that growing healthcare costs were a result of an over-supply and maldistribution of healthcare resources and if only we could restrict that perceived over investment in healthcare resources the cost of healthcare would decline. However, 12 years later, in 1986, the federal government repealed this law because it had not succeeded in its intended goal, which was bringing down healthcare costs. As a result, 14 states went on to repeal their Certificate of Need laws. Thirty-six states, however, including Maine, chose to keep their Certificate of Need laws in place. But it's worth noting that in 2015, 23 years later, we're still here, Certificate of Need requirements in place, and can look and see how it's worked out in our state and states with Certificate of Need laws and other states that have repealed those laws. So as of 2009 the average healthcare cost per capita in non-Certificate of Need states was about \$6,500 per capita versus in states with Certificate of Need laws, where we have these restrictions on completion in place, the average cost for healthcare is 11% higher, about \$7,200 per capita. Maine is even higher than the average, at \$8,500 per capita, which is 31% higher than non-Certificate of Need states. That makes Maine the fourth most expensive state in the nation to purchase healthcare. In addition to this, according to the Foundation for Economic Education, the data shows that states with more services subject to Certificate of Need requirements have higher average healthcare costs than those with fewer services subject to this approval. I'm going to skip ahead for the sake of time, but I just want to finally acknowledge that even the federal government, which created this policy, has called for the abolishment of the Certificate of Need. According to the 2004 Federal Trade Commission and the Department of Justice joint report, "The agencies' experience and expertise has taught us that Certificate of Need laws impede the efficient performance of healthcare markets. By their very nature, Certificate of Need laws create barriers to entry and expansion to the detriment of healthcare competition and consumers. They undercut consumer choice, stifle innovation, and weaken markets ability to contain healthcare costs. Together we support the repeal of such laws, as well as steps that reduce their scope." That was the Federal Trade Commission and the Department of Justice. I'll just say it's common sense. If we want to lower healthcare costs let's inject some competition back into our healthcare marketplace. It's worked in other states and it can work here in Maine. Thank you.

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Mr. President, I just wanted to point out one more fact before we vote. If the hospitals who stand to benefit most from this are going to benefit from it and we're going to have all this innovation and all of that that my good friend from Androscoggin just claimed, why are they not asking for this? Why are they not in support of this? They did not speak in support of this at the hearing. I just thought you might want to know. Thank you.

**THE PRESIDENT PRO TEMPORE:** The question now before the Senate is Acceptance of Report "C". If you are in favor of the Report you will vote Yes. If you are opposed to it you will vote No. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#199)**

**YEAS:** Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KATZ, KEIM, LANGLEY, MAKER, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

**NAYS:** Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, JACKSON, LIBBY, MILLETT, MIRAMANT, VITELLI

**EXCUSED:** Senator: HILL

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-301), in NON-CONCURRENCE, PREVAILED.**

**Bill READ ONCE.**

Committee Amendment "B" (H-301) **READ** and **ADOPTED.**

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-301), in NON-CONCURRENCE.**

Sent down for concurrence.

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

SENATE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Promote Academic Achievement through Hunger Relief for Maine Children"  
S.P. 261 L.D. 816

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-151)** (7 members)

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

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-150)** (12 members)

Tabled - May 31, 2017, by Senator **LANGLEY** of Hancock

Minority - **Ought Not To Pass** (1 member)

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report (Roll Call Ordered)

Tabled - May 31, 2017, by Senator **LANGLEY** of Hancock

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

Pending - motion by same Senator to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report (Roll Call Ordered)

Senator **MILLETT:** Thank you, Mr. President Pro Tem. I request a roll call.

The Doorkeepers secured the Chamber.

**THE PRESIDENT PRO TEMPORE:** A roll call has already been requested. The Chair recognizes the Senator from York, Senator Chenette.

The Secretary opened the vote.

**ROLL CALL (#200)**

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, THIBODEAU, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

Senator **CHENETTE:** Thank you, Mr. President Pro Tem. I rise in opposition to the - oops, do we have a motion? Okay, there we go. So as you know, Mr. President, the Educational Opportunity Tax Credit, better known as Opportunity Maine, allows any Maine resident with a Bachelor's degree to receive up to \$4,000 in tax credits, for anyone with an Associate's degree to receive up to \$800 in tax credits, as long as you stay or come back to live and work here in the state after college. In 2014 the number of claims for the Opportunity Maine Tax Credit were about 2,300 students. As evident with those numbers, the percentage of young adults taking advantage of this tax credit versus the overall number of Maine college students is not very high. When enrollment just in the UMaine System alone across all seven campuses was about 30,000 last fall, more students should be taking advantage of this upon graduation. Student loan debt is crippling an entire generation and this program would be a lifeline for a majority of the resident population in our campuses and beyond. Nationally, those who graduated from college in 2016 and borrowed to finance their degrees carry an average of \$37,000 in student loan debt. Back home in Maine, the average Maine college student hovers around \$30,000, the fourteenth highest in the entire country. Clearly there is a need. So the question is: why aren't more young adults taking advantage of the tax break on their student loans? Great question. The answer is quite simple. They don't know about it. Hard to apply for something you haven't heard about. I don't fault anyone for this, including FAME. They are doing the best with the resources they are given, but this is the issue we're trying to address right here today. This bill establishes a position within the Finance Authority of Maine to work with high school guidance counselors, career college and counseling services staff, to target this program to those most in need of this program. Also this bill directs monies, extra monies, to market the program effectively to young adults and young families that could take advantage of a successful tax break on their student loan debt. So while this bill is not a magic wand over the issue of student loan debt plaguing my generation, it can be a great connector to existing programs to help reduce the burden. Thank you, Mr. President.

NAYS: Senators: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-150) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

SENATE REPORT - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Sustain and Attract Skilled Workers to Maine by Improving the Job Creation Through Educational Opportunity Program"

S.P. 392 L.D. 1171

**THE PRESIDENT PRO TEMPORE:** The Chair recognizes the Senator from Hancock, Senator Langley.

Senator **LANGLEY**: Thank you, Mr. President Pro Tem and men and women of the Senate. You see me on the supporting this motion that's on the floor in front of us and it's not because of an opposition to the program. What's happened - I voted for this in the 124<sup>th</sup> when it came in. It seemed like a wonderful idea. It just hasn't worked right or worked well. It is often times seen as cumbersome. I've talked to professors at the University of Maine and asking them the same question that the good Senator, Senator Chenette, has asked: why aren't more people using it? When you only have 2,300 people that are using it I don't believe it's because of the marketing. I really don't. I think there are a lot of other issues with it. We've had folks come in front of us to testify, looking for loan forgiveness, for example, in the social work field. When presented with this program, they say they don't qualify for it because the tax credit comes in once you've earned, you have, taxable income. We've raised the bottom floor of that where we tax people. We've raised the minimum so that a lot of folks go out for their first job and they don't qualify for this tax credit. Frankly, men and women of the Senate, I think this program needs to be reworked. I think it needs to be retooled to really better meet the needs of folks and this bill, as it was written, looks to send more money for marketing and for hiring a person within FAME to administer this. So I would ask for your support in this and then look to find a better way to rework this program. Thank you very much.

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

Senator **MILLETT**: Thank you, Mr. President Pro Tem. Mr. President Pro Tem, ladies and gentlemen of the Senate, this bill received no testimony in opposition and, in fact, the Finance Authority of Maine spoke to us in support. In fact, they've mentioned that this proposal that we were considering was the result of discussions over the years with numerous stakeholders, legislators, administration, the business community, students, financial aid administrators, guidance counselors, and schools about how the Opportunity Tax Credit might be better promoted and utilized, and they were pleased to see this proposal in front of us so that they could better market this program. I believe they still think that this program has a role to play in the affordability of higher education for Maine students. They believe that the EOTC is an under-utilized tool, but that there are specific things they can do to help market it and make it better known, and so I would urge everyone to oppose the pending motion. Thank you, Mr. President Pro Tem.

**THE PRESIDENT PRO TEMPORE**: The question now before the Senate is Acceptance of the Ought Not to Pass Report. If you are in favor of it you will vote Yes. If you are opposed you will vote No. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#201)**

**YEAS:** Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KATZ, KEIM, LANGLEY, MAKER, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

**NAYS:** Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, JACKSON, LIBBY, MILLETT, MIRAMANT, VITELLI

**EXCUSED:** Senator: HILL

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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

SENATE REPORT - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program" S.P. 457 L.D. 1343

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-152)** (7 members)

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

Tabled - May 31, 2017, by Senator **VOLK** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report

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

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

Senator **CHENETTE**: Thank you, Mr. President Pro Tem. I rise in opposition to the pending motion. Downtowns and village centers are the beating hearts of our communities. You only need one stroll down Main Street in Saco to feel the pulse. There is something special about bumping into your neighbor at the post office or seeing students walking home from school or grabbing an impromptu cup of coffee at Fernleaf Bakery or a bite to eat at Rapid Ray's with a close friend that makes you feel connected to something much larger than yourself individually. The revitalization of our downtowns, the walkable, denser parts of our

towns and cities, is an integral part of a sustainable community that will be inviting and welcoming to families and businesses for generations. We've seen this work pay huge dividends, not just in our region but it's happening all over Maine. From Biddeford to Bangor, our downtowns are leading Maine's come-back story. Our downtowns represent more than just a sense of community spirit though. They are the economic drivers for entire regions and play a critical role in our state's economic engine. When the downtown in a particular area does well, and is vibrant, jobs are created and the tax base grows, which brings more money into municipal budgets to stabilize property tax rates. For many years business trends moved storefronts and services out of our downtowns, into the sprawling outskirts of most communities. Today, though, the pendulum is swinging in the other direction. People want to get out of their cars. They want clean, green, walkable, happening community hubs where they can work, run errands, socialize with friends and family. The trends all point towards a renaissance of our downtowns all over our state, but the state needs to do its part to helping this growth and opportunity advance in a positive direction. This bill establishes the Locating Businesses Downtown Loan Program within the Communities for Maine's Future Program to provide forgivable loans for businesses seeking initially to locate, or relocate, in a downtown area or along the main street within our state. This is economic development 101. Create the right conditions with the right incentives and they will come. I'd like to see this as a model that we can use across the state, and that's what this bill seeks to do. So join me, along with GrowSmart Maine and the Maine Association of Realtors, in opposition to the pending motion and in support of the legislation before us. Together we can provide key support mechanisms and incentives for new start-up businesses to increase economic development and create much needed jobs in our downtown communities. Thank you, Mr. President.

**THE PRESIDENT:** The question now before the Senate is Acceptance of the Ought Not to Pass Report. If you are in favor of it you will vote Yes. If you are opposed to it you will vote No. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#202)**

YEAS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DOW, HAMPER, KATZ, KEIM, LANGLEY, MAKER, ROSEN, THIBODEAU, VOLK, WHITTEMORE, WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, JACKSON, LIBBY, MILLETT, MIRAMANT, SAVIELLO, VITELLI

EXCUSED: Senator: HILL

16 Senators having voted in the affirmative and 18 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **VOLK** of Cumberland to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **FAILED**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-152) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **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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On motion by Senator **CUSHING** of Penobscot, **ADJOURNED** until Thursday, June 1, 2017 at 10:00 in the morning in memory of and lasting tribute to Frank "Mr. Moxie" Anicetti of Lisbon Falls.