

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 7, 2016

beginning at Page 1

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

In Senate Chamber
Tuesday
April 4, 2017

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

Prayer by Pastor Susan Reisert, Old South Congregational
Church in Hallowell.

PASTOR REISERT: Thank you very much for this opportunity to lead you in prayer today. Those who would like to join me, please join me in prayer. Gracious, Holy, Merciful God, we pray for Your presence among us this day; that in praise and wonder we will live out this day in the joy of Your presence and in the hope of what You envision for us, endeavoring always to serve, becoming the people You've called us to be. We pray for strength and wisdom, courage and blessings for those assembled in this place. While in their work, keep in mind and in heart those whom they serve in the state, that they will be filled with the spirit of cooperation and of honesty and integrity. On this day when we experience more winter than spring, may we be especially mindful of those whose lives are filled in the chill of the air from the absence of love and hope. As we have been taught through holy scripture, may these makers of law and policy look out for the wellbeing of those in need, that in their deliberations always seeking the good of all, that Your blessing and Your light may rise among us. May these good women and men assembled here work together, listening and speaking to each other, to model for all of those who live in this great state, young and old and in between, a respect for the image of God that lives in each of us. As we look at the chaos and violence of this world, may we never take for granted the freedoms we enjoy or our gratefulness for those who work so hard to protect us. Shower upon Your grace and Your blessing, O God. Help us to be humble, helpful, and hopeful; appreciating that we are stronger when we recognize our common humanity when we take seriously the biblical command to love neighbor as we love ourselves. As our diversity reflects Your image, O God, we offer this prayer in Your many names. Amen.

Pledge of Allegiance led by Senator Rodney L. Whittemore of
Somerset County.

Reading of the Journal of Thursday, March 30, 2017.

Doctor of the day, Senator Geoffrey Gratwick, M.D. of Bangor.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act Concerning the Property Tax Levy Limit"

H.P. 16 L.D. 15

Majority - **Ought to Pass** (7 members)

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

In Senate, March 28, 2017, on motion by Senator **DAVIS** of Piscataquis, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

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

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

House Papers

Bill "An Act To Prevent Abusive Debt Collection Tactics by Debt Buyers"

H.P. 865 L.D. 1242

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

Comes from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES**.

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

Bill "An Act To Ensure the Effectiveness of Tax Expenditures"
H.P. 868 L.D. 1245

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

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

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

Bill "An Act To Allow Municipalities To Include Itemized Fees on Property Tax Bills"

H.P. 882 L.D. 1270

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

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

Bill "An Act To Adjust the Timing for Recounts in Certain Municipal and Local School Elections"

H.P. 881 L.D. 1269

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

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

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

Sent down for concurrence.

COMMUNICATIONS

The Following Communication: S.C. 259

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT**

March 30, 2017

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

Dear Secretary Priest:

Pursuant to my authority under Joint Rule 294, I am pleased to appoint the following members to the Task Force on Maine's 21st Century Economy and Workforce, effective date of this letter.

Mr. Derek Langhauser of Cumberland Foreside
Mr. Dana Connors of Gray
Ms. Judith West of Portland
Mr. William Grant of Winthrop

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

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 260

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT**

March 30, 2017

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

Dear Secretary Priest:

Pursuant to my authority under Joint Rule 294, I am pleased to appoint the following Senators to the Task Force on Maine's 21st Century Economy and Workforce, effective date of this letter.

Senator Brian Langley of Hancock, Chair
Senator Dana Dow of Lincoln
Senator Nathan Libby of Androscoggin
Senator Eloise Vitelli of Sagadahoc

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

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 263

**STATE OF MAINE
128TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE**

March 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Joint Order, SP 294, I am pleased to appoint the following legislators and members of the public to serve on the Task Force on Maine's 21st Century Economy and Workforce, effective March 30, 2017:

Representative Erin Herbig of Belfast as House Chair
Representative Matthea Daughtry of Brunswick
Representative Stephanie Hawke of Boothbay Harbor
Representative Robert Foley of Wells
Chancellor James H. Page of Old Town as a representative of the University of Maine System
Ms. Jennifer McKenna of Gardiner as a representative of the interests of apprenticeship programs in the State
Bates College President A. Clayton Spencer of Lewiston as a representative of the interests of private colleges in the State
Mr. Eric Meyer of Whitefield as a representative of the interests of a Maine business that employs fewer than 1,000 workers

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.

The Following Communication: S.C. 264

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

March 30, 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. 501	An Act To Increase Firearm Safety
L.D. 574	An Act To Amend the Provision of Law Requiring Disclosure of the Possession of a Firearm under Certain Circumstances
L.D. 595	An Act Prohibiting a Law Enforcement Officer from Confiscating a Firearm under Certain Conditions

This is notification of the Committee's action.

Sincerely,

S/Sen. Kimberley C. Rosen
Senate Chair

S/Rep. Charlotte May Warren
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 265

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

April 03, 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. 180	An Act To Enhance Higher Education in Maine through the Creation of a Unified Board of Higher Education
L.D. 570	An Act To Create the Maine Institute of Technology
L.D. 841	An Act To Provide Stability in MaineCare Payments for Educational Programming
L.D. 997	An Act To Increase Funding to Schools by Repealing Unnecessary and Burdensome Regulations

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.

The Following Communication: S.C. 266

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

April 03, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

- | | |
|----------|--|
| L.D. 490 | An Act To Exempt Chiropractic Assistants from Being Required To Hold Licenses as Radiographers, Nuclear Medicine Technologists or Radiation Therapists |
| L.D. 554 | An Act To Require Paid Parental Leave for Employees |
| L.D. 615 | Resolve, To Establish a Work Group To Update the Maine Pharmacy Act |

This is notification of the Committee's action.

Sincerely,

S/Sen. Amy F. Volk Senate Chair	S/Rep. Ryan M. Fecteau House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 267

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

March 30, 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. 205 | An Act To Exempt Certain International Athletic Competition Prizes from Maine Income Tax |
|----------|--|

This is notification of the Committee's action.

Sincerely,

S/Sen. Dana L. Dow Senate Chair	S/Rep. Ryan Tipping House Chair
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READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: S.C. 268

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

March 30, 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. 980 | An Act To Improve Absentee Balloting |
|----------|--------------------------------------|

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.**

The Following Communication: H.C. 109

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

March 30, 2017

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

Dear Secretary Priest:

The House voted today to insist on its former action whereby Bill "An Act To Separate the Authorities under the Licenses for Property and Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters" (S.P. 323) (L.D. 984) and accompanying papers were referred to the Committee on Labor, Commerce, Research and Economic Development.

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

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

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

SENATE PAPERS

Bill "An Act To Require Background Checks for All School Employees"

S.P. 438 L.D. 1286

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative MAREAN of Hollis and Senators: BREEN of Cumberland, DIAMOND of Cumberland, DION of Cumberland, MAKER of Washington, Representative: FARNSWORTH of Portland.

Bill "An Act To Promote Computer Science and Efficient Communication between Schools and the Department of Education"

S.P. 440 L.D. 1288

Presented by Senator DILL of Penobscot.
Cosponsored by Representative TIPPING of Orono and Senators: DIAMOND of Cumberland, GRATWICK of Penobscot, SAVIELLO of Franklin, Representatives: DUNPHY of Old Town, HIGGINS of Dover-Foxcroft, HUBBELL of Bar Harbor.

Bill "An Act To Provide Student Loan Debt Relief to Maine Teachers"

S.P. 442 L.D. 1290

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative DAUGHTRY of Brunswick.

Resolve, To Convene a Study Group To Study Proficiency in Content Areas for Secondary School Graduation Standards
S.P. 446 L.D. 1294

Presented by Senator DILL of Penobscot.
Cosponsored by Representative TIPPING of Orono and Senators: DIAMOND of Cumberland, SAVIELLO of Franklin, Representatives: DUNPHY of Old Town, HIGGINS of Dover-Foxcroft.

Bill "An Act To Ensure Federal Title I Funding Is Directed to Classroom Learning"

S.P. 448 L.D. 1319

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Senator CHIPMAN of Cumberland, Representative RILEY of Jay, Representative HANDY of Lewiston and Representatives: BROOKS of Lewiston, GOLDEN of Lewiston, MELARAGNO of Auburn.

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

S.P. 450 L.D. 1321

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative PIERCE of Falmouth and Senators: LANGLEY of Hancock, MAKER of Washington, MILLETT of Cumberland, Representatives: FARNSWORTH of Portland, GATTINE of Westbrook, KORNFELD of Bangor, MALABY of Hancock, PARKER of South Berwick.

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

Sent down for concurrence.

Off Record Remarks

Bill "An Act Regarding Generic Drug Pricing"

S.P. 432 L.D. 1280

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative GATTINE of Westbrook and Senators: BELLOWS of Kennebec, CARSON of Cumberland, DAVIS of Piscataquis, SAVIELLO of Franklin, VITELLI of Sagadahoc, Representatives: LAWRENCE of South Berwick, MASTRACCIO of Sanford.

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

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

Bill "An Act To Increase Affordability of and Access to Heat Pumps for Maine Homeowners"

S.P. 443 L.D. 1291

Presented by Senator JACKSON of Aroostook.

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 Ensure Patient Protections in the Health Insurance Laws"

S.P. 431 L.D. 1279

Presented by Senator JACKSON of Aroostook.
Cosponsored by Senators: BREEN of Cumberland, CHIPMAN of Cumberland, GRATWICK of Penobscot, LIBBY of Androscoggin, Representatives: GATTINE of Westbrook, MARTIN of Eagle Lake, MASTRACCIO of Sanford.

Bill "An Act To Improve the Foreclosure Process by Regulating Mortgage Loan Servicers"

S.P. 444 L.D. 1292

Presented by Senator DOW of Lincoln.
Cosponsored by Representative WALLACE of Dexter and Representative: PICCHIOTTI of Fairfield.
Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

Sent down for concurrence.

Bill "An Act Regarding the Compensation of Assistant Attorneys General and District Attorneys and the Approval of Financial Orders by the Attorney General and Secretary of State"

S.P. 433 L.D. 1281

Presented by Senator HILL of York.
Cosponsored by Representative MOONEN of Portland and Senators: CARPENTER of Aroostook, KATZ of Kennebec, SAVIELLO of Franklin, Representatives: FREY of Bangor, LUCHINI of Ellsworth, McLEAN of Gorham.
Submitted by the Department of the Attorney General pursuant to Joint Rule 204.

Bill "An Act To Provide a Definition for the Maine Condominium Act"

S.P. 434 L.D. 1282

Presented by Senator COLLINS of York.
Cosponsored by Representative GRANT of Gardiner and Senators: CYRWAY of Kennebec, LANGLEY of Hancock, ROSEN of Hancock, Representatives: AUSTIN of Skowhegan, BRYANT of Windham, McLEAN of Gorham.

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

Sent down for concurrence.

Bill "An Act To Create the Procurement Review Board"

S.P. 447 L.D. 1295

Presented by Senator LIBBY of Androscoggin.

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

Sent down for concurrence.

Bill "An Act To Modernize the Mining Excise Tax"

S.P. 435 L.D. 1283

Presented by Senator SAVIELLO of Franklin.

Bill "An Act To Tax Political Expenditures Made Immediately before an Election"

S.P. 437 L.D. 1285

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

Bill "An Act To Allow Voluntary Payments in Lieu of Taxes in the Unorganized Territory"

S.P. 441 L.D. 1289

Presented by Senator DILL of Penobscot.
Cosponsored by Representative MARTIN of Eagle Lake and Senators: CARPENTER of Aroostook, JACKSON of Aroostook, SAVIELLO of Franklin, Representative: MARTIN of Sinclair.

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

Sent down for concurrence.

Bill "An Act To Require Election Transparency and Audits"
S.P. 436 L.D. 1284

Presented by Senator BELLOWS of Kennebec.
Cosponsored by Representative HICKMAN of Winthrop and
Senators: CARPENTER of Aroostook, MASON of Androscoggin,
SAVIELLO of Franklin, VOLK of Cumberland, Representatives:
CASÁS of Rockport, FARRIN of Norridgewock, GOLDEN of
Lewiston, LUCHINI of Ellsworth.

Bill "An Act To Allow Wine Tastings at Farmers' Markets"
S.P. 445 L.D. 1293

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative AUSTIN of Skowhegan and
Senators: CARPENTER of Aroostook, CHENETTE of York,
COLLINS of York, VITELLI of Sagadahoc, Representatives:
BRYANT of Windham, GILLWAY of Searsport, HUBBELL of Bar
Harbor.

Bill "An Act To Regulate and Tax Sports Fantasy League
Activities in Maine"
S.P. 449 L.D. 1320

Presented by Senator KATZ of Kennebec.
Cosponsored by Representative TIMBERLAKE of Turner and
Senators: CUSHING of Penobscot, JACKSON of Aroostook,
MASON of Androscoggin, Representatives: FARRIN of
Norridgewock, GOLDEN of Lewiston.

On motion by Senator **CUSHING** of Penobscot, **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.

Off Record Remarks

ORDERS

Joint Order

On motion by Senator **GRATWICK** of Penobscot, the following
Joint Order:

S.P. 451

STATE OF MAINE 128TH MAINE LEGISLATURE

Whereas, now is a time of potentially significant changes with
respect to the delivery of health care; and

Whereas, there currently exists very little impartial data regarding
the best method of delivering high-quality health care efficiently
and economically in the State; and

Whereas, it is imperative to establish a method to gather this
information in order for the Legislature to successfully analyze
and guide Maine's health policy; now, therefore, be it

ORDERED, the House concurring, that, notwithstanding Joint
Rule 353, the Maine Health Advisory Committee, referred to in
this order as "the advisory committee," is established to advise
the Legislature regarding the interests of Maine citizens and
businesses with respect to the delivery of health care in Maine.

1. Appointment; composition. The advisory committee consists
of members appointed as follows:

- A. The following 5 members of the Legislature, of whom one
must serve on the Joint Standing Committee on Insurance and
Financial Services and one must serve on either the Joint
Standing Committee on Health and Human Services or the Joint
Standing Committee on Appropriations and Financial Affairs:
Two members of the Senate, appointed by the President of the
Senate, including one member recommended by the Senate
Minority Leader; and
Three members of the House of Representatives, appointed by
the Speaker of the House of Representatives, including one
member recommended by the House Minority Leader;
B. One person representing the insurance industry, appointed by
the President of the Senate;
C. One person representing Maine hospitals or other health care
facilities, appointed by the President of the Senate;
D. One person who is an advocate for enrolling in health
insurance hard-to-reach populations, including individuals with
mental health or substance use disorders, appointed by the
President of the Senate;
E. One person representing health care providers, appointed by
the Speaker of the House of Representatives;
F. One person representing a health care advocacy group,
appointed by the Speaker of the House of Representatives;
G. One person who has expertise in health economics, appointed
by the President of the Senate; and
I. One person who has expertise in statistics, polling and data
analysis, appointed by the President of the Senate.

The President of the Senate and the Speaker of the House of
Representatives shall invite the following to participate as ex
officio nonvoting members: the Superintendent of Insurance, or
the superintendent's designee; the Commissioner of Health and
Human Services, or the commissioner's designee; and the
Director of the Division of Employee Health and Benefits, Bureau
of Human Resources, Department of Administrative and Financial
Services.

2. Chairs. The first-named Senator is the Senate chair of the
advisory committee and the first-named member of the House of
Representatives is the House chair of the advisory committee.

3. Appointments; convening. All appointments must be made
no later than 30 days following passage of this order. The
appointing authorities shall notify the Executive Director of the
Legislative Council once all appointments have been made.
When the appointment of all members has been completed, the
chairs of the advisory committee shall call and convene the first
meeting of the advisory committee. If 30 days or more after the
passage of this order a majority of but not all appointments have

been made, the chairs may request authority and the Legislative Council may grant authority for the advisory committee to meet and conduct its business.

4. Duties. The advisory committee shall explore health care issues, including but not limited to the issues of quality, affordability and accessibility of health care throughout the State; the prevention of illness; fairness and equity of health care delivery and accessibility in different geographic regions of the State; various funding options; and methods of cost containment. Through the use of public meetings, questionnaires, polling and other sampling techniques, the advisory committee shall solicit information and concerns from the public. The committee shall review strategies employed by other states and, based on the information it gathers, shall develop recommendations to present to the Legislature regarding the delivery and financing of health care in this State.

5. Reports. The advisory committee shall submit to the Joint Standing Committee on Health and Human Services a preliminary report on its activities no later than December 31, 2017. The report must include:

A. A review and an evaluation of the continuation of the advisory committee, including the staffing and funding needs of such an advisory committee, and recommendations regarding the advisability of establishing an ongoing advisory committee in the Maine Revised Statutes; and
B. Recommendations for any changes in policy or law that would improve the delivery of health care for citizens and businesses in the State.

6. Compensation. The legislative members of the advisory committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the advisory committee. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the advisory committee.

7. Quorum. A quorum is a majority of the members of the advisory committee.

8. Meetings. The advisory committee shall hold 6 meetings, 4 of which must be held at geographically diverse locations throughout the State. Meetings of the advisory committee are public proceedings as provided by the Maine Revised Statutes, Title 1, chapter 13, subchapter 1.

9. Staffing. The Legislative Council shall provide staff support for the operation of the advisory committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session. In addition, the advisory committee may contract for administrative, professional and clerical services if funding permits.

10. Funding for advisory committee activities. The Legislative Council on behalf of the advisory committee may accept from a state department or agency funding that is received by that department or agency for functions or activities performed by the advisory committee. The Legislative Council on behalf of the advisory committee may apply for and receive funds, grants or contracts from public and private sources to support the advisory committee's activities. Contributions to support the work of the advisory committee may not be accepted from any party having a pecuniary or other vested interest in the outcome of the

matters being studied. Any person, other than a state agency, desiring to make a financial or in-kind contribution shall certify to the Legislative Council that it has no pecuniary or other vested interest in the outcome of the advisory committee's activities. Such a certification must be made in the manner prescribed by the Legislative Council. All contributions are subject to approval by the Legislative Council. All funds accepted must be forwarded to the Executive Director of the Legislative Council along with an accounting record that includes the amount of funds, the date the funds were received, from whom the funds were received and the purpose of and any limitation on the use of those funds. The Executive Director of the Legislative Council shall administer any funds received by the advisory committee.

READ.

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

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I present to you this Joint Order for a study commission looking at inefficiency and waste in our healthcare system. As background, I'd simply have you know three figures. One is our state gross product is \$58 billion. That's how much money we generate in the state. A lot of money, \$58 billion. Of that we spend \$11 billion, nearly 20%, on health. Eleven billion dollars, private, public, whatever it be. Eleven billion dollars on that, nearly 20% higher than virtually every other state in the United States. Of that money spent, 25% to 35% is considered waste. It's not affecting health at all. Therefore, roughly \$3 billion we're spending on health in Maine does not have much impact on how we live, breathe, how we live our lives. It's extraneous money. I can tell you I can spend a long time telling you about all the ways that we waste money in terms of administrative inefficiencies, insurance, the drug costs are outrageous, lack of preventative medicine, the lack of foresight when people are hospitalized. We are not efficient at all in the way we spend our healthcare dollars. We can do much better. This advisory committee, 13 members appointed by the President and then the Speaker of the House, 13 members will be legislators plus outside economist experts, hospital people. It must be a bi-partisan group. This is a bi-partisan problem for us all. It should not be political. There will be committee meetings outside the State House, gathering information from other communities around the state, starting probably late August, September, through December and bringing back some recommendations for what we can do. This is designed to be a very hard, heavy lift. In other words, we have to begin to tackle some of the problems right here at home. We cannot depend upon Washington looking over healthcare because Washington is now in chaos. We have to take care of our own home. We have to do a better job, save more money for Mainers. Eleven billion dollars is a lot of money. Will this be successful right off the bat? The answer is no, but I consider it very important that we begin to try and so this is something that will be giving us a return on our investment for health dollars, an improved return on investments, so I would very much appreciate your support as this goes forward. Thank you, Mr. President and ladies and gentlemen.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending motion by Senator **GRATWICK** of Penobscot to **PASS**.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **JUDICIARY** on Bill "An Act To Correct the Maine Uniform Trust Code Concerning Certain Beneficiaries"
H.P. 245 L.D. 331

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.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide Matching Funds for Federal Community Development Block Grants"

H.P. 123 L.D. 165

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-16)**.

Signed:

Senator:
BELLOWS of Kennebec

Representatives:
FECTEAU of Biddeford
BATES of Westbrook
DOORE of Augusta
HANDY of Lewiston
MASTRACCIO of Sanford
SYLVESTER of Portland

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

Signed:

Senators:
VOLK of Cumberland
LANGLEY of Hancock

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-16)**.

Reports **READ**.

Senator **VOLK** of Cumberland moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

Same Senator moved to **TABLE** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

Senator **VOLK** of Cumberland requested and received leave of the Senate to withdraw her motion to **TABLE** until Later in Today's Session.

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

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the pending motion. From my perspective, L.D. 165 is a rural Maine jobs bill. This bill provides funds to match federal funds that are distributed as grants to local communities through the CDBG program in areas ranging from infrastructure, housing, and downtown revitalization. The impetus for this bill came from the Town of Rumford and Representative John Madigan of the House who had a \$4.3 million infrastructure project to replace water and sewer pipes, a problem that we know from experience across the country that is incredibly important. Representative Madigan approached the State a year ago and was notified that 13 towns had applied for funding for just over \$10 million. Unlike the large municipalities, like Augusta, Lewiston, or Portland, towns in rural areas, and in my district, cannot draw down directly from the federal government. They must go through the State. So over the last year Representative Madigan described that the Town of Rumford secured the remaining funds necessary for the project, prepared engineering bid packages, and spent \$100,000 of local taxpayer money to prepare a shovel-ready project. To his surprise, and surprise by the Town of Rumford, this year the State announced on its website, and I quote, "No letters of intent or

applications will be accepted for the 2017 program year." The projects of Machias, Lincolnville, Ashland, and East Millinocket who submitted applications in 2016 are being funded in 2017. In other words, because of the lack of appropriations by this Legislature and by the State, no new CDBG programs or applications or letters of intent will be accepted. The LCRED Committee heard that CDBG funding in 1983 was just under \$12 million. It rose to a high of \$28 million in 2003, but has since plummeted to a mere \$9 million in 2016. In other words, we are spending dramatically less money, roughly one-third when adjusted for inflation, for CDBG block grant funds for our rural towns than we were 30 years ago. The longer we delay these infrastructure projects, like the Town of Rumford project, the most costly not only the projects themselves will be but the consequences of inaction in respect to our infrastructure. Well the Maine Municipal Association testified neither for nor against, their testimony expressed concerns about underfunding of CDBG by our State and I quote, "The reason the LPC chose to testify neither for nor against rather than in support of L.D. 165 is that our top priority is restoring revenue sharing." Two of the projects the MMA highlighted in their testimony as they advocated for the CDBG program were the Town of Eastport and the Town of Machias, where CDBG funding has had a tremendous economic development impact. I know from my experience, the City of Gardiner has used the CDBG block grant program to revitalize its downtown and support local companies like Central Maine Meats, The Common Wealth Poultry, Sebago Lake Distillery, and Lost Orchard Brewing that are creating jobs right now in my district and have a huge economic impact. I believe CDBG block grants are a vital tool to create jobs and promote economic development and I hope you will join me in voting no to the pending motion and supporting the Majority Report and the House in its efforts to create jobs in our rural communities. Thank you.

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

Senator **VITELLI:** Thank you, Mr. President. Thank you, members of the Senate, I also would like to rise in opposition to this motion and urge that we pass L.D. 165. This is not just a jobs bill, but it's a small business bill. I've spent the last 30 years, let's say, helping small businesses throughout the state get started and I would say that these funds are especially helpful in our rural small communities as they set up revolving loan funds on the ground for their local businesses. Just as one example, the City of Presque Isle has partnered with local business assistance organizations, I happen to know one of them, to provide training and technical assistance to the small businesses who then apply for their CDBG loans in order to grow and sustain their businesses. CDBG funds, as you've heard, can also be used for infrastructure and they help improve our downtowns and contribute to more vibrant small communities. These are resources that are not otherwise available in these rural areas. This is an economic development bill that puts resources in the hands of our small rural communities. I urge your support. Thank you.

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

Senator **CARSON:** Thank you, Mr. President. I, too, rise to ask that we defeat the Ought Not to Pass motion and that we enact

this bill. I didn't know until this morning that it would be before the Senate. I can tell you that the population center of the largest town in my district, the Town of Brunswick, has benefited greatly from community development block grants in terms of revitalizing our downtown. It's not just federal money matching the state money, it's jobs, jobs, jobs. There are veterans coming back from Iraq and Afghanistan and the Middle Eastern theatre who want to go to work. There are people who are now on public assistance, or getting food stamps, who want to go to work. If we can match state dollars with federal dollars, as Senator Bellows mentioned, we can go from \$9 million, which is the current funding level, back to perhaps \$12 or \$15 or \$20. We can put Maine people to work. Please, ladies and gentlemen of the Senate, defeat the Ought Not to Pass Report and support jobs for Maine people. Thank you.

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

Senator **VOLK:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, we don't have the money.

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

Senator **SAVIELLO:** Thank you, Mr. President. Mr. President, may I pose a question through the Chair?

THE PRESIDENT: The Senator may proceed.

Senator **SAVIELLO:** Can somebody please tell me what the fiscal note is on this particular bill?

THE PRESIDENT: The Senator from Franklin, Senator Saviello, poses a question through the Chair to anyone who may care to respond. The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, in response to the Senator from Franklin, Senator Saviello's, question, I believe the amount is \$3 million.

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

Senator **BREEN:** Thank you, Mr. President. May I pose a question through the Chair?

THE PRESIDENT: The Senator may proceed.

Senator **BREEN:** Thank you. Were there any parties who testified against this bill in committee?

THE PRESIDENT: The Senator from Cumberland, Senator Breen, has posed a question through the Chair to anybody who wishes to respond. The Chair recognizes the Senator from Kennebec, Senator Bellows.

Senator **BELLOWS:** No. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Cumberland, Senator Volk, to Accept the Minority Ought Not to Pass Report, in Non-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 (#55)

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

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **VOLK** of Cumberland to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Allow Alternate Flashing Headlights on a School Bus" H.P. 29 L.D. 28

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

Signed:

Senators:
COLLINS of York
ROSEN of Hancock

Representatives:
McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
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 Not To Pass**.

Signed:

Senator:
MIRAMANT of Knox

Representatives:
CEBRA of Naples
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.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Implement the National Popular Vote for President"

H.P. 114 L.D. 156

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

Signed:

Senators:
MASON of Androscoggin
COLLINS of York

Representatives:
CASAS of Rockport
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
WHITE of Washburn

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

Signed:

Senator:
CARPENTER of Aroostook

Representatives:
LUCHINI of Ellsworth
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

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

Reports **READ**.

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

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

Senator **CARPENTER:** Thank you, Mr. President. I would ask the Senate to oppose the pending motion to accept the Majority Ought Not to Pass Report.

On motion by Senator **CARPENTER** 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, this bill has roots in the theory that the voters aren't smart enough to know what they're voting for, something we've heard repeated here and that wasn't true then but communication and transmittal of information was more difficult then. Now it's not. The information gets out. The next step of the Electoral College for deciding elections was rooted in slavery. This was an appeasement to the slave states. They were allowed to count their slaves, although they couldn't vote, and use a two-fifths ratio. That increased the number of electoral votes that they had for their states. So after that not much has changed except that when I'm out talking to people, and I'm talking about how important their vote is, I say every single one matters. I hear every person in here say how important that is, but five times in our history the Electoral College has overruled the popular vote. That means that winner for two times in various parties, has been equal in the major parties and once for a different party, five times a smaller group of people have decided the election even after saying that every vote counts. I'm not doing this because it's partisan or benefits my party. It's worked against us twice. I'm doing it because I'm tired of telling people every vote counts. I'm going to go and tell the ones I don't like how I think they'll vote to stay home, stay out of the way. That's democracy now. Who cares what you think? Who cares if you vote? Your vote is worthless. It's crap. We need to support the roots of slavery and other garbage rather than come up with something that makes sense in this country. So let's start making some sense and aligning and getting this to where if you win by one vote you are the winner. You're not set out. When you lose by 3 million votes you are not the winner. Thank you.

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

Senator **CHIPMAN:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the pending motion and in support of the bill. I've always felt that the person with the most votes should win. The problem with the system that we have right now with the Electoral College is the candidates raise their money, they do their polling, they see where the swing

states are, and they spend most of their time there. If you look at this last election and the few elections before that, you'll see that almost 95% of all the visits to states happen in about ten states. I think it's really frustrating. I mean, we're lucky that we split our votes and we get a few visits from candidates when things look close here, but there are many states in this country that don't see any of the candidates for President at all. They never go to their state even once. You can look up on-line to see where those states are. I think if we get rid of the Electoral College and go to a national popular vote it will force candidates to visit all 50 states, to visit with residents of all of those states, and make their case, and the one with the most votes will win, but it will require them to reach out to every state in the country because every state will matter equally and that every vote will matter equally in terms of getting to a victory. So that's really my reason for supporting this bill and I hope you will join me in voting against the pending motion. 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 hope that you will support the motion. I think our Founding Fathers knew what they were doing. I think the Electoral College works. I think it brings into play small states. I think it also does, would not, focus all of the attention on the large populated states and I stand here saying I think, again, our system works and I would encourage you to support this motion and I see no reason why we should change a system that's been in place for over 200 years. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the motion before us and in strong agreement with my colleague from Cumberland County. You know, as our Founders set up this nation, we were designed to be a collection of societies, not one giant municipality where we just elect our President like we elect a Major. We are a very, very diverse country and we saw in this election cycle Presidential candidates coming to visit our very small state. If we were to have a national popular vote you can bet that we will never see that again. Maine's vote will be discounted and every Presidential candidate will spend all their time in the population centers like New York and Texas and California and good luck hearing from any Presidential candidate in Maine ever again.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Mason, to Accept the Majority Ought Not to Pass Report, 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 (#56)

YEAS: Senators: BRAKEY, COLLINS, CUSHING,
CYRWAY, DAVIS, DESCHAMBAULT,
DIAMOND, DOW, HAMPER, HILL, KATZ,
KEIM, LANGLEY, MAKER, MASON,
ROSEN, SAVIELLO, VOLK,
WHITTEMORE, WOODSOME,
PRESIDENT THIBODEAU

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

21 Senators having voted in the affirmative and 14 Senators having voted in the negative, the motion by Senator **MASON** of Androscoggin to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Senate

Ought to Pass

Senator COLLINS for the Committee on **TRANSPORTATION** on Bill "An Act To Increase the Maximum Registered Gross Weight Allowed for Vehicles with Disabled Veterans or Special Veterans Registration Plates"

S.P. 146 L.D. 444

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator KEIM for the Committee on **JUDICIARY** on Bill "An Act To Require the Department of Health and Human Services To Disclose Information to the Personal Representative of the Estate of an Incapacitated or Dependent Adult Who Dies While under Public Guardianship or Public Conservatorship"

S.P. 54 L.D. 135

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-15)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-15) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Determine When the Remains of Deceased Persons May Be Considered Abandoned"
S.P. 69 L.D. 223

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-14)**.

Signed:

Senators:
BRAKEY of Androscoggin
CHIPMAN of Cumberland

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

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

Signed:

Representative:
HEAD of Bethel

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-14) **READ** and **ADOPTED**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill "An Act To Allow the Formation of Transportation Corridor Districts"

S.P. 161 L.D. 500

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

Signed:

Senators:

MIRAMANT of Knox
ROSEN of Hancock

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
GILLWAY of Searsport
GRANT of Gardiner
PERKINS of Oakland
SCHNECK of Bangor
SHEATS of Auburn

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

Signed:

Senator:

COLLINS of York

Representatives:

CEBRA of Naples
PARRY of Arundel

Reports **READ**.

Senator **COLLINS** of York moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

On motion by Senator **MIRAMANT** of Knox, 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 just filed my income taxes and they didn't lower them because we rejected all kinds of federal money to improve our programs and create jobs. I was surprised because we hear it all the time. We can't afford this. We can't afford this even though this is trying to get money from the feds that's sitting there, that other states are getting, that we throw back and we give to other states. We're like we ought to have a group from every state in this country come here and say; "Keep rejecting funds. Boy, we're doing so much good with them. We're putting our people to work." Another one of them, last session, you voted for it. This passed, this bill passed. It had gone through process, as it did this time. It passed the House and the Senate and hit a stumbling block. I don't have to tell you what that was. So it came back and all the best pieces are in it. All the worst are removed. It passed the committee. Here it is and what it does is allows towns to get together and go after some of that money that's out there that otherwise is given to other states and other towns, well not in Maine. Here I am, rolling along, I'm thinking people keep saying, "Quit bringing these bills that cost the state so much money. You're spending our money. You don't think about it." I'm sorry. Let me bring one that brings money to

Maine. You reject that too. This reminds me of a committee I keep going to where they have this tag team thing going between two different groups to try to fight bills. They are very effective and this is like that. This is kind of schizophrenic to me, or something. Two personalities. As a Gemini I can appreciate that, two voices at the same time. How do I do good for this state? Quit spending money. Try to bring money. I'm doing both. I'll keep bringing bills and I'll keep pointing out when that is what one of these is. So reject the Ought Not to Pass, look at the Majority Ought to Pass. Let's do that one in a couple of minutes and thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I just want to say, with due respect to my colleague from Knox County, Maine is already a net receiver of federal funds and this is not just money that is paid in from other states. The federal government is borrowing a million dollars a minute and we are approaching \$20 trillion in national debt. It's not just money being paid in right now by states across the country. These are dollars being paid in by our children and our grandchildren in the future.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, thank you for pointing that out. I do appreciate that. I will take note, but as I started with nothing we do seems to reduce our federal income taxes and they don't seem to be changing that. While we're able to take the money, great. They should be finding ways to stop that and bring them down, that are fair to everybody who needs the help and the states that need the help, but for now they've got it and they're giving it to other people and we should get it.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Collins, to Accept the Minority Ought Not to Pass Report. 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 (#57)

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

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

18 Senators having voted in the affirmative and 17 Senators having voted in the negative, the motion by Senator **COLLINS** of York to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **PREVAILED**.

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:

Acts

An Act To Amend the Law Governing Special Amusement Permits for Liquor Licensees

H.P. 31 L.D. 30
(C "A" H-11)

An Act To Authorize Podiatrists To Perform Certain Routine Procedures

S.P. 51 L.D. 132

An Act To Improve Officer Safety at Roadside Incidents

H.P. 128 L.D. 172

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

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.

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

SECOND READERS

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

House

Bill "An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act"

H.P. 24 L.D. 23

Resolve, To Designate a Portion of Route 43 in Corinth, Exeter and Corinna the Donald Strout, Sr., Memorial Highway
H.P. 503 L.D. 712

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

House As Amended

Bill "An Act To Add Vehicles Hauling Animal Bedding to Those Exempt from Posted Road Restrictions"

H.P. 164 L.D. 208
(C "A" H-13)

READ A SECOND TIME.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **PASSAGE TO BE ENGROSSED**, in concurrence.

Bill "An Act To Amend the Charter of the Southwest Harbor Water and Sewer District"

H.P. 191 L.D. 258
(C "A" H-15)

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

Senate

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

S.P. 285 L.D. 885

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

Sent down for concurrence.

Senate As Amended

Bill "An Act To Establish a Public Service Berthing Vessel License for the Sale of Liquor"

S.P. 34 L.D. 85
(C "A" S-11)

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

Sent down for concurrence.

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

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

ORDERS

Joint Order

On motion by Senator **WHITTEMORE** of Somerset, the following Joint Order:

S.P. 452

**STATE OF MAINE
128TH MAINE LEGISLATURE**

ORDERED, the House concurring, that Bill, "An Act To Separate the Authorities under the Licenses for Property and Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters," S.P. 323, L.D. 984, and all its accompanying papers, be recalled from the legislative files to the Senate.

READ.

Pursuant to Joint Rule 404, the affirmative vote of two-thirds of the members present and voting required for Passage. 32 Senators having voted in the affirmative and no Senator having voted in the negative, with 32 being more than two-thirds of the members present and voting, the Joint Order was **PASSED**.

Sent down for concurrence.

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

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

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Prohibit the Privatization of State Correctional Facilities and the State's Forensic Hospitals"

H.P. 893 L.D. 1296

Bill "An Act Regarding Mental Health First Aid Training for Corrections Personnel"

H.P. 916 L.D. 1322

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.

Bill "An Act To Set Standards in the System of Learning Results for Financial Literacy"

H.P. 894 L.D. 1297

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

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

Bill "An Act To Amend the Charter of the Town of Madison's Department of Electric Works"

H.P. 896 L.D. 1299

Bill "An Act To Establish Energy Policy in Maine"

H.P. 910 L.D. 1313

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.

Bill "An Act To Update Maine's Water Quality Standards"

H.P. 895 L.D. 1298

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

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

Bill "An Act To Move Administration of the Child and Adult Care Food Program from the Department of Health and Human Services to the Department of Education"

H.P. 885 L.D. 1272

Resolve, To Redispense Donated Prescription Drugs

H.P. 886 L.D. 1273

Bill "An Act To Require a Prescription for a Medication That Contains Certain Substances That May Be Used To Make Methamphetamine"

H.P. 897 L.D. 1300

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

H.P. 898 L.D. 1301

Bill "An Act To Increase Workforce Participation in the Temporary Assistance for Needy Families Program and Other Assistance Programs"

H.P. 899 L.D. 1302

Resolve, To Improve Access to Neurobehavioral Services

H.P. 911 L.D. 1314

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

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

Bill "An Act To Promote Universal Health Care, Including Dental, Vision and Hearing Care"

H.P. 887 L.D. 1274

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

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

Bill "An Act To Amend and Remove the Need for Periodic Update of the Laws Governing the Validation of Title Defects"

H.P. 888 L.D. 1275

Bill "An Act To Specify the Rights of Parents"

H.P. 901 L.D. 1304

Bill "An Act To Protect Victims of Sexual Assault"

H.P. 902 L.D. 1305

Bill "An Act Regarding the Maine Indian Tribal-State Commission and Directing the Commission To Address Issues To Improve the Relationship between the State and the Penobscot Nation, Passamaquoddy Tribe, Houlton Band of Maliseet Indians and Aroostook Band of Micmacs" (EMERGENCY)

H.P. 912 L.D. 1315

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

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

Bill "An Act To Create the Small Communities Tourism Fund"

H.P. 903 L.D. 1306

Bill "An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents"

H.P. 904 L.D. 1307

Bill "An Act To Create a Bridge to Self-sufficiency for Vulnerable Segments of the Population by Providing Incentives to Employers"

H.P. 905 L.D. 1308

Bill "An Act To Support Innovation, Entrepreneurship and Maine's Economic Future"

H.P. 918 L.D. 1324

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

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

Bill "An Act To Provide for an Elver Dealer's License for the Houlton Band of Maliseet Indians" (EMERGENCY)

H.P. 913 L.D. 1316

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.

Resolve, To Establish the Commission To Study Business Ownership by Racial and Ethnic Populations and the Wealth Gap in the State (EMERGENCY)

H.P. 906 L.D. 1309

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

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

Bill "An Act To Change the Exemption Amount under the Estate Tax"

H.P. 889 L.D. 1276

Bill "An Act To Encourage Family-friendly Businesses through a Tax Credit for Child Care"

H.P. 914 L.D. 1317

Come 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.

Bill "An Act To Combat Human Trafficking by Requiring Prevention Training for Commercial Drivers"
H.P. 890 L.D. 1277

Bill "An Act To Establish a Driver's License Suspension Amnesty Day"
H.P. 907 L.D. 1310

Resolve, To Investigate Extending Passenger Rail Service to Central Maine
H.P. 909 L.D. 1312

Bill "An Act To Align State Relocation Assistance with That of the Federal Government"
H.P. 915 L.D. 1318

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

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

Bill "An Act To Amend the Military Bureau Laws and Veterans Service Laws"
H.P. 891 L.D. 1278

Bill "An Act To Amend the Direct Initiative Signature Gathering Process"
H.P. 917 L.D. 1323

Come 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.

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

ORDERS OF THE DAY

Unfinished Business

The following matter 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 (3/30/17) matter:

Bill "An Act To Protect Monhegan Island by Limiting Wind Turbines"

S.P. 425 L.D. 1262

Tabled - March 30, 2017, by Senator **SAVIELLO** of Franklin

Pending - **REFERENCE**

(Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.)

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

Sent down for concurrence.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Thursday, April 6, 2017 at 10:00 in the morning.