

# 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  
Thursday  
March 16, 2017

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

Prayer by Reverend Sara Gavit, Saint Anne's Episcopal Church  
in Calais.

**REVEREND GAVIT:** Good morning. Greetings from Downeast. When I first arrived this morning I heard this very loud, enthusiastic singing coming from the House Chamber and I was thinking, "Oh my gosh, what a great way to start the day, with children singing and then prayer." I know that you all work very, very hard and you have very full, busy days, and I think it's a good thing to start off the day with prayer. I ask you to take a moment to be still in all this busyness, to take a big deep breath, and I invite you into prayer.

Ever present, merciful, and loving Creator, we thank You for this day, for this day that is so rich with possibilities, so ripe with potential. We ask that as this day continues to unfold that these women and men who serve the people of Maine so faithfully, we ask that they be given the gifts of patience and good humor and stamina. As they make decisions and shape public policy, please guide these public servants in the ways of right speech and right action. Help them to listen respectfully, to speak truthfully, and to act honorably. As they make decisions and shape public policy, please give these lawmakers the gifts of wisdom and creativity. Guide them as they reach back into tradition and experience, and reach ahead to new and innovative ways to solve complex issues. As these Senators and staff members make decisions and shape public policy, please give them the gift of mindfulness. Help them to remember that we are all connected and that we are called to care for all of creation, to care for one another, especially the most vulnerable members of our community, and we pray for the families of these Senators, recognizing the sacrifice these Senators make as they serve long days away from home. We remember those who support and encourage them across the miles. Their families also make sacrifices for the common good and for this we are all grateful. We also ask for safe travel as these Senators come and go from this State House. We give thanks for all the blessing of this life and was for Your continued guidance as the Legislators gather here and do the sacred work to which You have called them. In the name of all that is holy, in the name of all that is sacred. Amen.

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

Reading of the Journal of Tuesday, March 14, 2017.

Doctor of the day, Kiran Mangalam, D.O. of Brunswick.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by  
Senator **MASON** of Androscoggin, the following Joint Order:  
S.P. 357

Ordered, the House concurring, that when the Senate and House  
adjourn, they do so until Tuesday, March 21, 2017 at 10:00 in the  
morning.

**READ and PASSED.**

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Amend the Law Regarding Road Associations"  
H.P. 731 L.D. 1042

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

Comes from the House, **REFERRED** to the Committee on **STATE  
AND LOCAL GOVERNMENT**.

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

Joint Resolution

The following Joint Resolution:

H.P. 715

**JOINT RESOLUTION  
RECOGNIZING SUNSHINE WEEK, MARCH 12-18, 2017**

WHEREAS, James Madison, generally regarded as the  
father of our federal Constitution, wrote that "a people who mean  
to be their own Governors, must arm themselves with the power  
which knowledge gives"; and

WHEREAS, every citizen in our participatory democracy has  
an inherent right of access to government meetings and public  
records; and

WHEREAS, an open and accessible government is vital to establishing and maintaining the people's trust and confidence in their government and in the government's ability to effectively serve its citizens; and

WHEREAS, we celebrate open government and recognize its importance in developing how people who believe in democracy think about transparency and its role in government, leading to the adoption of our own Freedom of Access Act; and

WHEREAS, the protection of every person's right of access to public records and government meetings is a high priority for the State of Maine; and

WHEREAS, Sunshine Week was established to spark a discussion about the importance of open government and public access to government documents and meetings; 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 Sunshine Week during the week of March 12-18, 2017 and confirm the basic principles of an open and accessible government in a free society and urge all citizens to join in this observance.

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

**READ.**

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

Senator **KEIM:** Thank you, Mr. President. As Chair of Judiciary, one of our responsibilities is the Right to Know, and I just wanted to highlight that Sunshine Week is happening this week. It was a national initiative meant to educate the public about the importance of open and accessible government. It stresses the importance of protecting every person's right to access public records and government meetings. An open, accessible government is important for a number of reasons, but probably most important is to maintain the trust and confidence that people have in their government. The citizens of Maine elected each of us to serve their interests and we must ensure that we are conducting their business in a transparent and easily accessible way. By passing this Joint Resolution we, as members of the 128<sup>th</sup> Legislature, are confirming the basic principles of open government. While Sunshine Week is observed for only one week, I would encourage each of us to reflect on the positive impact that open government has on our state year-round. Thank you.

**ADOPTED**, in concurrence.

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Off Record Remarks

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Joint Resolution in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

Camilla Ashe Sewall, of Bath, a direct descendent of shipbuilder, railroad industrialist and vice presidential candidate Arthur Sewall. Ms. Sewall worked as a social worker in the United States and in Europe, where she spent much of her adult life. She later restored the family home in Bath and was well known in the community. Ms. Sewall will be long remembered and sadly missed by her family and friends;

HLS 122

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

**READ.**

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

Senator **VITELLI:** Thank you, Mr. President. I just want to add my words to the passing of Camilla Sewall. She was a friend and someone that was well-known and respected in her local community. She was very much a gracious and generous woman. The Sewall House on Washington Street where she lived at the end of her life was also for a long time home of the Bath Marine Museum. Camilla was then very involved in raising funds for what is now known as the Maine Maritime Museum, located at the other end of Washington Street. Her home she later renovated and opened to the public for many public events in the community. She did travel widely and was very concerned about what was happening in many parts of the world, but she always considered Bath and the Mid-Coast her home and she spent much time there and was an integral part of the community. I know she will be missed. I will miss the many conversations we used to have, both coincidentally as we met on the street and over tea at some of our coffee houses. Thank you for this recognition, Mr. President.

**ADOPTED**, in concurrence.

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## COMMUNICATIONS

The Following Communication: S.C. 200

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

March 13, 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 26, MRSA, Ch. 25, Subchapter §2006, I am pleased to appoint Rep. Ryan M. Fecteau of Biddeford as a legislative member of the State Workforce Investment Board, effective immediately.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: S.C. 196

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

March 10, 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 Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 102 An Act To Make a Person Convicted of a Crime  
Liable for Payment of Investigative and  
Prosecutorial Costs

L.D. 169 An Act To Support Sexual Assault Survivors

This is notification of the Committee's action.

Sincerely,

S/Sen. Kimberley C. Rosen S/Rep. Charlotte May Warren  
Senate Chair House Chair

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

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The Following Communication: S.C. 202

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

March 13, 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 Criminal Justice and Public Safety has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 225 An Act To Curb Drunk Driving by Prohibiting a  
Person Convicted of Operating Under the  
Influence from Purchasing Alcohol

This is notification of the Committee's action.

Sincerely,

S/Sen. Kimberley C. Rosen S/Rep. Charlotte May Warren  
Senate Chair House Chair

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

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The Following Communication: S.C. 197

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

March 10, 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 Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 129 An Act To Include Locally Funded School  
Construction Projects in the School Funding  
Formula

L.D. 322 An Act To Reintroduce Civics to High School  
Graduation Requirements

This is notification of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley  
Senate Chair

S/Rep. Tori P. Kornfield  
House Chair

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

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The Following Communication: S.C. 203

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY**

March 10, 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 Energy, Utilities and Technology has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 255 An Act To Implement Electric Grid Reliability Recommendations

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome  
Senate Chair

S/Rep. Seth A. Berry  
House Chair

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

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The Following Communication: S.C. 204

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

March 10, 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 Judiciary has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 125 An Act To Allow an Order Not To Resuscitate To Be Presented in the Form of an Indelible Mark

L.D. 218 An Act To Reduce Criminal Justice System Costs by Allowing Arraignments and Hearings in the Unified Criminal Docket To Be Held by Means of Audiovisual Telecommunications

This is notification of the Committee's action.

Sincerely,

S/Sen. Lisa Keim  
Senate Chair

S/Rep. Matthew W. Moonen  
House Chair

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

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The Following Communication: S.C. 198

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

March 10, 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 Taxation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 75 An Act To Provide a Sales Tax Exemption for Materials and Equipment That Enable Older Persons and Persons with Disabilities To Remain in Their Homes

L.D. 91 An Act To Provide an Income Tax Credit for Retailers Collecting Sales Tax

L.D. 204 An Act To Exempt Veterans with ALS from the Excise Tax on Automobiles

L.D. 235 An Act To Repeal the Service Provider Tax

L.D. 330 An Act To Provide an Income Tax Credit for Employer Contributions to Section 529 Qualified Tuition Programs

This is notification of the Committee's action.

Sincerely,

S/Sen. Dana L. Dow  
Senate Chair

S/Rep. Ryan Tipping  
House Chair

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

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The Following Communication: S.C. 199

**STATE OF MAINE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
COMMITTEE ON VETERANS AND LEGAL AFFAIRS**

March 10, 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 Veterans and Legal Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- |          |   |
|----------|---|
| L.D. 296 | An Act To Restrict Advertising of and Improve Fairness for State Lottery Games                    |
| L.D. 403 | An Act Regarding Referendum Recounts  |
| L.D. 438 | An Act To Provide a Travel Reimbursement to Members of the Maine National Guard                   |
| L.D. 439 | An Act To Allow Voters To Choose Ongoing Absentee Voter Status                                    |
| L.D. 440 | An Act To Expand Absentee Balloting To Include Certain Residents in Independent Living Facilities |

This is notification of the Committee's action.

Sincerely,

S/Sen. Garrett P. Mason  
Senate Chair

S/Rep. Louis J. Luchini  
House Chair

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

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The Following Communication: S.C. 201

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

March 13, 2017

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

Dear Secretary Priest:

Please find enclosed a certified copy of the corrected results from the November 8, 2016 General Election for State Senate District 8. This correction reflects the amended Return of Votes Cast filed by the City of Brewer to correct the number of votes cast for a declared write-in candidate.

Sincerely,

S/Matthew Dunlap  
Secretary of State

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

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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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Senate at Ease.

The Senate was called to order by the President.

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Off Record Remarks

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**SENATE PAPERS**

Bill "An Act To Reclassify Certain Offenses and Increase the Efficiency of the Criminal Justice System"  
S.P. 351 L.D. 1048

Presented by Senator VOLK of Cumberland.  
Cosponsored by Senators: CARPENTER of Aroostook,  
DIAMOND of Cumberland, ROSEN of Hancock, Representatives:  
STEWART of Presque Isle, WHITE of Washburn.

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 Clarify Laws Regarding Maine's Community Colleges"

S.P. 355 L.D. 1073

Presented by Senator LANGLEY of Hancock.  
Cosponsored by Representative KORNFIELD of Bangor and  
Senators: DOW of Lincoln, LIBBY of Androscoggin, MAKER of  
Washington, WHITTEMORE of Somerset, Representatives:  
MALABY of Hancock, TUELL of East Machias.

Bill "An Act To Support Public Charter School Enrollment Options  
for Certain Students"

S.P. 356 L.D. 1074

Presented by Senator MIRAMANT of Knox.  
Cosponsored by Representative POULIOT of Augusta and  
Senators: KATZ of Kennebec, SAVIELLO of Franklin,  
WHITTEMORE of Somerset, Representatives: RYKERSON of  
Kittery, WARREN of Hallowell.

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

Sent down for concurrence.

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

S.P. 352 L.D. 1070

Presented by Senator JACKSON of Aroostook.  
Cosponsored by Representative HAMANN of South Portland and  
Senators: CARPENTER of Aroostook, MAKER of Washington,  
MIRAMANT of Knox, VITELLI of Sagadahoc, Representatives:  
Speaker GIDEON of Freeport, MARTIN of Eagle Lake.

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

Sent down for concurrence.

---

Bill "An Act To Protect Homeowners from Improper Foreclosure  
Fees"

S.P. 350 L.D. 1047

Presented by Senator BELLOWS of Kennebec.  
Cosponsored by Representative LAWRENCE of South Berwick  
and Senators: CARSON of Cumberland, CYRWAY of Kennebec,  
KATZ of Kennebec, Representatives: CARDONE of Bangor,  
CRAIG of Brewer, FREDETTE of Newport, FREY of Bangor,  
MOONEN of Portland.

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

Sent down for concurrence.

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Bill "An Act To Amend the Laws Regarding Dealers in  
Secondhand Precious Metals"

S.P. 354 L.D. 1072

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

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.

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Bill "An Act To Modify the Tax Increment Financing Laws"  
S.P. 353 L.D. 1071

Presented by Senator SAVIELLO of Franklin.  
Cosponsored by Representatives: BLACK of Wilton, SKOLFIELD  
of Weld.

On motion by Senator **DOW** of Lincoln, **REFERRED** to the  
Committee on **TAXATION** 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 Resolution

On motion by Senator **BREEN** of Cumberland (Cosponsored by  
Speaker GIDEON of Freeport and Senators: BELLOWS of  
Kennebec, BRAKEY of Androscoggin, CARPENTER of  
Aroostook, CARSON of Cumberland, CHENETTE of York,  
CHIPMAN of Cumberland, COLLINS of York, CUSHING of  
Penobscot, CYRWAY of Kennebec, DAVIS of Piscataquis,  
DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of  
Penobscot, DION of Cumberland, DOW of Lincoln, GRATWICK  
of Penobscot, HAMPER of Oxford, HILL of York, JACKSON of  
Aroostook, KATZ of Kennebec, KEIM of Oxford, LANGLEY of  
Hancock, LIBBY of Androscoggin, MAKER of Washington,  
MASON of Androscoggin, MILLETT of Cumberland, MIRAMANT  
of Knox, ROSEN of Hancock, SAVIELLO of Franklin, President  
THIBODEAU of Waldo, VITELLI of Sagadahoc, VOLK of  
Cumberland, WHITTEMORE of Somerset, WOODSOME of York,  
Representatives: ACKLEY of Monmouth, ALLEY of Beals,  
AUSTIN of Skowhegan, AUSTIN of Gray, BABBIDGE of

Kennebunk, BAILEY of Saco, BATES of Westbrook, BATTLE of South Portland, BEAR of the Houlton Band of Maliseet Indians, BEEBE-CENTER of Rockland, BERRY of Bowdoinham, BICKFORD of Auburn, BLACK of Wilton, BLUME of York, BRADSTREET of Vassalboro, BROOKS of Lewiston, BRYANT of Windham, CAMPBELL of Orrington, CARDONE of Bangor, CASÁS of Rockport, CEBRA of Naples, CHACE of Durham, CHAPMAN of Brooksville, COLLINGS of Portland, COOPER of Yarmouth, COREY of Windham, CRAIG of Brewer, DANA of the Passamaquoddy Tribe, DAUGHTRY of Brunswick, DeCHANT of Bath, DENNO of Cumberland, DEVIN of Newcastle, DILLINGHAM of Oxford, DOORE of Augusta, DUCHESNE of Hudson, DUNPHY of Old Town, ESPLING of New Gloucester, FARNSWORTH of Portland, FARRIN of Norridgewock, FAY of Raymond, FECTEAU of Biddeford, FOLEY of Wells, FREDETTE of Newport, FREY of Bangor, FULLER of Lewiston, GATTINE of Westbrook, GERRISH of Lebanon, GILLWAY of Searsport, GINZLER of Bridgton, GOLDEN of Lewiston, GRANT of Gardiner, GRIGNON of Athens, GROHMAN of Biddeford, GUERIN of Glenburn, HAGGAN of Hampden, HAMANN of South Portland, HANDY of Lewiston, HANINGTON of Lincoln, HANLEY of Pittston, HARLOW of Portland, HARRINGTON of Sanford, HARVELL of Farmington, HEAD of Bethel, HERBIG of Belfast, HERRICK of Paris, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HILLIARD of Belgrade, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JOHANSEN of Monticello, JORGENSEN of Portland, KINNEY of Limington, KINNEY of Knox, KORNFIELD of Bangor, KUMIEGA of Deer Isle, LAWRENCE of South Berwick, LOCKMAN of Amherst, LONGSTAFF of Waterville, LUCHINI of Ellsworth, LYFORD of Eddington, MADIGAN of Waterville, MADIGAN of Rumford, MALABY of Hancock, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MASON of Lisbon, MASTRACCIO of Sanford, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McELWEE of Caribou, McLEAN of Gorham, MELARAGNO of Auburn, MONAGHAN of Cape Elizabeth, MOONEN of Portland, NADEAU of Winslow, O'CONNOR of Berwick, O'NEIL of Saco, ORDDWAY of Standish, PARKER of South Berwick, PARRY of Arundel, PERKINS of Oakland, PERRY of Calais, PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, PIERCE of Falmouth, POULIOT of Augusta, PRESCOTT of Waterboro, RECKITT of South Portland, REED of Carmel, RILEY of Jay, RYKERSON of Kittery, SAMPSON of Alfred, SANBORN of Portland, SCHNECK of Bangor, SEAVEY of Kennebunkport, SHEATS of Auburn, SHERMAN of Hodgdon, SIMMONS of Waldoboro, SIROCKI of Scarborough, SKOLFIELD of Weld, SPEAR of South Thomaston, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STEWART of Presque Isle, STROM of Pittsfield, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIMBERLAKE of Turner, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, TURNER of Burlington, VACHON of Scarborough, WADSWORTH of Hiram, WALLACE of Dexter, WARD of Dedham, WARREN of Hallowell, WHITE of Washburn, WINSOR of Norway, WOOD of Greene, ZEIGLER of Montville), the following Joint Resolution:

S.P. 349

**STATE OF MAINE**  
**128<sup>TH</sup> MAINE LEGISLATURE**

**JOINT RESOLUTION**  
**RECOGNIZING MARCH 8, 2017 AS INTERNATIONAL**  
**WOMEN'S DAY**

**WHEREAS**, International Women's Day has been celebrated since 1911; and

**WHEREAS**, Maine women have contributed greatly to the State's, the country's and the world's history, including Frances Perkins, the first woman appointed to the United States Cabinet; Margaret Chase Smith, the first woman to serve in both the United States House of Representatives and the United States Senate; Olympia Snowe, the first woman to serve in both chambers at both the state and federal levels; Edna St. Vincent Millay, a Pulitzer Prize-winning poet; Cornelia "Fly Rod" Crosby, the first registered Maine guide; Samantha Smith, an international peace advocate; Gail Laughlin, the first woman in Maine to practice law; Dorothea Dix, a nurse and advocate for the mentally ill; Frannie Peabody, an HIV/AIDS activist; Judith Isaacson, a Holocaust survivor and educator; Mary Low, one of the first American women to receive a Bachelor of Arts degree; Elizabeth Russell, a ground-breaking geneticist; Mabel Wadsworth, a birth control activist and women's health educator; and Florence Whitehouse, a suffragist, activist and novelist; and

**WHEREAS**, a record 24.8% of the 7,383 seats in the 99 state legislative chambers in the United States are currently held by women, including 34.41% of the seats in the Maine Legislature; and

**WHEREAS**, Maine is one of only 6 states with a woman serving as Speaker of the House; 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 the contributions of Maine women throughout our history and recognize the ongoing march toward gender equality, both in Maine and around the world, and we designate March 8, 2017 as International Women's Day.

**READ.**

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

Senator **BREEN**: Thank you, Mr. President. Men and women of the Senate, this is a largely symbolic Resolution, but it recognizes certainly all of our foremothers who fought for so many rights that we all take for granted today; rights such as equal access to education, equal access to state and federal funds, legal authority over our children, legal authority to own property, legal authority to leave our marriages, the right to safety in our homes, the right to vote, and, of course, the right to hold public office. I want to thank you, Mr. President, and all the members of the Senate who signed on and acknowledge that having women in the State Senate is crucial to the important work of this Body. Thank you, Mr. President.

On motion by Senator **BREEN** of Cumberland, **ADOPTED.**

Sent down for concurrence.

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**REPORTS OF COMMITTEES**

**House**

**Ought to Pass**

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Concerning the Law Governing the Posting of Newspaper Legal Notices and the Statewide Repository for Legal Notices" H.P. 243 L.D. 329

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 **READ ONCE**.

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

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**Ought to Pass As Amended**

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Change the Name of Township 17, Range 4, WELS, in the Unorganized Territory to Sinclair" H.P. 25 L.D. 24

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-5)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-5)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-5) **READ** and **ADOPTED**, in concurrence.

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

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**Divided Report**

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Allow Conveyance of Land Previously Conveyed by the State to the Town of Bridgton" H.P. 8 L.D. 7

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

Signed:

Senators:

DAVIS of Piscataquis  
DILL of Penobscot  
SAVIELLO of Franklin

Representatives:

DUNPHY of Old Town  
BLACK of Wilton  
HIGGINS of Dover-Foxcroft  
KINNEY of Knox  
MARTIN of Sinclair  
McELWEE of Caribou  
O'NEIL of Saco  
SKOLFIELD of Weld

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

Signed:

Representatives:

ACKLEY of Monmouth  
CHAPMAN of Brooksville

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 **DAVIS** of Piscataquis, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

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

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**Senate**

**Divided Report**

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Increase the Size of Grants under the Maine State Grant Program" S.P. 11 L.D. 32

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-7)**.

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  
TURNER of Burlington

Reports **READ**.

Senator **LANGLEY** of Hancock 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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**SECOND READERS**

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

**House**

Bill "An Act To Make Changes to the Potato Marketing Improvement Fund"

H.P. 92 L.D. 124

Bill "An Act To Add the Air Medal as an Option for a Special Commemorative Decal on Special Veterans Registration Plates"

H.P. 127 L.D. 171

Resolve, To Designate a Bridge in East Machias as the Norman E. Bagley Memorial Bridge

H.P. 163 L.D. 207

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

**Senate**

Bill "An Act To Establish Speed Limits at Loring Commerce Centre and Brunswick Landing" (EMERGENCY)  
S.P. 45 L.D. 97

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

Sent down for concurrence.

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**Senate As Amended**

Bill "An Act To Prohibit Charging Maine Seniors Higher Automobile Insurance Premiums Based Solely on Their Age"  
S.P. 96 L.D. 308  
(C "A" S-6)

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

Sent down for concurrence.

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

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**ENACTORS**

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

**Act**

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

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

Ordered sent down forthwith.

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Expression of Legislative Sentiment recognizing:

Benjamin Breadmore, of Holden, who has received the Catherine Lebowitz Award for Public Service from the Bangor Region Chamber of Commerce. We extend to Mr. Breadmore our congratulations and best wishes;

SLS 101

**THE PRESIDENT:** The Chair recognizes the Senator from Penobscot, Senator Cushing.

Senator **CUSHING**: Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, it is an honor for us to be able to recognize people in communities who have done some outstanding things to benefit our state and their communities, and one such individual is memorialized here in the Sentiment that the President referred to, Mr. Benjamin Breadmore, who is the Town Manager of the Town of Holden. Ben has served in many roles and capacities in that service and it, to me, is rewarding to see the dedication of people to our communities, particularly younger folks who are willing to go into public service at this level. Folks that I have spoken to in Holden have shared with me the tremendous respect that residents have for the work he has done. He served as their Code Enforcement Officer and now serves as the Town Manager. I know that Senator Rosen has some remarks prepared and I believe that the President will be calling on her next, but I just wanted to add my appreciation for what Ben does for the community of Holden and certainly for the example he sets for other young administrators in our state. So thank you, Mr. President.

**THE PRESIDENT**: The Chair recognizes the Senator from Hancock, Senator Rosen.

Senator **ROSEN**: Thank you, Mr. President. I am pleased to welcome Benjamin Breadmore of Holden to the Senate today. Mr. Breadmore, who has been the Town Manager of Holden for the past two years, recently received the Catherine Lebowitz Award for Public Service from the Bangor Region Chamber of Commerce. Mr. Breadmore received this honor for his help in building the economy of Holden and the Bangor region. Prior to becoming a Holden Town Manager, Benjamin Breadmore was Brewer's Code Enforcement Officer for many years. Mr. Breadmore has dedicated his time with the Bangor region and Penobscot County for nearly a decade. We are very thankful for his dedication to public service and it is my pleasure to congratulate him in front of this Body. Thank you, Mr. President.

**THE PRESIDENT**: The Chair is pleased to recognize in the rear of the Chamber Benjamin Breadmore of Holden. Would Mr. Breadmore please stand and accept the greetings of the State Senate.

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Off Record Remarks

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## ORDERS OF THE DAY

### Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (3/2/17) matter:

Bill "An Act To Promote Transparency with Respect to Surveillance Technology"

S.P. 268 L.D. 823

Tabled - March 2, 2017, by Senator **DAVIS** of Piscataquis

Pending - **REFERENCE**

(Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.)

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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The Chair laid before the Senate the following Tabled and Later Assigned (3/2/17) matter:

Bill "An Act To Ensure Municipal Equity for the Town of Frye Island"

H.P. 529 L.D. 749

Tabled - March 2, 2017, by Senator **LANGLEY** of Hancock

Pending - **REFERENCE**

(In 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.

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The Chair laid before the Senate the following Tabled and Later Assigned (3/14/17) matter:

JOINT RESOLUTION - Memorializing the Honorable Paulette G. Beaudoin, of Biddeford

SLS 47

Tabled - March 14, 2017, by Senator **MASON** of Androscoggin

Pending - **FURTHER CONSIDERATION**

(In Senate, March 7, 2017, **READ** and **ADOPTED**.)

(In House, Senate Legislative Sentiment **INDEFINITELY POSTPONED**, in **NON-CONCURRENCE**.)

On motion by Senator **DESCHAMBAULT** of York, the Senate **ADHERED**.

Sent down for concurrence.

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

**PAPERS FROM THE HOUSE**

**House Papers**

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Convey Certain Lands to Roosevelt Conference Center Doing Business as Eagle Lake Sporting Camps  
H.P. 732 L.D. 1049

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed, in concurrence.

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Bill "An Act To Protect the Safety of Emergency Medical Services Personnel and Patients"  
H.P. 733 L.D. 1050

Resolve, Directing the Department of Administrative and Financial Services To Convene a Cybersecurity Commission  
H.P. 743 L.D. 1060

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

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

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Bill "An Act To Prevent Sudden Cardiac Arrest"  
H.P. 734 L.D. 1051

Comes 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.

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Bill "An Act To Increase Investment and Regulatory Stability in the Electric Industry"  
H.P. 744 L.D. 1061

Bill "An Act To Expand the Availability of Electric Vehicle Charging Stations in Maine"  
H.P. 745 L.D. 1062

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

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

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Bill "An Act To Allow Drug Testing Prior to Providing Welfare Benefits"  
H.P. 735 L.D. 1052

Resolve, Concerning the Format of Birth Certificates of Deceased Persons  
H.P. 736 L.D. 1053

Bill "An Act To Protect Substance-exposed Infants"  
H.P. 746 L.D. 1063

Bill "An Act To Eliminate Drug Use among Welfare Recipients"  
H.P. 753 L.D. 1075

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.

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Bill "An Act To Dedicate All Money Raised from the Moose Lottery and Permits to Research and Management of Moose"  
H.P. 748 L.D. 1065

Comes 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.

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Bill "An Act To Update the Statutes under Which Maine's Credit Unions Are Chartered"  
H.P. 738 L.D. 1055

Bill "An Act To Require That Health Insurance Policies Cover Medical Marijuana"  
H.P. 747 L.D. 1064

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

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

Bill "An Act To Protect Condominium Owners in the Event of a Power Outage"

H.P. 740 L.D. 1057

Comes 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.

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Bill "An Act To Limit the Size of Scallop Drags"

H.P. 750 L.D. 1067

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.

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Bill "An Act To Modernize Ballot Notices for City Elections"

H.P. 741 L.D. 1058

Bill "An Act To Require That State-funded Buildings Be Constructed with Wood Products"

H.P. 751 L.D. 1068

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.

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Bill "An Act To Replace Municipal Property Tax Revenue Lost Due to Land Acquisitions under the Land for Maine's Future Fund"

H.P. 754 L.D. 1076

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

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

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Bill "An Act Concerning Bridges on Discontinued Town Ways"

H.P. 742 L.D. 1059

Resolve, To Increase the Availability of Motorcycle Rider Education

H.P. 752 L.D. 1069

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

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the Committee on **TRANSPORTATION** and ordered printed, in concurrence.

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Bill "An Act To Reduce the Annual License Fee for High-stakes Beano and To Allow the Passamaquoddy Tribe To Operate 50 Slot Machines in the Tribe's High-stakes Beano Facility" (EMERGENCY)

H.P. 755 L.D. 1077

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

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

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**Pursuant to Statute  
Administrator of the Unorganized Territory**

The **Administrator of the Unorganized Territory**, pursuant to the Maine Revised Statutes, Title 36, section 1604 asked leave to report that the accompanying Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2017-18" (EMERGENCY)

H.P. 756 L.D. 1078

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

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

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

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

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

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**Off Record Remarks**

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

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On motion by Senator **VITELLI** of Sagadahoc, **ADJOURNED** until Tuesday, March 21, 2017 at 10:00 in the morning in memory of and lasting tribute to Camilla Ashe Sewall of Bath.