

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 23, 2017

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

Prayer by Rabbi Darah Lerner, Congregation Beth El in Bangor.

RABBI LERNER: Actually I'm delighted he did that because I've
tripped over a few names and it's refreshing to know I'm not the
only one.

The Place Where We Are Right. A poem by Yehuda Amichai
in honor of International Poetry Day.

From the place where we are right flowers will never grow in
the spring.
The place where we are right is hard and trampled like a
yard.
But doubts and loves dig up the world like a mole, like a
plow.

In this place where right and doubt must meet I offer these
words, our God and God of all people; God of the wealthy and
God of the without; God of the powerless and God of the
powerful; God of the settled and God of those struggling on the
streets; God of those who live in fear and God of those who feel
secure; God of the faithful and God of those who have no God,
bless these Legislators, servants of the Maine people. Bless their
staffs, clerks, guards, and all who enter the sacred chamber as
they work to craft legislation. May their efforts be rooted in the
values of tolerance, equality, and justice. Guide them to see the
humanity and the holiness implanted within all of us, regardless of
race, religion, gender, economic status, country of origin, who we
love or how we love. As we celebrate the return of spring and
see the signs of new beginnings peeking through the snow and
hard ground of Maine, grant our leaders courage, patience, and
humility as they navigate through the difficult digging and tilling
that is the process of governance. Inspire them to collaborate
with one another as they act with integrity. Help them to see that
we are all partners in the process of strengthening our state.
Bless us, Eternal One, as we celebrate the values of diversity and
compassion and may their legislative planting blossom in such a
way that our state and our nation serves as a garden of hope for
everyone. Let us say, Amen.

Pledge of Allegiance led by Senator Eric L. Brakey of
Androscoggin County.

Reading of the Journal of Tuesday, March 21, 2017.

Doctor of the day, Elisabeth Mock, M.D. of Holden.

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 373

Ordered, the House concurring, that when the Senate and House
adjourn, they do so until Tuesday, March 28, 2017 at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

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

The President took a seat on the Floor.

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

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Noah Robbins, of Searsmont, a member of Boy Scout Troop No.
35, who has attained the high rank and distinction of Eagle Scout.
This is the highest award in Boy Scouting and is given for
excellence in skills development, leadership, personal growth and
community service. For his Eagle Scout project, Noah built an
equipment shed for the Ames Elementary School. We extend our
congratulations to Noah on this achievement;
SLS 136

Sponsored by President THIBODEAU of Waldo.
Cosponsored by Representative: ZEIGLER of Montville.

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the
Senator from Waldo, Senator Thibodeau.

Senator **THIBODEAU:** Thank you, Mr. President. Ladies and
gentlemen of the Senate, another exciting day here in the State
Senate. You know, we often talk about all the wonderful assets
that our state has and all of us couldn't be more proud. We think

of forestry. We think of fishing. We think of agriculture and the tremendous opportunities that await our young people as the result of these wonderful industries. Maine should be very proud of that. We also know that there is not one single asset that we have as a state that is more important than our young people. Each and every one of us knows young people in our own districts that we're incredibly proud of. We know that they have bright, bright futures and, indeed, our state has a bright future as the result of the fact that these young people exist in our communities. Today we're here to recognize one of them young people, somebody I'm incredibly proud of. I've known the family a very, very long time and Noah is very fortunate to have a heritage of success and a heritage of a family that is deeply involved in the success of their community, always looking to give back. So it shouldn't be any surprise to us that Noah Robbins is here today being honored as an Eagle Scout and we all know the hard work that goes into becoming an Eagle Scout. We all understand how their skills that young men and women learn from Scouting will serve them well, both now and throughout the rest of their lives. So we're very, very proud, I'm very, very proud, to stand here today and tell you about Noah Robbins and assure you that this young man is going to be tremendously successful and is going to help our state be everything that we hope it will be. I know each and every one of you has a young person in your community that you're equally proud of. So I appreciate the opportunity just to speak to you for a few minutes about our bright future in the State of Maine. Thank you.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber Noah Robbins and his parents. Would he please rise and accept the congratulations of the Senate.

James Mersereau, of Machias, a student and basketball player at Machias Memorial High School, who recently scored his 1,000th career point. We extend to James our congratulations and best wishes;

SLS 137

Sponsored by Senator MAKER of Washington.
Cosponsored by Representative: TUELL of East Machias.

The Machias Memorial High School Boys Basketball Team, of Machias, which won the Class D State Championship. Members of the team include players Alex Wentzell, Russell Hanscom, John Massaad, Camon Johnson, Jordan Grant, Alessandro Marotta, Jacob Godfrey, James Mersereau, Noah Albert, Mark Anthony, Cody Eaton, Evan Dray, Mark Mersereau, Tyler Wentzell and Jakob Holland; managers Megan Preston and Jacob Sinford; volunteers Carlton Bragg and Logan Wood; assistant coach Dustin Getchell; and head coach James Getchell. We extend to all the members of the team our congratulations and best wishes;

SLS 138

Sponsored by Senator MAKER of Washington.
Cosponsored by Representative: TUELL of East Machias.

READ.

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Washington, Senator Maker.

Senator **MAKER:** Thank you, Mr. President. Good morning, ladies and gentlemen of the Senate. I rise this morning to speak to this sentiment regarding James Mersereau of Machias High School Basketball Team for reaching his 1,000th career point this season. James is a senior on the team and really had a terrific season. He's a great athlete and played a big role on the team's success. I'd like to mention that even while we're honoring James for this impressive accomplishment, I bet he'd say this was not possible without the help of his teammates because that is the type of team the Machias Bulldogs are. Congratulations, James, for reaching this milestone. I wish you the best as you finish high school and make future plans.

I'm also pleased to be here today with the whole team of the Class D Boys Basketball State Champions, the Bulldogs of Machias High School. This is a very talented and dedicated group of young men. We all know that you do not reach a State Championship game without months, and really years, of hard work and you do not win a State Championship game without each team member pitching in and playing their part. That is how the Machias Bulldogs were able to finish this season with a coveted title of State Champions. The Machias Boys Basketball Team has not won a State Championship since 1995, so this win is even sweeter. This team reached other milestones this season as well. James Mersereau, a senior on the team, scored his 1,000th career point and Head Coach, Jim Getchell, secured his 100th victory. Our community is so proud of this group of athletes. Fans have rallied around them and truly enjoyed the experience of cheering them on this season. This is a season that I know our community, our county, will remember for many years to come. To each member of the team, I want to express my congratulations on such a tremendous season. Be proud of yourself for the effort that it took to get here. The experience will be the one that I can assure you you will remember for the rest of your lives. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize in the rear of the Chamber James Mersereau of Machias, as well as the Class D State Champion Machias Bulldogs. Would they please rise and accept the congratulation of the Senate.

Off Record Remarks

The George Stevens Academy Boys Basketball Team, of Blue Hill, which won the Class C State Championship. Members of the team include players Jarrod Chase, Beckett Slayton, Steven Wang, Taylor Schildroth, Max Mattson, Joe Norwood, Stefan Simmons, Tyler McKenney, Ben Cole, Percy Zentz, Reece Dannenberg, Eric Mote and Caden Mattson; student assistants Ethan Snow and Parker Snow; assistant coaches Matt Mattson and Cameron MacDonald; and coach Dwayne Carter. We extend to all the members of the team our congratulations and best wishes;

SLS 142

Sponsored by Senator **LANGLEY** of Hancock.
Cosponsored by Representative: **CHAPMAN** of Brooksville.

READ.

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

Senator **LANGLEY:** Thank you, Mr. President Pro Tem. If we could actually wait for second, I'd like to have them come down, if they could, from the Gallery and be down here so they could be seen, if that's alright.

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

The President Pro Tempore requested the Sergeant-At-Arms escort the Senator from Waldo, Senator **THIBODEAU**, to the rostrum where he resumed his duties as President.

The Sergeant-At-Arms escorted the Senator from Androscoggin, Senator **MASON**, to his seat on the Floor.

The Senate was called to order by the President.

ORDERS OF THE DAY

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

JOINT ORDER - Expression of Legislative Sentiment recognizing the George Stevens Academy Boys Basketball Team, of Blue Hill, which won the Class C State Championship. Members of the team include players Jarrod Chase, Beckett Slayton, Steven Wang, Taylor Schildroth, Max Mattson, Joe Norwood, Stefan Simmons, Tyler McKenney, Ben Cole, Percy Zentz, Reece Dannenberg, Eric Mote and Caden Mattson; student assistants Ethan Snow and Parker Snow; assistant coaches Matt Mattson and Cameron MacDonald; and coach Dwayne Carter. We extend to all the members of the team our congratulations and best wishes;

SLS 142

Tabled - March 23, 2017, by Senator **LANGLEY** of Hancock

Pending - **PASSAGE**

(In Senate, **READ.**)

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

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, I really appreciate your indulgence on this, but with under ten seconds left in the fourth quarter George Stevens Academy's Jarrod Chase and the Eagles found themselves tied 44 - 44 against the Winthrop Ramblers in the Class C State Championship. The Senior Captain told his Coach he wanted the ball in the final seconds. He launched a 3-pointer that dropped with less than two seconds left on the clock. That shot clinched a 47 - 44 victory. Now every kid who's ever played basketball in the playground has run this scenario. Ten seconds left on the clock, tied game, shot goes up, nothing but net, to win the State Championship. Very few actually get to live that. Storybook ending and you've really got to love high school sports. This is the second year in a row that the Eagles have won the gold ball. Those of you that were here last year might remember the tragedy that befell this team when they came to the State House. Last year, after winning their first gold ball in ten years, they traveled to the State House, entered into the security area, placed their shiny new gold ball on the x-ray conveyor. As it turns out, the gold ball did not quite fit and the gold ball shattered into hundreds of pieces. It was a devastating experience. Now I replaced the ball and the players all have received pieces of the shattered ball as mementos. I believe, personally, that they wanted to repeat their championship season in order to come back down here and show off an intact gold ball. Congratulations to Coach Carter and his team. Thank you, men and women of the Senate.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber George Stevens Academy Boys Basketball Team Class C State Champions. Would they please rise and accept the congratulations of the State Senate.

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

JOINT ORDER - Expressions of Legislative Sentiment recognizing Abe and Heather Furth, of Orono, who have received the Bion and Dorain Foster Entrepreneurship Award from the Bangor Region Chamber of Commerce. We extend to Abe and Heather Furth our congratulations and best wishes;

SLS 118

Tabled - March 14, 2017, by Senator **DILL** of Penobscot

Pending - **PASSAGE**

READ.

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, we all know this is one of those special honors that we have in recognizing those in our communities that have made a difference, have impacted the lives of others, and I'm very pleased to have been able to work with Senator Dill in preparing this sentiment recognizing a young couple who have made significant contributions in the Bangor area. There are actually, Mr. President, several of us here who could very capably and legitimately present this sentiment because they have diligently built business enterprises in the greater Bangor area that many of us have had the opportunity to experience in the restaurant and the brewing. They developed a network of businesses, and I think it's great for us, as a state that has seen tourism become a much more important part of our changing economy to have people like Abe and Heather and I am pleased to be able to come before you today to present this sentiment and certainly know that Senator Dill has some other kind words that he would like to say. Thank you, Mr. President.

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

Senator **DILL:** Thank you, Mr. President. Ladies and gentlemen of the Senate, it's with great pleasure that I get up here to be able to not only congratulate but give thanks to both Abe and Heather Furth of Orono. This is a great award, the Bion and Dorain Foster Entrepreneurship Award from the Greater Bangor Chamber of Commerce. The Furths live in Orono and they started several businesses in Orono. Many of you, if you haven't been there, I urge you. There's Woodman's Restaurant. There's the Orono Brewing. There's the Verve Burrito and they also have Verve Burrito also in Bangor. It's great to have young people like this. You hear us time and time again say we're losing young people from the State of Maine. It gives me, as I say, great pleasure to thank this young couple for working in Orono and making it their home. As I say, it's young people like this that make our communities in the State of Maine a great place to live and I want to thank them. Thank you.

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

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I cannot let this opportunity pass. The Bangor restaurant is just a very short distance from my house. I recommend it highly. I'm giving it a commercial plug for the Bangor restaurant, Verve. Wonderful place. These people have been very instrumental and contributory to the revitalization of downtown Bangor. That's really a live, zippy place. I give them great thanks. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Abe and Heather Furth of Orono. Would they please rise and accept the congratulations of the State Senate.

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

S.P. 268 L.D. 823

In Senate, March 16, 2017, on motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

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

Sent down for concurrence.

House Papers

Bill "An Act To Require That Certain Applicant Information for Certain Local Government and School Administrative Positions Be Public upon Application"

H.P. 762 L.D. 1084

Committee on **JUDICIARY** 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.

Bill "An Act To Clarify That Involuntary Transfers of Teachers and Municipal Public Employees Are Subject to Collective Bargaining"

H.P. 767 L.D. 1093

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Senator **LANGLEY** of Hancock moved to **REFER** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in concurrence.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **REFER** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**, in concurrence.

Joint Resolution

Joint Resolution in Memoriam:

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

The Honorable Walter Wheeler, Sr., of Kittery, a veteran of the United States Navy and a state legislator. Mr. Wheeler served in the Navy during World War II in the Asiatic Pacific, American Area and European and African theaters of operation, and he took part in the D-Day invasion. After the war, he worked at the Portsmouth Naval Shipyard as a machinist. He served as a member of the House of Representatives from the 121st Legislature to the 124th Legislature, where he was an accessible and strong supporter of his constituents and an advocate for outdoorsmen. In the Legislature, he served on the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Criminal Justice and Public Safety. Mr. Wheeler will be long remembered and sadly missed by his family and friends and his colleagues at the State House and in State Government;

HLS 127

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

READ.

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

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I really appreciate the opportunity to rise and say a couple of words about Representative Walt Wheeler. One of the things I never expected when I first got elected back in the House way back in '03 was the relationships that you would make with members of both the House and Senate, regardless of party. Walt was one of those people that I was fortunate enough to get elected at the same time and get to know. Just an outstanding man, someone that continually reminded me of my Grandfather; a WWII veteran, somebody that had served in the Navy like my Grandfather. Probably more because you could just talk to him. Anything that was on your mind or anything that he saw that was troubling you he actually had great concern for. Walt was the first person that actually took me to a hockey game, the first person that I can remember having a lobster roll with down in Lewiston, and someone that, in the IF&W Committee, just really made me feel always at home. So, you know, hearing of his passing, much like many other people that you've served with in this building, certainly made me very saddened. I wish I had had another day to talk to him about fishing, another day to talk to him about bird hunting, and I just really couldn't let this go by without saying how much of a really good person he was and someone that I certainly hope to emulate and maybe one day be compared to. Thank you, Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Piscataquis, Senator Davis.

Senator **DAVIS:** Thank you, Mr. President. I share my good friend and colleague from Aroostook's sentiments about Representative Wheeler. He certainly was a very, very fine man. I got to know him quite well. One thing about him, that will never have the chance to happen again, he was, I believe, the last WWII veteran to serve in the Maine Legislature. If I remember correctly, he was at Normandy. I remember standing in the back of the House, excuse me, the other Body, when I was a member and talking with him about that. The things that he told me about what had happened to him and all the other young men who were there is etched in my mind and I'll never forget it. He was a very fine man and I share the sentiments of my friend. Thank you, Mr. President.

ADOPTED, in concurrence.

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

The Chair noted the absence of the Senator from Lincoln, Senator **DOW**, and further excused the same Senator from today's Roll Call votes.

COMMUNICATIONS

The Following Communication: S.C. 226

STATE OF MAINE ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE COMMITTEE ON AGRICULTURE, CONSERVATION & FORESTRY

March 21, 2017

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Agriculture, Conservation and Forestry has had under consideration the nomination of Durward L. Humphrey of Benedicta, for appointment to the Maine Land Use Planning Commission.

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

YEAS Senators 3 Davis of Piscataquis, Dill of Penobscot, Saviello of Franklin

 Representatives 9 Dunphy of Old Town, Ackley of Monmouth, Black of Wilton, Chapman of Brooksville, Higgins of Dover-Foxcroft, Martin of Sinclair, McElwee of Caribou, O'Neil of Saco, Skolfield of Weld

NAYS 0

ABSENT 1 Rep. Kinney of Knox

Twelve members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Durward L. Humphrey of Benedicta, for appointment to the Maine Land Use Planning Commission be confirmed.

Signed,

S/Paul T. Davis, Sr.
Senate Chair

S/Michelle Ann Dunphy
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#47)

YEAS: Senators: None

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

EXCUSED: Senator: DOW

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Durward L. Humphrey** of Benedicta for appointment to the Maine Land Use Planning Commission was **CONFIRMED**.

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

The Following Communication: S.C. 227

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 22, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating James R. May of Mapleton for appointment to the Maine Land Use Planning Commission.

Pursuant to Title 12, MRSA §683-A, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 228

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 22, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Curtis C. Bohlen, Ph.D. of Pownal for reappointment to the Board of Pesticides Control.

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

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 229

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 22, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Deven M. Morrill of Westbrook for reappointment to the Board of Pesticides Control.

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

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 230

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 21, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Thomas A. Davis of Winslow for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 231

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 21, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Laurence W. Gross of Portland for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 232

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 21, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating Donna L. Talarico of North Yarmouth for reappointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 233

**STATE OF MAINE
OFFICE OF THE GOVERNOR**

March 21, 2017

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

Dear President Thibodeau:

This is to inform you that I am today nominating James I. Whitten of Augusta for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 218

**STATE OF MAINE
ONE HUNDRED AND TWENTY EIGHTH LEGISLATURE
COMMITTEE ON APPROPRIATIONS AND FINANCIAL
AFFAIRS**

March 20, 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. Stewart of Presque Isle, to report the following bill Leave to Withdraw:

L.D. 907 An Act Requiring Investments by the Maine
Public Employees Retirement System To Be
Well-diversified

Sincerely,

S/Sen. James M. Hamper
Senate Chair

S/Rep. Drew M. Gattine
House Chair

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

The Following Communication: S.C. 219

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

March 17, 2017

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

Dear President Thibodeau and Speaker Gideon,

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

L.D. 226 An Act To Protect and Improve the Health of
Maine Citizens and the Economy of Maine
(EMERGENCY)

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Patricia Hymanson
House Chair

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

The Following Communication: S.C. 234

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

March 17, 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. 50 | An Act To Amend the Laws Governing Teacher Certification |
| L.D. 95 | An Act To Provide a Method for a Student To Be Excused from Standardized Testing |
| L.D. 181 | An Act To Improve Teacher Preparation Programs |
| L.D. 527 | An Act To Prohibit Corporal Punishment in Schools |
| L.D. 528 | An Act To Create a Maine Race, Ethnicity and Cultural Studies Educational Component |

This is notification of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley Senate Chair	S/Rep. Tori P. Kornfield House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 220

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

March 20, 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. 474 | An Act To Allow a Public Safety Answering Point To Be Reimbursed for Training Costs |
|----------|---|

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome Senate Chair	S/Rep. Seth A. Berry House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 221

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

March 15, 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 Environment and Natural Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- | | |
|----------|--|
| L.D. 577 | An Act Regarding Zero-emissions Vehicles |
|----------|--|

This is notification of the Committee's action.

Sincerely,

S/Sen. Thomas B. Saviello Senate Chair	S/Rep. Ralph L. Tucker House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 223

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

March 15, 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":

L.D. 277 An Act Regarding the Use of Helmets by
 Minors Riding in an All-terrain Vehicle with an
 Adult

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 222

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

March 20, 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. 360 An Act To Allow Consumers To Shop for Credit
 without Damaging Their Credit Scores

This is notification of the Committee's action.

Sincerely,

S/Sen. Rodney L. Whittemore S/Rep. Mark W. Lawrence
Senate Chair House Chair

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

The Following Communication: S.C. 235

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

March 17, 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 Marine Resources has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 149 An Act To Provide Additional Management for
 Limited-entry Lobster Zones

L.D. 199 An Act To Implement Decibel Limits for
 Mechanical Rockweed Harvesters

L.D. 287 Resolve, Prohibiting the Commissioner of
 Marine Resources from Adopting or Enforcing
 Certain Rules Limiting the Quantity of Smelts a
 Person May Take from the Coastal Waters of
 the State until after Completion of a Study

L.D. 392 An Act Regarding Legal Lobster Haul Times
 outside of the 3-mile Line

L.D. 539 An Act To Allow Municipalities To Establish
 Shellfish Conservation Areas

L.D. 616 An Act To Ensure Consistent Access to
 Limited-entry Lobster Zones

This is notification of the Committee's action.

Sincerely,

S/Sen. Joyce A. Maker S/Rep. Walter A. Kumiega
Senate Chair House Chair

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

The Following Communication: S.C. 224

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

March 20, 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 Transportation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- | | |
|----------|---|
| L.D. 1 | An Act To Repeal the Law Regulating Reflective and Tinted Glass in Automobiles |
| L.D. 137 | An Act To Increase the Safety of Motorists on Public Ways |
| L.D. 293 | An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors |

This is notification of the Committee's action.

Sincerely,

S/Sen. Ronald F. Collins Senate Chair	S/Rep. Andrew J. McLean House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 225

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

March 17, 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. 657 | An Act To Reduce the In-stock Spirits Requirements for Liquor Agents in Towns with Certain Populations |
|----------|--|

This is notification of the Committee's action.

Sincerely,

S/Sen. Garrett P. Mason Senate Chair	S/Rep. Louis J. Luchini House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

Off Record Remarks

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

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 788

**JOINT RESOLUTION
TO HONOR THE MEMORY OF EDWIN H. PERT**

WHEREAS, it is with deep regret that We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, take this opportunity to honor the memory of the Honorable Edwin H. Pert, who served the State of Maine as a dedicated public servant for many years; and

WHEREAS, the Honorable Edwin H. Pert was born in Bath and graduated from Morse High School in 1950 and from the University of Maine in 1954; and

WHEREAS, Mr. Pert was a veteran of the United States Army, having served a tour of duty in Korea as a public information officer; and

WHEREAS, upon his return home, he worked as a reporter for the *Bath Daily Times* and as news director for WMMS/WJTO radio; and

WHEREAS, Mr. Pert served in the Maine House of Representatives representing Bath in the 99th Legislature and served as executive director of the Maine Democratic Party; and

WHEREAS, Mr. Pert worked as Secretary of the Senate from 1965 to 1966 and he also served 18 years as the Clerk of the House of Representatives, from 1975 to 1992; and

WHEREAS, Mr. Pert spent several years as executive director of the Maine chapters of the March of Dimes and the Arthritis Foundation; and

WHEREAS, Mr. Pert served the Town of Georgetown in many capacities, including as town moderator and as a member of the board of selectmen, the planning board, the town-owned property management board, the recreation commission and committee and the financial advisory committee, and he was named Georgetown Citizen of the Year in 2003; and

WHEREAS, Edwin H. Pert will be sadly missed and long remembered by his family, his friends and his colleagues at the Legislature and throughout State Government; 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 pause in a moment of understanding and prayer to inscribe this token of sympathy and condolence to all who share our sorrow at the passing of the Honorable Edwin H. Pert and to honor his memory for his many years of exemplary and loyal service to the Maine Legislature and the State of Maine; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the family of Edwin H. Pert with the appreciation and affection of the people of the State of Maine.

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 rise to pay tribute to Ed Pert, with your permission.

THE PRESIDENT: The Senator may proceed.

Senator **VITELLI:** Thank you, Mr. President. Ed Pert has been called a Titan of the Maine Legislature who served both as Senate Secretary from 1964 to 1966 and Clerk of the House from

1975 to 1992. Some of us may remember serving with him, those with hair of my color. He served in the Legislature representing Bath in the 99th Legislature and is often credited with reinvigorating the Democratic Party in our county and in the state. He was a mentor to many, myself included, who sought him out for his wealth of institutional knowledge and his understanding of the political process. His advice to all those seeking to run for office was to get out and talk to the people, visit their homes, knock on their doors. He was adamant that if one was to run for office he or she shouldn't rely on direct mail or TV ads, but to go all the way to the voter's front door. Ed was a personal friend, a neighbor, and a beloved member of our community. Ed was such a presence in and around Bath. He would appear at events and gatherings of all kinds and could be reliably spotted at the local farmers' market, often sampling the fresh baked goods. Ed was one of the original foodies. He traveled our state widely and he made it a point to seek out great restaurants, snack bars, bed and breakfasts, and, especially, donuts. He was generous in sharing his finds with his friends and offering his recommendations of where one might find the best lobster roll in the state. If you ask me later I'll tell you. Ed had the curiosity of a journalist, which he once was, an affable and warm sense of humor that earned him the friendship and devotion of all those who crossed his path. He seemed to know everyone. One of my fondest memories is of an evening when he came to our house for dinner and, as often happened, our talk turned to politics. With little prodding, Ed regaled us with the history of the accomplishments and the personalities of Maine's political leaders, starting with the Great Depression up to the present. My only regret that evening was that I didn't have a tape recorder to capture it all. Ed was a gentle giant and is sorely missed in this community. I appreciate this opportunity, Mr. President, to speak on his behalf and would just like to welcome his family members who are here with us today. Thank you.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I just want you to know, those of you who did not have the privilege to know Ed Pert, that he instilled in those of us who were new members of the House that he was the institution. He instilled in us decorum, how important it is to follow the rules and how important the rules are to institution. That was such a blessing because when you come new to this place you're pretty much are formed by those who are in charge and who actually lead you in whatever direction that may be. Ed was one that was his Constitution, his integrity, and his love of this institution stayed with me and I cherish the days that I had, and the years that I had, to become friends with him; mostly though, for what he taught me about this institution and how glorious it is and how important it is for all of us to protect it. I'll always remember Ed and thank him for that.

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

Senator **CARPENTER:** Thank you, Mr. President. As you probably can imagine, I also served with Ed Pert and I would echo the words of Senator Vitelli and Senator Diamond. Ed was the institution. I'm sure that the present Senate Secretary's mother has fond memories of working when she was Secretary of

the Senate and Ed was Clerk of the House. Decorum and proper handling of the State's business was always paramount with Ed and Ed always taught us to be gentle-people, gentlemen and gentlewomen, in dealing with the members of the other party or a person with whom we had disagreements. He was a great inspiration to many of us who started here, believe it or not, at a fairly young age. I last saw Ed, he came to visit me in the job I have in Bar Harbor, about three or four years ago. He looked well and he said he was enjoying retirement. We'll all miss Ed. He was a lion, if you will, of the Chamber. Thank you.

ADOPTED, in concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber friends and relatives of Ed Pert: John and Bonnie Fossett; Bruce Biette and guest, Tom Pierce; Julie Skelton; Jon Pert; Jennifer Pert-Russo; Daniel and Beryl Fossett; Doreen Corum; and Jack Fossett, as well as Karla Fossett. Would these folks please stand and accept the condolences of the State Senate.

Off Record Remarks

SENATE PAPERS

Bill "An Act To Deregulate the In-state Extraction and Sale of Raw Honey"

S.P. 388 L.D. 1167

Presented by Senator VOLK of Cumberland.
Cosponsored by Representative HICKMAN of Winthrop and Senators: DAVIS of Piscataquis, LANGLEY of Hancock, Representatives: DUNPHY of Old Town, McLEAN of Gorham, TERRY of Gorham, WARD of Dedham.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

Bill "An Act To Authorize a General Fund Bond Issue To Provide Funding for a Program of Student Debt Cancellation and Refinancing"

S.P. 384 L.D. 1163

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative DAUGHTRY of Brunswick and Senators: BELLOWES of Kennebec, BREEN of Cumberland, CHENETTE of York, JACKSON of Aroostook, MILLETT of Cumberland, SAVIELLO of Franklin.

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

Sent down for concurrence.

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Victims' Bill of Rights

S.P. 389 L.D. 1168

Presented by President THIBODEAU of Waldo.
Cosponsored by Representative HERBIG of Belfast and Senators: CUSHING of Penobscot, JACKSON of Aroostook, MASON of Androscoggin, Representatives: FREDETTE of Newport, Speaker GIDEON of Freeport, GOLDEN of Lewiston, RILEY of Jay.

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 Address Administrative Shortages in Maine Schools by Amending the Law Regarding the Salaries of Retired Public School Administrators Who Return to Service"

S.P. 377 L.D. 1156

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative KORNFIELD of Bangor and Representatives: PIERCE of Falmouth, TUELL of East Machias.

Bill "An Act To Remove the Limit on the Number of Public Charter Schools That May Be Approved"

S.P. 379 L.D. 1158

Presented by Senator MASON of Androscoggin.
Cosponsored by Representative POULIOT of Augusta and Senator: MIRAMANT of Knox.
Submitted by the Department of Education pursuant to Joint Rule 204.

Resolve, To Require a Study of Wages and Working Conditions for Child Development Educators and Staff

S.P. 381 L.D. 1160

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative FARNSWORTH of Portland and Senators: BREEN of Cumberland, CARPENTER of Aroostook, CARSON of Cumberland, MAKER of Washington, VITELLI of Sagadahoc, Representatives: BERRY of Bowdoinham, HUBBELL of Bar Harbor.

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 Promote the Development of Solar Energy in Maine"

S.P. 374 L.D. 1124

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative ACKLEY of Monmouth,
Representative PIERCE of Falmouth and Senators: CARSON of
Cumberland, DION of Cumberland, MILLETT of Cumberland,
Representative: DENNO of Cumberland.

Bill "An Act To Create a Limited Microgrid Project To Stimulate
Economic Development in Northern Maine"

S.P. 378 L.D. 1157

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senators: CARPENTER of Aroostook, DION of
Cumberland, WOODSOME of York, Representatives: MARTIN of
Eagle Lake, MARTIN of Sinclair, McCREA of Fort Fairfield.

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

Sent down for concurrence.

Bill "An Act To Reduce the Incidence of Obesity and Chronic
Disease in Maine"

S.P. 383 L.D. 1162

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative HAMANN of South Portland and
Senators: CHIPMAN of Cumberland, GRATWICK of Penobscot,
KATZ of Kennebec, Representative: HARLOW of Portland.

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 Amend the Insurance Laws Governing the
Provision of Rebates"

S.P. 382 L.D. 1161

Presented by Senator DOW of Lincoln.
Cosponsored by Representative COLLINGS of Portland.

Bill "An Act To Facilitate Small Loans in Maine"

S.P. 385 L.D. 1164

Presented by Senator CUSHING of Penobscot.
Cosponsored by Senator: WHITTEMORE of Somerset,
Representative: WALLACE of Dexter.

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

Sent down for concurrence.

Bill "An Act To Improve the Lives of Working Families"

S.P. 376 L.D. 1155

Presented by Senator JACKSON of Aroostook.

Bill "An Act To Support Healthy Workplaces and Healthy Families
by Providing Paid Sick Leave to Certain Employees"

S.P. 380 L.D. 1159

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: BELLOWS of Kennebec, CHENETTE of York,
JACKSON of Aroostook, LIBBY of Androscoggin,
Representatives: BERRY of Bowdoinham, HUBBELL of Bar
Harbor, MASTRACCIO of Sanford.

Bill "An Act To Amend the Laws Regarding Licensure for
Professional Engineers"

S.P. 386 L.D. 1165

Presented by Senator VOLK of Cumberland.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: BELLOWS of Kennebec, LANGLEY of Hancock,
Representatives: AUSTIN of Gray, LOCKMAN of Amherst,
MASTRACCIO of Sanford, STETKIS of Canaan, SYLVESTER of
Portland, VACHON of Scarborough.
Submitted by the Department of Professional and Financial
Regulation pursuant to Joint Rule 204.

Bill "An Act Regarding Anesthesia Care in Rural Maine"

S.P. 387 L.D. 1166

Presented by Senator CUSHING of Penobscot.
Cosponsored by Representative FECTEAU of Biddeford and
Senators: LANGLEY of Hancock, VOLK of Cumberland,
Representatives: AUSTIN of Gray, BATES of Westbrook,
HICKMAN of Winthrop, MASTRACCIO of Sanford, POULIOT of
Augusta, STETKIS of Canaan.

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 Establish a Recall Procedure for Elected Officials"

S.P. 375 L.D. 1125

Presented by Senator CHENETTE of York.
Cosponsored by Representative COOPER of Yarmouth.

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 down forthwith for concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Service of Criminal Process on Electronic Communication Service Providers and Remote Computing Service Providers" (EMERGENCY)
H.P. 246 L.D. 332

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

Comes from the House with the Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Report **READ**.

Senator **ROSEN** of Hancock moved to **REFER** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

Senator **ROSEN** of Hancock requested and received leave of the Senate to withdraw her motion to **REFER** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in **NON-CONCURRENCE**.

On further motion by same Senator, Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**, in concurrence.

Ought to Pass As Amended

The Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Dancing on the Premises of Certain Liquor Licensees"

H.P. 31 L.D. 30

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-11)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-11)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-11) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Improve Officer Safety at Roadside Incidents"
H.P. 128 L.D. 172

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

Signed:

Senators:

COLLINS of York
MIRAMANT of Knox
ROSEN of Hancock

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
CEBRA of Naples
GRANT of Gardiner
PARRY of Arundel
PERKINS of Oakland
SCHNECK of Bangor
SHEATS of Auburn

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-9)**.

Signed:

Representative:

GILLWAY of Searsport

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 **COLLINS** of York, the Majority **OUGHT TO PASS** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senate

Ought to Pass As Amended

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide Funding for Costs Associated with Requiring the Licensing of Midwives"

S.P. 49 L.D. 130

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-9)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-9) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2018"

S.P. 157 L.D. 460

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-8)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-8) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

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

SECOND READERS

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

House

Bill "An Act To Clarify the Tax Laws for Title to Real Estate by Releasing Inheritance Tax Liens"

H.P. 59 L.D. 72

Resolve, To Name the Bridge over the Penobscot River in the Towns of Enfield and Howland King's Bridge (EMERGENCY)
H.P. 227 L.D. 294

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

Bill "An Act To Remove the Legislative Council from the Capitol Area Development Approval Process"

H.P. 26 L.D. 25

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

Sent down for concurrence.

House As Amended

Bill "An Act To Incorporate Protections for Living Donors into Maine Law"

H.P. 13 L.D. 12
(C "A" H-6)

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

Senate

Bill "An Act To Authorize Podiatrists To Perform Certain Routine Procedures"

S.P. 51 L.D. 132

Bill "An Act To Enable the Maine Employers' Mutual Insurance Company To Better Serve Maine Employers by Eliminating the High-risk Program"

S.P. 207 L.D. 592

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To Grant Plantations the Power To Control Consumer Fireworks

H.P. 5 L.D. 3

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#48)

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

NAYS: Senators: None

EXCUSED: Senator: DOW

This being an Emergency Measure and having received the affirmative vote of 34 Members of the Senate, with no Senator having voted in the negative, and 34 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Acts

An Act To Provide a Career and Technical Education Training Option for Plumbers

S.P. 16 L.D. 37
(C "A" S-3)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#49)

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

NAYS: Senators: None

EXCUSED: Senator: DOW

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, **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.

An Act Regarding Changing the Designation of a Parent on the Birth Certificate of an Adult

S.P. 32 L.D. 83

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

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I'm not trying to delay anything here. I just wanted to point out that the good Senator from Androscoggin who Chaired the Committee that this bill was heard in pointed out that it was the first unanimous report out of his committee and possibly out of, or through, the Senate this year. I love having one of these bills that comes from constituents that serves a purpose that feels good, that passes the process with a lot of hard questions, that has the support of the community, and is moving forward before we get into some of the things that divide by ideology or other reasons. So I just thought I'd point that out today, and, while I can't know what all the lights will do on this board, I hope that they'll all be green and I wanted to see that before we got into the heat and heart of the session later. So thank you all.

THE PRESIDENT: The pending question before the Senate is Enactment, in concurrence. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#50)

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

NAYS: Senators: None

EXCUSED: Senator: DOW

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, **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.

An Act To Make Changes to the Potato Marketing Improvement Fund

H.P. 92 L.D. 124

An Act To Remove the Treasurer of State from the Maine Vaccine Board

H.P. 119 L.D. 161

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

An Act To Update Accessibility Requirements on Highways

S.P. 80 L.D. 236

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

Ordered sent down forthwith.

Resolve

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

H.P. 163 L.D. 207

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

Ordered sent down forthwith.

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 Allow a Percentage of Funds from the Medical Use of Marijuana Fund To Fund Health Care Research"
H.P. 542 L.D. 762

Tabled - March 2, 2017, by Senator **BRAKEY** of Androscoggin

Pending - **REFERENCE**

(In 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.

The Chair laid before the Senate the following Tabled and Later Assigned (3/7/17) matter:

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

Tabled - March 7, 2017, by Senator **KATZ** of Kennebec

Pending - **FURTHER CONSIDERATION**

(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.)

(In House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.)

On motion by Senator **BRAKEY** of Androscoggin, the Senate **RECEDED** and **CONCURRED**.

The Chair laid before the Senate the following Tabled and Later Assigned (2/7/17) matter:

JOINT ORDER - Expression of Legislative Sentiment
Recognizing the Hermon High School Girls Cheerleading Team,
of Hermon, which has won the Class B North Championship. We
extend to all the members of the team our congratulations and
best wishes on this achievement;

SLS 49

Tabled - February 7, 2017, by Senator **CUSHING** of Penobscot

Pending - **PASSAGE**

READ.

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

Senator **GRATWICK:** Thank you very much, Mr. President.
Ladies and gentlemen of the Senate, indeed it gives me great
pleasure to welcome the Class B Cheering Championship from
Hermon. They've done an extraordinary job. It has been noted
that over the last six out of the last seven years they've done the
same, so they are a truly remarkable group of people. Their
coaches are here, Kristie Reed as well as Christina Paradis, who
deserve a great deal of credit, but also the credit goes primarily to
the cheerleaders themselves. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear
of the Chamber Kristie Reed and Christina Paradis, Coaches of
the Hermon High Class B Cheering Champions, as well as the
members of the team. Would they all rise and accept the
congratulations of the State Senate.

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

Bill "An Act To Use Taxes on Nonmedical Marijuana and Increase
the Tax on Cigarettes To Partially Offset the 3% Income Tax
Surcharge"

H.P. 499 L.D. 708

Tabled - March 14, 2017, by Senator **KATZ** of Kennebec

Pending - **REFERENCE**

(Committee on **TAXATION** suggested and ordered printed.)

(In House, **REFERRED** to the Joint Select Committee on
MARIJUANA LEGALIZATION IMPLEMENTATION.)

On motion by Senator **CUSHING** of Penobscot, **REFERRED** to
the Committee on **TAXATION** and ordered printed, in **NON-**
CONCURRENCE.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later
Assigned (3/21/17) matter:

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

S.P. 280 L.D. 880

Tabled - March 21, 2017, by Senator **WHITEMORE** of Somerset

Pending - **FURTHER CONSIDERATION**

(In Senate, March 14, 2017, on motion by Senator
WHITEMORE of Somerset, **REFERRED** to the Committee on
INSURANCE AND FINANCIAL SERVICES and ordered printed.)

(In House, **REFERRED** to the Committee on **JUDICIARY** in
NON-CONCURRENCE.)

On motion by Senator **WHITEMORE** of Somerset, the Senate
INSISTED.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later
Assigned (3/21/17) matter:

Bill "An Act To Protect Homeowners from Workers' Compensation
Claims"

H.P. 739 L.D. 1056

Tabled - March 21, 2017, by Senator **WHITEMORE** of Somerset

Pending - **REFERENCE**

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

(In House, **REFERRED** to the Committee on **LABOR,**
COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT.)

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

The Chair laid before the Senate the following Tabled and Later
Assigned (3/21/17) matter:

Resolve, To Establish the Commission To Study the Phase-out of
Subminimum Wage

S.P. 371 L.D. 1117

Tabled - March 21, 2017, by Senator **VOLK** of Cumberland

Pending - **REFERENCE**

(Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.)

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.

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

On motion by Senator **JACKSON** of Aroostook, **ADJOURNED** until Tuesday, March 28, 2017 at 10:00 in the morning in memory of and lasting tribute to the Honorable Walter Wheeler, Sr., of Kittery.