MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

First Regular Session beginning December 7, 2016

beginning at Page 1

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

In Senate Chamber Tuesday March 7, 2017

Waton 7, 2017
Senate called to order by President Michael D. Thibodeau of Waldo County.
Prayer by Pastor Brian Kline, Lighthouse Baptist Church in Farmingdale.
PASTOR KLINE: Let us pray. Lord, God of all creation, I thank You very much that You are a God that hears prayer, that You answer prayer. Father, we praise You this morning, that we can come to You, and that we have the liberty to pray before the opening of the Senate. Father, we praise You for the weather that we've had recently. Lord, today's a little bit mixed precipitation. We thank You for the safety that You've given us to get here this morning. We pray even now for those that might still be traveling. We thank You for the warming temperatures and the lengthening days. We certainly thank You for Your promise, Lord, that springtime always follows the winter, and we're certainly looking forward to the spring. Father, I praise You for our Representatives and our Senators here in the great State of Maine and for these Senators here this morning in this Chamber. Lord, we thank You for their service. We thank You for the effort that they put forth everyday on behalf of all the folks in Maine and we pray on their behalf, Lord, that You would grant wisdom and insight, that You would grant strength in a day that is sometimes tedious and long. We pray, Lord, that You would grant above strength, that You would give them encouragement, Lord, and even joy, and that You would grant them the wisdom to discern some of the very difficult questions before them this morning. Father, we praise You also for the opportunity in our great nation to be represented by people such as this, that volunteer, that run, and that serve, Lord, in often thankless tasks. Father, again, we praise You for the opportunity to pray for You. We praise You for the opportunity and the liberty that we have to pray, and we praise You for Your son and our savior, Jesus Christ. So in his name we pray. Amen.
Pledge of Allegiance led by Senator Mark N. Dion of Cumberland County.
Reading of the Journal of Thursday, March 2, 2017.
Doctor of the day, Kenneth Christian, M.D. of Holden.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Senate Order: S.O. 16

Ordered, that a message be sent to the House of Representatives proposing a Convention of the two branches of the Legislature be held at 10:45 this morning in the Hall of the House for the purpose of extending to Brigadier General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.

READ and PASSED.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Amend the Maine Medical Use of Marijuana Act" S.P. 84 L.D. 238

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

In Senate, January 31, 2017, on motion by Senator KATZ of Kennebec, REFERRED to the Joint Select Committee on MARIJUANA LEGALIZATION IMPLEMENTATION and ordered printed.

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

On motion by Senator **KATZ** of Kennebec, **TABLED** until Later in Today's Session, pending **FURTHER CONSIDERATION**.

House Papers

Bill "An Act To Ensure Transparency in Public Union Negotiations"

H.P. 552 L.D. 772

 $\label{lem:committee} \mbox{Committee on $\textbf{JUDICIARY}$ suggested and ordered printed.}$

Comes from the House, REFERRED to the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT.

On motion by Senator KEIM of Oxford, REFERRED to the Committee on JUDICIARY and ordered printed, in NON-CONCURRENCE.

Sent down for concurrence.

Pursuant to Statute Department of Environmental Protection

The **Department of Environmental Protection**, pursuant to the Maine Revised Statutes, Title 5, section 8072 asked leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

H.P. 286 L.D. 395

Be REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report READ and ACCEPTED and the Resolve REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on ENVIRONMENT AND NATURAL RESOURCES and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 178

MAINE STATE LEGISLATURE OFFICE OF THE EXECUTIVE DIRECTOR LEGISLATIVE COUNCIL

February 27, 2017

Honorable Michael D. Thibodeau President of the Senate 128th Maine Legislature Augusta, Maine 04333

Dear President Thibodeau:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Aroostook County Commissioners on February 27, 2017:

Durward L. Humphrey of Benedicta

The County asks that this nomination be considered to fill the four-year term that begins on March 14, 2017 which is scheduled to be filled by Aroostook County.

Pursuant to 12 MRSA 683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/Grant T. Pennover

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 172

STATE OF MAINE ONE HUNDRED AND TWENTY EIGHTH LEGISLATURE **COMMITTEE ON HEALTH AND HUMAN SERVICES**

March 1, 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 Rep. Sherman of Hodgdon, to report the following bill Leave to Withdraw:

An Act To Provide Additional Funding for L.D. 690 Persons with Disabilities

Sincerely,

S/Sen. Eric L. Brakey Senate Chair

S/Rep. Patricia Hymanson House Chair

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

The Following Communication: S.C. 171

STATE OF MAINE ONE HUNDRED AND TWENTY EIGHTH LEGISLATURE **COMMITTEE ON INSURANCE AND FINANCIAL SERVICES**

March 1, 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 Rep. Campbell of Orrington, to report the following bill Leave to Withdraw:

L.D. 609

An Act To Prohibit Insurance Carriers That Are Not Health Insurance Carriers from Operating as Managed Care Organizations

Sincerely,

S/Sen. Rodney L. Whittemore Senate Chair

S/Rep. Mark W. Lawrence House Chair

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

The Following Communication: S.C. 173

STATE OF MAINE ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE COMMITTEE ON INLAND FISHERIES & WILDLIFE

March 1, 2017

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

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Inland Fisheries and Wildlife has voted unanimously to report the following bill(s) out "Ought Not to Pass":

An Act To Extend Fall Fishing Opportunities

This is notification of the Committee's action. Sincerely,

S/Sen. Scott W. Cyrway Senate Chair House Chair S/Rep. Robert S. Duchesne

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

The Following Communication: S.C. 174

STATE OF MAINE ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

March 1, 2017

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

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Insurance and Financial Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 145 An Act To Protect Consumers from Closure of Inactive Bank Accounts

This is notification of the Committee's action.

Sincerely,

S/Sen. Rodney L. Whittemore Senate Chair

S/Rep. Mark W. Lawrence

House Chair

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

The Following Communication: S.C. 175

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

March 1, 2017

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

Dear President Thibodeau and Speaker Gideon:

Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Labor, Commerce, Research and Economic Development has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 13 An Act To Require Certain Licensing Boards To Report Cases of Sexual Abuse of a Patient or Client by a Licensee to a Law Enforcement Agency or the Department of Health and Human Services

This is notification of the Committee's action.

Sincerely,		ely,	The Chair appointed the Senator from Androscoggin, Senator	
S/Sen. Amy F. V Senate Chair	'olk	S/Rep. Ryan M. Fecteau House Chair	MASON , to deliver a message to the House of Representatives proposing a Convention of the two branches of the Legislature in the Hall of the House at 10:45 in the morning for the purpose of	
READ and with accompanying papers ORDERED PLACED ON FILE.			extending to Brigadier General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.	
The Following Co	ommunication:	S.C. 176	The Senator was escorted to the House of Representatives.	
STATE OF MAINE ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE COMMITTEE ON VETERANS AND LEGAL AFFAIRS			Off Record Remarks	
March 1, 2017				
	ael D. Thibodeau, F Gideon, Speaker o	President of the Senate	SENATE PAPERS	
128th Legislature State House		7 110 110 400	Bill "An Act To Require a Veterinarian to be Present at an Agricultural Fair"	
Augusta, Maine 04333			S.P. 274 L.D. 828	
Dear President 7	Thibodeau and Spe	eaker Gideon:	Presented by Senator CARPENTER of Aroostook. Cosponsored by Representative JOHANSEN of Monticello.	
Pursuant to Joint Rule 310, we are writing to notify you that the Joint Standing Committee on Veterans and Legal Affairs has voted unanimously to report the following bill(s) out "Ought Not to		ans and Legal Affairs has	Bill "An Act To Improve and Protect Maine Organic Milk Producers"	
Pass":			S.P. 295 L.D. 893	
L.D. 496 An Act To Update Maine's Veterans' Benefits Eligibility Requirements			Presented by Senator SAVIELLO of Franklin. Cosponsored by Representative: BLACK of Wilton.	
L.D. 510		Fairness in Gaming License onprofit Organizations	On motion by Senator DAVIS of Piscataquis, REFERRED to the Committee on AGRICULTURE , CONSERVATION AND FORESTRY and ordered printed.	
This is notification of the Committee's action.			·	
Sincerely,			Sent down for concurrence.	
S/Sen. Garrett P Senate Chair	. Mason	S/Rep. Louis J. Luchini House Chair	Bill "An Act To Carry Out the Will of the People of the State of	
READ and with accompanying papers ORDERED PLACED ON FILE .		ers Ordered Placed on	Maine by Ensuring the Issuance of Bonds To Support the Independence of Maine's Seniors" (EMERGENCY) S.P. 278 L.D. 832	
All matters thus acted upon were ordered sent down forthwith for concurrence.			Presented by Senator KATZ of Kennebec. Cosponsored by Speaker GIDEON of Freeport and Senators: BREEN of Cumberland, DIAMOND of Cumberland, HILL of York, JACKSON of Aroostook, LIBBY of Androscoggin, Representatives: McELWEE of Caribou, TUELL of East Machias, VACHON of Scarborough.	
	Senate at	Ease.		
The Ser	nate was called to	order by the President.		

Bill "An Act To Authorize a General Fund Bond Issue To Encourage Efficient Biomass Thermal and Power Projects in Maine"

S.P. 299 L.D. 897

Presented by Senator WOODSOME of York.
Cosponsored by Representative HIGGINS of Dover-Foxcroft and Senators: DILL of Penobscot, JACKSON of Aroostook, SAVIELLO of Franklin, Representatives: BERRY of Bowdoinham, FARRIN of Norridgewock, RYKERSON of Kittery.

On motion by Senator **HAMPER** of Oxford, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Bill "An Act To Strengthen Protections against Civil Asset Forfeiture"

S.P. 288 L.D. 888

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senators: BELLOWS of Kennebec, DION of
Cumberland, KATZ of Kennebec, Representatives: HAMANN of
South Portland, HICKMAN of Winthrop, O'CONNOR of Berwick,
SIROCKI of Scarborough, WARREN of Hallowell.

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

Sent down for concurrence.

Bill "An Act To Support the Professional Development of Principals in Maine Schools"

S.P. 291 L.D. 891

Presented by Senator LANGLEY of Hancock. Cosponsored by Representative POULIOT of Augusta and Senators: MAKER of Washington, WHITTEMORE of Somerset, Representative: SAMPSON of Alfred.

On motion by Senator LANGLEY of Hancock, REFERRED to the Committee on EDUCATION AND CULTURAL AFFAIRS and ordered printed.

Sent down for concurrence.

Bill "An Act To Increase Wastewater Management Responsibility by Licensing Certain Municipal Sewage Collection Systems" S.P. 281 L.D. 881

Presented by Senator SAVIELLO of Franklin. Cosponsored by Senator: DAVIS of Piscataquis.

Bill "An Act To Increase Funding for the Youth Conservation Corps"

S.P. 296 L.D. 894

Presented by Senator SAVIELLO of Franklin. Cosponsored by Representative: BLACK of Wilton.

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

Sent down for concurrence.

Bill "An Act To Require That Maine Welfare Benefits Be Used in Maine"

S.P. 286 L.D. 886

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senators: CUSHING of Penobscot, President
THIBODEAU of Waldo, Representatives: GUERIN of Glenburn,
HEAD of Bethel, MALABY of Hancock, SANDERSON of Chelsea,
STETKIS of Canaan.

Bill "An Act To Reduce Youth Cancer Risk"

S.P. 289 L.D. 889

Presented by Senator VOLK of Cumberland.
Cosponsored by Representative DEVIN of Newcastle and
Senators: CHIPMAN of Cumberland, GRATWICK of Penobscot,
LIBBY of Androscoggin, ROSEN of Hancock, Representatives:
CHACE of Durham, PERRY of Calais, SEAVEY of
Kennebunkport, VACHON of Scarborough.

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

Sent down for concurrence.

Bill "An Act To Address Mandatory Overtime for Hospital Professionals"

S.P. 300 L.D. 898

Presented by Senator MASON of Androscoggin. Cosponsored by Senators: BELLOWS of Kennebec, CUSHING of Penobscot, Representative: VACHON of Scarborough.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

On motion by Senator VOLK of Cumberland, REFERRED to the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT.

Sent down for concurrence.

Bill "An Act To Protect a Homeowner's Equity of Redemption in a Foreclosure Action"

S.P. 280 L.D. 880

Presented by Senator CHIPMAN of Cumberland.
Cosponsored by Senator CARPENTER of Aroostook and
Senator: BREEN of Cumberland, Representatives: BABBIDGE of
Kennebunk, COOPER of Yarmouth, GUERIN of Glenburn,
McCREIGHT of Harpswell, MOONEN of Portland, RECKITT of
South Portland, SHERMAN of Hodgdon.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

On motion by Senator **WHITTEMORE** of Somerset, **TABLED** until Later in Today's Session, pending **REFERENCE**.

Bill "An Act Regarding Insurance Coverage of Certain Dental Services"

S.P. 302 L.D. 900

Presented by Senator CUSHING of Penobscot. Cosponsored by Representative MALABY of Hancock and Senator: WOODSOME of York, Representatives: KINNEY of Knox, PICKETT of Dixfield.

On motion by Senator **WHITTEMORE** of Somerset, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent down for concurrence.

At this point a message was received from the House of Representatives, borne by Representative HERBIG of Belfast, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to Brigadier General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner of the Department of Defense, Veterans and Emergency Management, an invitation to attend the Convention and make such communication as pleases him.

Bill "An Act To Promote Retention and Recruitment of Judicial Marshals and Sergeants" (EMERGENCY)

S.P. 298 L.D. 896

Presented by Senator HILL of York.
Cosponsored by Representative MOONEN of Portland and Senators: DIAMOND of Cumberland, DION of Cumberland, HAMPER of Oxford, KATZ of Kennebec, KEIM of Oxford, Representatives: CARDONE of Bangor, McCREIGHT of Harpswell, SHERMAN of Hodgdon.

Bill "An Act To Modify the Term and Withholding Limitations for Spousal Support"

S.P. 303 L.D. 916

Presented by Senator WOODSOME of York.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Base the Minimum Wage on a New England State Average and To Restore the Tip Credit"

S.P. 277 L.D. 831

Presented by Senator DOW of Lincoln.
Cosponsored by Representative SIROCKI of Scarborough and Senators: CYRWAY of Kennebec, DAVIS of Piscataquis, SAVIELLO of Franklin, WOODSOME of York, Representatives: BICKFORD of Auburn, HILLIARD of Belgrade, WARD of Dedham.

Bill "An Act To Exempt Small Bottlers from the Bottling Plant Requirements" (EMERGENCY)

S.P. 284 L.D. 884

Presented by Senator SAVIELLO of Franklin. Cosponsored by Senators: CHIPMAN of Cumberland, DAVIS of Piscataguis.

On motion by Senator VOLK of Cumberland, REFERRED to the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize Portions of the City of Caribou to Secede and Form the Town of Lyndon"

S.P. 276 L.D. 830

Presented by Senator JACKSON of Aroostook.

Bill "An Act Prohibiting Public Entities from Contracting with and Investing in Companies That Boycott the State of Israel" S.P. 282 L.D. 882

Presented by Senator MASON of Androscoggin.
Cosponsored by Representative GUERIN of Glenburn and
Senators: CUSHING of Penobscot, DAVIS of Piscataquis, HILL of
York, Representatives: GINZLER of Bridgton, MASON of Lisbon,
TIMBERLAKE of Turner.

Bill "An Act To Include a Representative of the Aroostook Band of Micmacs in the House of Representatives"

S.P. 290 L.D. 890

Presented by Senator CARPENTER of Aroostook. Cosponsored by Representative STEWART of Presque Isle and Representatives: BEAR of the Houlton Band of Maliseet Indians, JOHANSEN of Monticello, McCREA of Fort Fairfield.

Bill "An Act To Help Maine Manufacturing"

S.P. 297 L.D. 895

Presented by Senator SAVIELLO of Franklin. Cosponsored by Senator: KEIM of Oxford, Representative: BLACK of Wilton.

Resolve, To Establish the Commission To Study the Salaries of the Governor, Legislators and Executive and Legislative Staff S.P. 301 L.D. 899

Presented by Senator CUSHING of Penobscot. Cosponsored by Representative HARVELL of Farmington and Senators: DIAMOND of Cumberland, DION of Cumberland, HAMPER of Oxford, KATZ of Kennebec, Representatives: KINNEY of Knox, McELWEE of Caribou, NADEAU of Winslow.

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

Sent down for concurrence.

Pill "An Act To Increase the Income Toy Surpherse Three

Bill "An Act To Increase the Income Tax Surcharge Threshold Imposed on Households"

S.P. 275 L.D. 829

Presented by Senator DIAMOND of Cumberland. Cosponsored by Representative COREY of Windham and Senators: BREEN of Cumberland, DOW of Lincoln, HILL of York, SAVIELLO of Franklin, Representative: MAREAN of Hollis.

Bill "An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY)

S.P. 285 L.D. 885

Presented by Senator DOW of Lincoln. Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

Bill "An Act To Provide Relief to Maine Property Tax Payers" S.P. 287 L.D. 887

Presented by Senator BRAKEY of Androscoggin. Cosponsored by Senators: DAVIS of Piscataquis, DOW of Lincoln, MASON of Androscoggin, Representatives: GUERIN of Glenburn, POULIOT of Augusta, SANDERSON of Chelsea, STETKIS of Canaan, WARD of Dedham. On motion by Senator **DOW** of Lincoln, **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent down for concurrence.

Bill "An Act To Repeal the Laws Governing Truck Camper Registration"

S.P. 273 L.D. 827

Presented by President THIBODEAU of Waldo. Cosponsored by Senators: BRAKEY of Androscoggin, COLLINS of York, DAVIS of Piscataquis, MIRAMANT of Knox, Representative: HARRINGTON of Sanford.

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

Sent down for concurrence.

Bill "An Act To Allow an Attorney Responding to an Incident that Involved the Use of Deadly Force To Use Emergency Lights on a Vehicle"

S.P. 292 L.D. 892

Presented by Senator LANGLEY of Hancock. Cosponsored by Senators: COLLINS of York, CYRWAY of Kennebec, DAVIS of Piscataquis, MAKER of Washington.

Committee on **TRANSPORTATION** suggested and ordered printed.

On motion by Senator **COLLINS** of York, Bill and accompanying papers **INDEFINITELY POSTPONED**.

Sent down for concurrence.

Bill "An Act To Streamline the Gaming Permit Process for Veterans' Organizations"

S.P. 279 L.D. 833

Presented by Senator DAVIS of Piscataquis.

Bill "An Act To Establish a Minimum Payment for Signatures Gathered by Maine Citizens for Referendums"

S.P. 283 L.D. 883

Presented by Senator SAVIELLO of Franklin. Cosponsored by Senator: DOW of Lincoln.

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

Sent down for concurrence.

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

ORDERS

Joint Orders

On motion by Senator **LANGLEY** of Hancock, the following Joint Order:

S.P. 293

ORDERED, the House concurring, that the Joint Standing Committee on Education and Cultural Affairs shall report out, to the Senate, a bill regarding attainment of certain goals for postsecondary education of the work force.

READ and **PASSED**.

Sent down for concurrence.	

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

S.P. 294

STATE OF MAINE 128TH MAINE LEGISLATURE

WHEREAS, historically, Maine has been world-renowned for its hard-working people, its enviable quality of life and its production of high-quality products; and

WHEREAS, for generations, citizens of the State had jobs in industries such as logging, shipbuilding, papermaking, textiles, manufacturing, farming and fishing that allowed workers to live and raise families in the State; and

WHEREAS, jobs that supported a thriving Maine economy were responsible for decades of growth in many of our communities in the State, but over the years, jobs that provided living wages, benefits and job security became harder and harder to find; and WHEREAS, as the prospects for well-paying jobs diminished in the rapidly changing world economy, so too did Maine's ability to retain its young people, who increasingly sought opportunities elsewhere, contributing to Maine's looming demographic crisis; and

WHEREAS, a prosperous Maine economy will require skilled workers capable of succeeding in the modern economy as well as innovative investments that will help Maine businesses grow and thrive; and

WHEREAS, it is essential that the Legislature work with the State's businesses, education community and workforce, as well as with policy experts, to develop and implement measures to strengthen the State's economy, bring back jobs and young people and expand the middle class; and

WHEREAS, the members of the Joint Select Committee on Maine's Workforce and Economic Future in the 126th Legislature worked together in a bipartisan manner with input from experts throughout the State to unanimously support legislation to help move Maine toward stronger economic growth and to prepare Maine's workers and businesses to compete in the global marketplace; now, therefore, be it

ORDERED, the House concurring, that, notwithstanding Joint Rule 353, the Task Force on Maine's 21st Century Economy and Workforce, referred to in this order as "the task force," is established as follows.

- 1. Appointments; composition. The task force consists of members appointed as follows:
- A. Four members of the Senate, appointed by the President of the Senate, including 2 members of the party holding the largest and 2 members of the party holding the 2nd largest number of seats in the Senate:
- B. Four members of the House of Representatives, appointed by the Speaker of the House of Representatives, including 2 members of the party holding the largest and 2 members of the party holding the 2nd largest number of seats in the House of Representatives:
- C. One member representing the interests of the Maine Community College System, appointed by the President of the Senate:
- D. One member representing the interests of the University of Maine System, appointed by the Speaker of the House of Representatives:
- E. One member representing the interests of apprenticeship programs in the State, appointed by the Speaker of the House of Representatives;
- F. One member representing the interests of providers and teachers of adult education in the State, appointed by the President of the Senate;
- G. One member representing the interests of private colleges in the State, appointed by the Speaker of the House of Representatives;
- H. One member representing the statewide interests of the business community, appointed by the President of the Senate;
- I. One member representing the interests of a Maine business that employs more than 1,000 workers, appointed by the President of the Senate; and
- J. One member representing the interests of a Maine business that employs fewer than 1,000 workers, appointed by the Speaker of the House of Representatives.
- The President of the Senate and the Speaker of the House of Representatives shall invite to participate as members of the task force the Commissioner of Education, or the commissioner's designee, and the Commissioner of Labor, or the commissioner's designee.
- 2. Chairs. The first-named Senator is the Senate chair of the task force and the first-named member of the House of Representatives is the House chair of the task force. Notwithstanding Joint Rule 353, the chairs may appoint, as nonvoting members, individuals who represent the interests of those sectors of industry that have experienced significant workforce shortages. Any additional members appointed pursuant to this section are not entitled to compensation or reimbursement under section 5.

- 3. Appointments; convening. All appointments must be made no later than 15 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 15 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.
- 4. Duties. The task force shall review ways to strengthen the State's economy, improve the State's business climate and facilitate economic growth in the State, including strategies to make targeted and strategic investments in the State's workforce and businesses; to expand partnerships among the State's workers, educators and businesses to specifically address workforce needs and worker training; to develop strategies for attracting, retaining and training Maine workers in sectors of industry most acutely affected by workforce shortage, as identified in priority order by the Maine Department of Labor, including health care, government, retail trade, professional and business services and the hospitality industry; and to help improve the ability of small businesses to innovate and expand.
- 5. Compensation. The legislative members of the task force are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the task force. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the task force.
- **6. Quorum**. A quorum is a majority of the voting members of the task force, including those members invited to participate who have accepted the invitation to participate.
- 7. Staffing. The Legislative Council shall contract for necessary staff support for the task force during the legislative session and may contract for such staff support for a longer period to the extent needed and if sufficient funding is available. At the request of the task force, the Legislative Council may provide drafting assistance to the task force during the legislative session and other staffing support to the task force when the Legislature is not in session.
- 8. Reports. The task force may submit an initial report, including suggested legislation, prior to the adjournment of the First Regular Session of the 128th Legislature. No later than March 1, 2018, the task force shall submit a final report that includes its findings and recommendations, including suggested legislation, for introduction to the Second Regular Session of the 128th Legislature.

READ and PASSED.

Sent down for concurrence.	
Expressions of Legislative Sentiment recognizing:	

Debra MacInnes, of Pittston, who has received a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We send our congratulations to Ms. MacInnes on her receiving this award:

SLS 109

Sponsored by Senator BELLOWS of Kennebec. Cosponsored by Representative: HANLEY of Pittston.

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'm so pleased that Debra MacInnes of Pittston could be with us here today, with her daughter, Cheyenne, and her colleague, Deborah Barry. Debra MacInnes is the Administrative Secretary for the Select Board in the Town of Pittston. She is the Secretary to the Planning Board and the Administrator of the General Assistance. Our local town officials do so much to make our communities run and sometimes going above and beyond, and Debra going above and beyond is exactly what precipitated her being awarded the Spirit of America Foundation Award. She was in a grant writing workshop and heard about installation of fire alarms in people's houses, smoke detectors. So she actually coordinated with the Red Cross, wrote a successful grant, and coordinated the installation of 226 smoke detectors, fire alarms, in the homes of Pittston residents, making everyone safer and coordinating that work. So I'm very pleased that she's here today and respect and admire the work she does for the Town of Pittston and our community.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the back of the Chamber Debra MacInnes; her daughter, Cheyenne; and friend, Deborah Barry. Would they please all rise and accept the greetings of the Senate.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Change the Time and Location of the Annual Meeting of the Board of Trustees of the Kittery Water District"

H.P. 72 L.D. 104

Reported that the same Ought to Pass.

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED.

Report READ and ACCEPTED, in concurrence.	Bill "An Act Regarding Changing the Designation of a Parent on the Birth Certificate of an Adult"	
Bill READ ONCE.	S.P. 32 L.D. 83	
ASSIGNED FOR SECOND READING NEXT LEGISLATIVE	READ A SECOND TIME and PASSED TO BE ENGROSSED.	
DAY.	Sent down for concurrence.	
Senate Senate	All matters thus acted upon were ordered sent down forthwith for	
Ought to Pass	concurrence.	
Senator COLLINS for the Committee on TRANSPORTATION on Bill "An Act To Update Accessibility Requirements on Highways" S.P. 80 L.D. 236	ORDERS OF THE DAY	
Reported that the same Ought to Pass .	Unfinished Business	
Report READ and ACCEPTED.	The following matters in the consideration of which the Senate was engaged at the time of Adjournment had preference in the	
Bill READ ONCE.	Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.	
ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.	The Chair laid before the Senate the following Tabled and Later Assigned (2/28/2017) matter:	
	Bill "An Act To Recognize Local Control Regarding Food and Water Systems"	
Ought to Pass As Amended	S.P. 242 L.D. 725	
Senator VOLK for the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT on Bill "An Act	Tabled - February 28, 2017, by Senator DAVIS of Piscataquis	
To Provide a Career and Technical Education Training Option for Plumbers"	Pending - REFERENCE	
S.P. 16 L.D. 37	(Committee on STATE AND LOCAL GOVERNMENT suggested and ordered printed.)	
Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-3) .	On motion by Senator DAVIS of Piscataquis, REFERRED to the Committee on STATE AND LOCAL GOVERNMENT and ordered	
Report READ and ACCEPTED.	printed.	
Bill READ ONCE.	Sent down for concurrence.	
Committee Amendment "A" (S-3) READ and ADOPTED .		
ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.	The Chair laid before the Senate the following Tabled and Later Assigned (2/28/17) matter:	
	Bill "An Act To Facilitate the Return of Unclaimed Property" S.P. 230 L.D. 668	
All matters thus acted upon were ordered sent down forthwith for concurrence.	Tabled - February 28, 2017, by Senator KEIM of Oxford	
	Pending - REFERENCE	
SECOND READERS	(Committee on JUDICIARY suggested and ordered printed.)	
Senate	On motion by Senator DAVIS of Piscataquis, REFERRED to the Committee on STATE AND LOCAL GOVERNMENT and ordered	

printed.

Sent down for concurrence.	Bill "An Act To Authorize a General Fund Bond Issue To Build Maine's Workforce Development Capacity by Modernizing and Improving the Facilities and Infrastructure of Maine's Public Universities"	
Off Record Remarks	H.P. 585 L.D. 836	
Senate at Ease.	Bill "An Act To Provide Supplemental Appropriations and Allocations for the Operations of State Government" (EMERGENCY)	
	H.P. 586 L.D. 837	
The Senate was called to order by the President.	Bill "An Act Requiring Investments by the Maine Public Employees Retirement System To Be Well-diversified" H.P. 635 L.D. 907	
At this point the Senate retired to the Hall of the House where a Joint Convention was formed.	Resolve, To Require a Review of the State Employee and Teacher Retirement Plan	
Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.	H.P. 645 L.D. 917	
	Come from the House, REFERRED to the Committee on APPROPRIATIONS AND FINANCIAL AFFAIRS and ordered printed.	
Out of order and under suspension of the Rules, the Senate considered the following:	On motion by Senator MASON of Androscoggin, REFERRED to the Committee on APPROPRIATIONS AND FINANCIAL	
PAPERS FROM THE HOUSE	AFFAIRS and ordered printed, in concurrence.	
House Papers		
Bill "An Act To Restructure Harness Racing within the Department of Agriculture, Conservation and Forestry" (EMERGENCY)	Bill "An Act To Prevent Sexual Abuse by Members of the Clergy" H.P. 587 L.D. 838	
H.P. 583 L.D. 834	Resolve, To Address Substance Use and Addiction in County Jails	
Bill "An Act To Promote Small Diversified Farms and Small Food Producers"	H.P. 588 L.D. 839	
H.P. 584 L.D. 835	Bill "An Act To Ensure Thorough Investigation into Allegations of Sexual Assault"	
Bill "An Act To Extend the Germination Testing Period for Coolweather Lawn and Turf Seed from 9 to 15 Months"	H.P. 608 L.D. 859	
H.P. 605 L.D. 856	Bill "An Act To Provide Wage Parity for Certain State Law Enforcement Personnel"	
Bill "An Act To Amend the Laws Governing Slaughter and Inspection of Livestock"	H.P. 610 L.D. 861	
H.P. 606 L.D. 857	Bill "An Act Establishing the Crime of Child Abuse in the Maine Criminal Code"	
Bill "An Act To Strengthen the Law Regarding Dangerous Dogs" H.P. 607 L.D. 858	H.P. 636 L.D. 908	
Come from the House, REFERRED to the Committee on	Bill "An Act Regarding Maine's Criminal Code" H.P. 646 L.D. 918	
AGRICULTURE, CONSERVATION AND FORESTRY and ordered printed.	Come from the House, REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY and ordered	
On motion by Senator DAVIS of Piscataquis, REFERRED to the Committee on AGRICULTURE , CONSERVATION AND	printed.	
FORESTRY and ordered printed, in concurrence.	On motion by Senator ROSEN of Hancock, REFERRED to the Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY and ordered printed, in concurrence.	

Bill "An Act To Expand Educational Opportunities for Students in the Unorganized Territories"

H.P. 589 L.D. 840

Bill "An Act To Provide Stability in MaineCare Payments for Educational Programming"

H.P. 590 L.D. 841

Resolve, To Establish a Pilot Program To Install Video Cameras in School Buses

H.P. 611 L.D. 862

Bill "An Act To Create a Standard Kindergarten Entry Assessment"

H.P. 612 L.D. 863

Bill "An Act To Provide for a Statewide Contract for School Teachers"

H.P. 613 L.D. 864

Resolve, Directing the Department of Education To Determine the Effectiveness and Success of Charter Schools

H.P. 614 L.D. 865

Bill "An Act To Provide Additional Funds to Schools That Offer Residential Options"

H.P. 615 L.D. 866

Bill "An Act To Establish the Summer Success Program Fund" H.P. 647 L.D. 919

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

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

Bill "An Act To Mitigate the Spread of Invasive Milfoil in Wilson Stream"

H.P. 616 L.D. 867

Bill "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

Come from the House, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

On motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed, in concurrence.

Resolve, To Support Home Health Services

H.P. 591 L.D. 842

Resolve, To Increase Access to Evidence-based Psychosocial Treatment for Children in the MaineCare Program

H.P. 630 L.D. 902

Bill "An Act To Stimulate the Maine Economy and Alleviate Child Poverty by Indexing Certain Benefits to Inflation"

H.P. 637 L.D. 909

Bill "An Act To Encourage Living Kidney Donation in Maine" H.P. 638 L.D. 910

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

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

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

H.P. 592 L.D. 843

Bill "An Act To Make Excessive Boat Noise a Public Nuisance" H.P. 593 L.D. 844

Bill "An Act Regarding Game That Is Confiscated in Connection with an Alleged Violation of Inland Fisheries and Wildlife Laws"

H.P. 617 L.D. 868

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

Come from the House, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

On motion by Senator **CYRWAY** of Kennebec, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed, in concurrence.

Bill "An Act To Protect Life Insurance Beneficiaries" H.P. 619 L.D. 870

Bill "An Act Regarding Credit Card Interest Rates" H.P. 648 L.D. 920

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

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** and ordered printed, in concurrence.

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

Bill "An Act To Enact the Revised Uniform Fiduciary Access to Digital Assets Act"

H.P. 595 L.D. 846

Bill "An Act To Hold Refugee Resettlement Agencies Accountable to Maine People"

H.P. 596 L.D. 847

Bill "An Act To Establish a Statewide Electronic Warrant System" H.P. 609 L.D. 860

Bill "An Act To Require Disclosures Relating to the Sale of Residential Real Property Accessible Only by a Private Way" H.P. 620 L.D. 871

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

Bill "An Act To Remove Time and Acreage Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement" H.P. 649 L.D. 921

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

On motion by Senator KEIM of Oxford, REFERRED to the Committee on JUDICIARY and ordered printed, in concurrence.

Bill "An Act To Support Law Enforcement Officers and First Responders Diagnosed with Post-traumatic Stress Disorder" H.P. 597 L.D. 848

Bill "An Act To Establish Requirements Related to the Practice of Dry Needling"

H.P. 621 L.D. 872

Bill "An Act To Adopt Tiny House Standards in the Maine Uniform Building and Energy Code"

H.P. 622 L.D. 873

Bill "An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy"

H.P. 640 L.D. 912

Come from the House, REFERRED to the Committee on LABOR, COMMERCE, RESEARCH AND ECONOMIC **DEVELOPMENT** and ordered printed.

On motion by Senator MASON of Androscoggin, REFERRED to the Committee on LABOR, COMMERCE, RESEARCH AND **ECONOMIC DEVELOPMENT** and ordered printed, in concurrence.

Bill "An Act To Correct Errors and Inconsistencies in the Marijuana Legalization Act as Approved by the Voters" H.P. 603 L.D. 854

Bill "An Act To Protect Children from Edible Cannabis Products" H.P. 604 L.D. 855

Come from the House, REFERRED to the Joint Select Committee on MARIJUANA LEGALIZATION IMPLEMENTATION and ordered printed.

On motion by Senator KATZ of Kennebec, REFERRED to the Joint Select Committee on MARIJUANA LEGALIZATION **IMPLEMENTATION** and ordered printed, in concurrence.

Bill "An Act Directing the Commissioner of Marine Resources To Investigate the Conditions of Sheepscot Pond Related to a Management Plan for Anadromous Fish Species" H.P. 650 L.D. 922

Comes from the House, REFERRED to the Committee on MARINE RESOURCES and ordered printed.

On motion by Senator MAKER of Washington, REFERRED to the Committee on MARINE RESOURCES and ordered printed, in concurrence.

Bill "An Act To Allow the State To Maintain Interest-bearing Accounts of Privately Donated Funds for the Upkeep of Property Managed by the State"

H.P. 598 L.D. 849

Resolve, To Increase Pedestrian Crosswalk Safety H.P. 625 L.D. 876

Bill "An Act To Establish Indigenous People's Day" H.P. 642 L.D. 914

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

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

Bill "An Act To Repeal and Subject to Referendum in 2018 the Fund To Advance Public Kindergarten to Grade 12 Education and the 3 Percent Income Tax Surcharge" (EMERGENCY) H.P. 600 L.D. 851

Bill "An Act To Expand the Authority of Municipalities To Implement a Property Tax Deferral Program" H.P. 623 L.D. 874

S-212

LEGISLATIVE RECORD - SENATE, TUESDAY, MARCH 7, 2017

Bill "An Act To Reduce Property Taxes" H.P. 624 L.D. 875		On motion by Senator MASON of Androscoggin, REFERRED to the Committee on VETERANS AND LEGAL AFFAIRS and ordered printed, in concurrence.	
Bill "An Act To Require the County Assessed Value of a Municipality V Abatement Request"		——————————————————————————————————————	
7.20.0	H.P. 632 L.D. 904	All matters thus acted upon were ordered sent down forthwith for	
Bill "An Act To Lower Property Tax	xes" H.P. 643 L.D. 915	concurrence.	
Come from the House, REFERRE TAXATION and ordered printed.	D to the Committee on	Off Record Remarks	
On motion by Senator DOW of Lin Committee on TAXATION and ord		All matters thus acted upon were ordered sent down forthwith for concurrence.	
Bill "An Act To Allow Learner's Per	rmits To Be Issued by Driver		
Education Schools"	H.P. 626 L.D. 877	On motion by Senator MASON of Androscoggin, ADJOURNED until Thursday, March 9, 2017 at 10:00 in the morning.	
Bill "An Act To Allow Municipalities Golf Carts on Municipally Owned S			
Bill "An Act To Authorize the Cons Connector to Gorham"	struction of a Maine Turnpike		
	H.P. 633 L.D. 905		
Bill "An Act To Establish an Enhar Qualified Maine Residents To Fac International Borders"			
momatonal Bordoro	H.P. 651 L.D. 923		
Come from the House, REFERRE TRANSPORTATION and ordered			
On motion by Senator COLLINS of Committee on TRANSPORTATIO concurrence.			
Bill "An Act To Make Changes to t	he Maine Liquor Liability Act" H.P. 601 L.D. 852		
Bill "An Act To Allow Beano at Car	mpgrounds" H.P. 602 L.D. 853		
Bill "An Act To Allow Any Person TLists"	·		
	H.P. 628 L.D. 879		
Bill "An Act Regarding the Collecti	on of Signatures for a Direct		
Initiative"	H.P. 634 L.D. 906		

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