

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
April 6, 2017

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

Prayer by Pastor Gary Pierson, Emmanuel Assembly of God in
Livermore Falls.

PASTOR PIERSON: Let us pray. Precious Heavenly Father, we
thank You for loving us, thank You that You care about us, You
watch over us. We are grateful to You. Thank You for this
beautiful day. Thank You for this beautiful state that we're
allowed to live in. We pray for Your guidance and direction for the
deliberations of this Body. We pray that You would bless
President Mike Thibodeau and all those that are in authority. We
recognize, Lord, that the scripture says that the heart are the keys
in the hand of the Lord. May we each be guided and directed by
You. We pray for Your wisdom, for Your guidance, for Your
direction for the citizens of our state, for those who serve us. God
bless, guide, and direct we pray. In Jesus' name. Amen.

Pledge of Allegiance led by Senator Garrett Paul Mason of
Androscoggin County.

Reading of the Journal of Tuesday, April 4, 2017.

Doctor of the day, Richard Swett, M.D. of Dover Foxcroft.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 453

Ordered, the House concurring, that when the Senate and House
adjourn, they do so until Tuesday, April 11, 2017, at 10:00 in the
morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act Regarding Opioids and Palliative Care"
H.P. 919 L.D. 1325

Bill "An Act To Reduce Morbidity and Mortality Related to Opioid
Misuse"
H.P. 920 L.D. 1326

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 Establish the Vaccine Consumer Protection
Program within the Department of Health and Human Services"
H.P. 900 L.D. 1303

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

Comes from the House, Bill and accompanying papers
INDEFINITELY POSTPONED.

On motion by Senator **BRAKEY** of Androscoggin, Bill and
accompanying papers **INDEFINITELY POSTPONED**, in
concurrence.

Bill "An Act To Allow Former Military Medical Personnel To
Perform Certain Medical Services"
H.P. 921 L.D. 1327

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

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

Bill "An Act To Promote Bicycle Safety by Placing Warning Signs
on Certain Public Ways"
H.P. 922 L.D. 1328

Comes 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 Law Regarding Lien Recordings on Statutory Road Associations"

H.P. 908 L.D. 1311

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

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

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

Bill "An Act To Allow Tobacco Retail Establishments To Serve Alcohol"

H.P. 923 L.D. 1329

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

Comes from the House, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

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

Joint Resolution

The following Joint Resolution:

H.P. 892

JOINT RESOLUTION RECOGNIZING APRIL 2017 AS AUTISM AWARENESS MONTH

WHEREAS, autism is a spectrum disorder, which means no 2 people with autism are affected the same way, and it is a complex developmental disability that usually appears during the first 3 years of life and results in a neurological disorder that affects the functioning of the brain and social interaction and communication skills; and

WHEREAS, in the United States, one in 68 children is diagnosed with this spectrum disorder and prevalence has increased 30% since the United States Centers for Disease Control and Prevention's study in 2008; and

WHEREAS, autism knows no racial, ethnic or social boundaries and neither income nor lifestyle nor education affects its occurrence and it is estimated that more than 3,500,000 people live with autism spectrum disorder in the United States; and

WHEREAS, autism costs the United States over \$236,000,000,000 in annual health care costs, most of which are in adult services, and these costs are anticipated to increase; and

WHEREAS, while a single specific cause of autism is not known, current research links it to biological or neurological differences in the brain, and outdated theories and myths, such as autism being a mental illness, have been proven to be false; and

WHEREAS, with support, people with autism can live full lives and make meaningful contributions to society; 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, pause in our deliberations to acknowledge that the month of April 2017 is Autism Awareness Month and to pledge our support and encouragement to all those affected by autism; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Autism Society of Maine as a token of our respect and support.

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

READ.

Senate at Ease.

The Senate was called to order by the President.

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, I'm not going to speak long on the subject, but, as you all know, April is Autism Awareness Month and this is a subject near and dear to my heart, as well as many of your hearts and the hearts of your constituents. Autism affects one in sixty-eight of the children that are born in the United States and one of the things that we're noticing as these children who were diagnosed are ageing up into adulthood is that they are oftentimes either the victim or even the perpetrators of crime. In fact, people with autism are much more likely to be victims of crime than the general population. Autism is a developmental disability and so I think that later on in this session we'll actually be talking about some legislation that begins to recognize the challenges that this can place on our judicial system and in our criminal justice system. I would just ask for attention when we get to those subjects and that you would consider this special population and their families when those do come up. Thank you.

ADOPTED, in concurrence.

Off Record Remarks

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

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

The Gorham High School Girls Basketball Team, of Gorham, which won the Class AA State Championship. Members of the team include players Kaylea Lundin, Alexis Fotter, MacKenzie Holmes, Brittany Desjardin, Emma Forgues, Noelle Dibiase, Shayla Harris, Kristen Curley, Michelle Rowe, Courtney Brent, Emily Esposito and Danasia Fennie; and coach Laughn Berthiaume. We extend to all the members of the team our congratulations and best wishes;

SLS 173

Sponsored by Senator VOLK of Cumberland.
Cosponsored by Representatives: McLEAN of Gorham, TERRY of Gorham.

The Gorham High School Girls Basketball Team, of Gorham, which won the Class AA South Championship. Members of the team include players Kaylea Lundin, Alexis Fotter, MacKenzie Holmes, Brittany Desjardin, Emma Forgues, Noelle Dibiase, Shayla Harris, Kristen Curley, Michelle Rowe, Courtney Brent, Emily Esposito and Danasia Fennie; and coach Laughn Berthiaume. We extend to all the members of the team our congratulations and best wishes;

SLS 174

Sponsored by Senator VOLK of Cumberland.
Cosponsored by Representatives: McLEAN of Gorham, TERRY of Gorham.

READ.

Senator **VOLK** of Cumberland moved to **TABLE** until Later in Today's Session.

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.

Senator **VOLK** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **VOLK**: Thank you, Mr. President. Ladies and gentlemen of the Senate, thank you for your indulgence as I rise another time because today we actually have some really special guests up in the Senate Gallery. It is my pleasure to speak this morning on behalf of the Gorham High School Girls Basketball Team who recently won the Class AA State Championship. This is actually their second consecutive undefeated season. They have won 42 games and two consecutive State Championships. Before every game Coach Berthiaume reminds the girls, "We're chasing perfection." Their goal was to win the Championship and preserve their undefeated season, and they did so in amazing fashion. When the score was tied at half-time Gorham's defense came out strong during the second half. The Gorham Rams did not trail again for the rest of the game. Not many teams can say that they have won a State Championship. Even fewer can say that they have won back-to-back State Championships and 42 consecutive games. I'm very proud of this group of student athletes. There are three young women on this team who will be continuing to play basketball throughout their college careers in the fall: Kaylea Lundin will be playing at the University of Tampa; Kristen Curley will be playing at U.S.M.; and Emily Esposito will be playing at Villanova this fall. The girls are joined by their coaching staff: Coach Laughn Berthiaume and Assistant Coach Aaron Ouellette. They've worked extremely hard to get to where they are and I just want to read their names because, unfortunately, they were printed incorrectly in the calendar. We have Kaylea Lundin, Alexis Fotter, Kristen Curley, Michelle Rowe, Courtney Brent, Emily Esposito, Sarah Stevens, Sarah Walker, Brook Woodbury, and Jackie Hamilton with us today, in addition to their coaches. They've worked extremely hard to get to where they are and it is my pleasure to congratulate them in front of this Body. Thank you very much, Mr. President.

THE PRESIDENT: Would the State Champion Gorham High School Girls Basketball Team and their coaches please rise and accept the congratulations of the State Senate.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 270

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

April 3, 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. Stearns of
Guilford, to report the following bill Leave to Withdraw:

L.D. 926 An Act To Improve Equity in State Aid to
 Schools

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. 271

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

April 27, 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. Warren of
Hallowell, to report the following bill Leave to Withdraw:

L.D. 535 An Act To Protect Maine Citizens from Aerial
 Trespass

Sincerely,

S/Sen. Lisa Keim
Senate Chair

S/Rep. Matthew W. Moonen
House Chair

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

The Following Communication: S.C. 274

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

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

L.D. 372 An Act To Protect Public Health through Septic
 Tank Inspections

L.D. 375 An Act To Establish a Carpet Stewardship
 Program

L.D. 580 An Act To Modify the Mining Laws

L.D. 604 An Act To Protect Maine's Lakes by Prohibiting
 the Discharge of Waste from Watercraft

L.D. 881 An Act To Increase Wastewater Management
 Responsibility by Licensing Certain Municipal
 Sewage Collection Systems

L.D. 894 An Act To Increase Funding for the Youth
 Conservation Corps

L.D. 930 An Act To Protect Maine Families by Enhancing
 Well Water Regulation

This is notification of the Committee's action.

Sincerely,

S/Sen. Thomas B. Saviello
Senate Chair

S/Rep. Ralph L. Tucker
House Chair

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

The Following Communication: S.C. 272

**STATE OF MAINE
OFFICE OF THE STATE AUDITOR
AUGUSTA, ME**

March 31, 2017

Senator Michael D. Thibodeau
President of the Senate

Representative Sara Gideon
Speaker of the House of Representatives

The Honorable Paul R. LePage
Governor of Maine

I am pleased to submit the Single Audit of the State of Maine for the fiscal year ended June 30, 2016. The audit was conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States; the requirements of the Single Audit Act Amendments of 1996; and Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our audit complies with 5 MRSA §243 and is also a prerequisite for the receipt of federal financial assistance. During fiscal year 2016, \$3.0 billion in federal financial assistance was received by the State of Maine.

This document contains the following reports and schedules:

- Independent Auditor's Report
- Basic Financial Statements, Management's Discussion and Analysis, Notes to Financial Statements, and Required Supplementary Information
- Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements performed in accordance with *Government Auditing Standards*
- Independent Auditor's Report on Compliance for Each Major Program and on Internal Control over Compliance Required by the Uniform Guidance
- Schedule of Expenditures of Federal Awards
- Schedule of Findings and Questioned Costs
- Financial Statement Findings
- Indexes to Federal Program Findings
- Federal Findings and Questioned Costs
- Corrective Action Plan
- Summary Schedule of Prior Audit Findings

On behalf of the Office of the State Auditor, I thank employees throughout Maine Government who assisted us during the audit.

Please contact me if you have questions or comments about the 2016 Single Audit of the State of Maine.

Respectfully submitted,

S/Pola A. Buckley
State Auditor

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

The Following Communication: S.C. 273

**STATE OF MAINE
DEPARTMENT OF ECONOMIC AND COMMUNITY
DEVELOPMENT
AUGUSTA, ME**

March 10, 2107

Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333

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

RE: Maine Coworking Development Fund Report

Dear Speaker Gideon and President Thibodeau:

Attached to this letter of transmittal is the Maine Coworking Development Fund Report submitted by the Department of Economic and Community Development pursuant to Title 5 MRSA §13056-G, sub-§5.

Please do not hesitate to contact me if you have any questions or would like any additional information.

Very truly yours,

S/Deborah Johnson
Director

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

The Following Communication: H.C. 114

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

April 4, 2017

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

Dear Secretary Priest:

The House voted today to insist on its former action whereby it accepted the Majority Ought to Pass as amended Report of the Committee on Education and Cultural Affairs on Bill "An Act To Increase the Size of Grants under the Maine State Grant Program" (S.P. 11) (L.D. 32) and Passage to be Engrossed as Amended by Committee Amendment "A" (S-7).

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: H.C. 115

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

April 4, 2017

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

Dear Secretary Priest:

House Paper 169, Legislative Document 213, "An Act To Provide Funds for Access for Veterans Seeking Health Care," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

89 voted in favor and 54 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

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.

Senate at Ease.

The Senate was called to order by the President.

SENATE PAPERS

Bill "An Act Regarding Grid-scale Wind Energy Development"
S.P. 456 L.D. 1342

Presented by Senator DION of Cumberland.

Bill "An Act To Advance Locally Owned Solar Energy Systems"
S.P. 460 L.D. 1352

Presented by Senator WOODSOME of York.
Cosponsored by Senator: DION of Cumberland.

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 Amend the Law Regarding Recreational Gold Prospecting" (EMERGENCY)
S.P. 458 L.D. 1350

Presented by Senator SAVIELLO of Franklin.

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

Sent down for concurrence.

Bill "An Act Relating to Exempt Equity in a Primary Residence"
S.P. 462 L.D. 1354

Presented by Senator CARPENTER of Aroostook.

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 To Ensure the Timely and Proper Completion of Residential Foreclosures"

S.P. 463 L.D. 1355

Presented by Senator CARPENTER of Aroostook.

Bill "An Act To Amend the Grandparents Visitation Act"

S.P. 464 L.D. 1356

Presented by Senator ROSEN of Hancock.

Cosponsored by Senators: HILL of York, KATZ of Kennebec, KEIM of Oxford, Representative: BRADSTREET of Vassalboro.

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

Sent down for concurrence.

Bill "An Act To Amend the Laws Governing the Maine State Housing Authority"

S.P. 454 L.D. 1340

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative FECTION of Biddeford and Senator: LANGLEY of Hancock, Representatives: AUSTIN of Gray, BATES of Westbrook, HANDY of Lewiston, LOCKMAN of Amherst, MASTRACCIO of Sanford, SYLVESTER of Portland, VACHON of Scarborough.

Bill "An Act To Clarify Eligibility for Unemployment Benefits during Labor Disputes"

S.P. 455 L.D. 1341

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative VACHON of Scarborough and Representatives: AUSTIN of Gray, LOCKMAN of Amherst, STETKIS of Canaan.

Submitted by the Department of Labor pursuant to Joint Rule 204.

Bill "An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program"

S.P. 457 L.D. 1343

Presented by Senator CHENETTE of York.

Cosponsored by Representative FECTION of Biddeford and Senators: BELLOWS of Kennebec, DESCHAMBAULT of York, Representatives: BAILEY of Saco, DUNPHY of Old Town.

Bill "An Act To Establish the Maine Domestic Trade Center"

S.P. 461 L.D. 1353

Presented by Senator CARPENTER of Aroostook.

Bill "An Act To Improve Public Sector Labor Relations"

S.P. 466 L.D. 1358

Presented by Senator JACKSON of Aroostook.

Cosponsored by Representative SYLVESTER of Portland and Representatives: BATES of Westbrook, FECTION of Biddeford.

Bill "An Act To Adopt the Interstate Medical Licensure Compact"
S.P. 467 L.D. 1359

Presented by Senator GRATWICK of Penobscot.

Cosponsored by Representative TUCKER of Brunswick and Senators: BRAKEY of Androscoggin, DILL of Penobscot, DOW of Lincoln, MAKER of Washington, MIRAMANT of Knox, Representatives: CAMPBELL of Orrington, DUCHESNE of Hudson, HARLOW of Portland.

Bill "An Act To Conform the State Workforce Board and Workforce Development Programs to the Federal Workforce Innovation and Opportunity Act"

S.P. 468 L.D. 1360

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative FECTION of Biddeford and Senator: LANGLEY of Hancock, Representatives: HANDY of Lewiston, SYLVESTER of Portland.

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

S.P. 470 L.D. 1362

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative FECTION of Biddeford and Senator: LANGLEY of Hancock, Representatives: AUSTIN of Gray, HANDY of Lewiston, MASTRACCIO of Sanford, STETKIS of Canaan, SYLVESTER of Portland, VACHON of Scarborough.

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 Regarding State Hiring and Retention for Persons with Disabilities"

S.P. 469 L.D. 1361

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative HERBIG of Belfast and Senators: BELLOWS of Kennebec, LANGLEY of Hancock, Representatives: FECTION of Biddeford, HANDY of Lewiston, MASTRACCIO of Sanford, SYLVESTER of Portland, VACHON of Scarborough.

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

S.P. 439 L.D. 1287

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative WARD of Dedham and
Senators: CARPENTER of Aroostook, CHENETTE of York,
CUSHING of Penobscot, DAVIS of Piscataquis, DOW of Lincoln,
Representatives: SEAVEY of Kennebunkport, STANLEY of
Medway, TIPPING of Orono.

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

Sent down for concurrence.

Bill "An Act Regarding the Length of Time a Temporary Sign May Be Placed in a Public Way"

S.P. 459 L.D. 1351

Presented by Senator DILL of Penobscot.
Cosponsored by Representative STANLEY of Medway and
Senators: CARPENTER of Aroostook, GRATWICK of Penobscot,
MIRAMANT of Knox, VITELLI of Sagadahoc, Representatives:
BLACK of Wilton, MAREAN of Hollis.

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

Sent down for concurrence.

Bill "An Act To Authorize Multiparty Candidate Nominations for State Offices"

S.P. 465 L.D. 1357

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senators: CHENETTE of York, CHIPMAN of
Cumberland, Representative: CASÁS of Rockport.

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.

Off Record Remarks

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

Kiara Carr, of Fairfield, a senior at Temple Academy in Waterville and a member of the girls basketball team, who recently scored her 1,400th career point. We extend to Kiara our congratulations and best wishes;

SLS 165

Sponsored by Senator CYRWAY of Kennebec.
Cosponsored by Representative: PICCHIOTTI of Fairfield.

READ.

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

Senator **CYRWAY:** Good morning, Mr. President. Ladies and gentlemen of the Senate, I'm so pleased to have with us today Kiara Carr, a student from Temple Academy. As a member of Temple Academy's Girls Basketball Team, during her junior year, Kiara joined an elite group of Maine student athletes who have reached, and she's reached, 1,000 accumulative points in their high school career. Kiara was not done there. At the end of this past season, Kiara had reached 1,433 points. This is incredible. There is no doubt that Kiara is an extremely talented athlete. The amount of time and dedication that it took one to reach such an accomplishment must be very great and Kiara was able to reach this achievement all while balancing the demands of her schoolwork and other extracurricular activities. Also joining us today is Kiara's strongest supporters: her parents, Michelle and Michael Carr; her sister, Deleyni Carr; her grandparents, Diana Carr, Susan and George Clark, and Ken and Lori Pelotte; as well as Mike Gorman, Temple Academy's Athletic Director. Family members, especially parents, and school officials play such a big role in making sure our young people are successful and it is a team effort. Kiara has a very bright future ahead of her. After she graduates she plans to pursue basketball, which sounds like a good idea to me, and also a career in occupational therapy. I'm so proud to have such a talented student athlete in my district. Congratulations, Kiara, and best wishes as you make your future plans. Thank you.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Kiara Carr, Michelle and Michael Carr, Deleyni Carr, Diana Carr, Susan and George Clark, Ken and Lorrie Pelotte, and Mike Gorman. Would they please all stand and accept the greetings of the State Senate.

The Shead High School Girls Basketball Team, of Eastport, which won the Class D North Championship. Members of the team include Holly Preston, Kiesha Scott, Audrey Bradbury, Justine Cheney, Roxanna McGregor, Cassidee Lawrence, Madison Greenlaw, Katelyn Mitchell, Halle Sullivan and Cassidy Wilder; managers Alexis Moore and Felicia Smith; assistant coach Dana Bowen; and head coach Dean Preston. We extend to all the members of the team our congratulations and best wishes;

SLS 172

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

READ.

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

Senator **MAKER:** Thank you, Mr. President. Good morning, ladies and gentlemen of the Senate. It is truly an honor for me to recognize the Tigerettes of Shead High School on their Class D North Championship win. The team had a terrific season, earning their second straight Class D regional title. The regional title game was very competitive and exciting to watch. The Tigerettes had to overcome a deficit going into the second half, but were able to come out on top with a 32 - 29 win following Holly Preston's steal of an inbound pass. While the Tigerettes are repeat regional champions, this season was not the same as the previous one. Five of the team's members from the previous season had graduated, meaning this year's team had to rebuild and younger members had to step up. For a small school to be able to overcome these obstacles and defend their regional title is remarkable. It really speaks to the perseverance of each of these young women. They were willing to put in many hours of practice because they each had the same drive to win. We really have some great talented young people in Washington County and I'm glad this group could join us today so they can be recognized and see how very proud of them we are. Congratulations to the Shead Tigerettes. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Shead High School Girls Basketball Team of Eastport, Class D North Champions. Would they please rise and accept the greetings of the State Senate.

Off Record Remarks

REPORTS OF COMMITTEES

House

Change of Committee

The Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Allow a Resident Veteran's Child Who Is Enrolled in an Out-of-state College or University To Take a Course in Maine at a State Postsecondary Education Institution for Free" H.P. 696 L.D. 995

Reported that the same be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

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

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Create a Centralized Authority To Combat Opiate Addiction in Maine"

H.P. 73 L.D. 105

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

Ought to Pass

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a Late-filed Major Substantive Rule of the Department of Health and Human Services (EMERGENCY)

H.P. 325 L.D. 458

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

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

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

Resolve **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, Regarding Legislative Review of Portions of Chapter 191: Health Maintenance Organizations and of the Final Repeal of Chapter 750: Standardized Health Plans, Major Substantive Rules of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY)

H.P. 398 L.D. 556

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

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

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

Resolve **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Designate a Maine Community Litter Cleanup Day"

H.P. 312 L.D. 432

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.

Ought to Pass As Amended

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Requiring the Use of the Electronic Death Registration System"

H.P. 139 L.D. 183

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-20)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-20)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-20) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program

H.P. 200 L.D. 267

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-21)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-21)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (H-21) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

The Committee on **JUDICIARY** on Bill "An Act To Amend the Law Regarding the Execution of Temporary Powers of Attorney"

H.P. 22 L.D. 21

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-22)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-22)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-22) **READ** and **ADOPTED**, in concurrence.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Extend Internet Availability in Rural Maine" (EMERGENCY)

H.P. 303 L.D. 423

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-17)**.

Signed:

Senator:

DION of Cumberland

Representatives:

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

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

Signed:

Senators:

WOODSOME of York
CUSHING of Penobscot

Representatives:

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

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-17) AND HOUSE AMENDMENT "A" (H-19)**.

Reports **READ**.

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

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

Senator **MAKER:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise today in opposition of the current motion and in support of An Act to Extend Internet Availability in Rural Maine to help Washington County libraries to provide badly needed technology to some of the state's most in need, at risk families who just don't have access to on-line educational resources and opportunities. In rural Maine it is far too common to see a bunch of cars in the library parking lot trying to grab an internet signal. Some don't have access to quality internet in their part of town. Others don't have the resources to purchase internet services. So a few years ago a local library stepped up and put in for a grant funding to provide hot spots to area families in need. That funding has run out and the cash-strapped communities that applied for the funding are having to discontinue the program at a time when many Washington County families have no place, other place, to go. We talk a lot about broadband access. We also talk a lot about educational attainment. I would submit that continuing this program for two more years to meet both goals while Washington County's

capacity for reliable broadband continues to improve. Some may say that the libraries ought to put up the money and continue the program if they see it as worthwhile. While I don't disagree with this, if you've lived in Washington County any length of time you would realize, like many other basic resources in the area, libraries are hand-to-mouth operations, staffed by volunteers, who don't have big endowments and funding sources. They are stretched, depleted, and often the first thing to go when budgets are crunched and cut. There are only so many bake sales and benefit suppers you can do. Every charity in the area approaches the same businesses and community-minded individuals for help. It just isn't something that our area has the capacity to do on its own. So if we're going to do carve-outs with specific areas of the state, maybe those of us from Washington County and rural Maine ought to stand up for this one, realizing that if there ever was a part of the state that needed help we are in it. I urge you to follow my light. Thank you, Mr. President.

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

Senator **DION:** Thank you, Mr. President. I rise in support of my colleague from Washington County. We talk a lot about broadband access in this state. It's big words for a big policy issue that takes on a dimension that we lose sight of. This particular bill makes it human. This particular initiative was to answer the need of kids who have to wait their turn to get a piece of technology. I'll quote the sponsor; "Some kind of gadget." Some kind of gadget that lets the kids in my district access the internet so they can meet the educational attainment. What struck me was when they can't get it, as the good Senator from Washington County accounts for, they line up as close as they can to the library so they can capture the signal there. That's not how I wanted my children to access their education and I suspect that's not how you want your children or grandchildren to do the same. Here's what really bothered me, the story from the sponsor was the idea that when Washington County and Jonesport needed that relief they did not get it from this Body or the other. They received money from the New York City Library. It was residents of the City of New York who extended charity to citizens of Maine so that their children could be educated at the same level of technology that my children enjoy in Portland. It just doesn't seem right. We'll deal with a billion dollar budget, Mr. President, I think we can carve out \$50,000 for two years for the people of Washington County. I have no dog in this fight. I have broadband. I enjoy all the benefits that technology promises in my district. It's incumbent on me and those who share in that access to ensure that every child in this state can benefit from that technology, free and clear as they should, and not hope for charity from an outside agency in a far away state to meet their interests. So I oppose the motion and would ask for your support and I'd ask for a roll call as well, Mr. President.

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

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Woodsome, 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 (#58)

YEAS: Senators: BRAKEY, CUSHING, HAMPER, KATZ,
MASON, ROSEN, VOLK, WHITEMORE,
WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, BREEN, CARPENTER,
CARSON, CHENETTE, CHIPMAN,
COLLINS, CYRWAY, DAVIS,
DESCHAMBAULT, DIAMOND, DILL,
DION, DOW, GRATWICK, HILL,
JACKSON, KEIM, LANGLEY, LIBBY,
MAKER, MILLETT, MIRAMANT,
SAVIELLO, VITELLI

10 Senators having voted in the affirmative and 25 Senators
having voted in the negative, the motion by Senator
WOODSOME of York to **ACCEPT** the Minority **OUGHT NOT TO
PASS** Report, in **NON-CONCURRENCE, FAILED**.

The Majority **OUGHT TO PASS AS AMENDED** Report
ACCEPTED, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-17) **READ** and **ADOPTED**, in
concurrence.

House Amendment "A" (H-19) **READ** and **ADOPTED**, in
concurrence.

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

Senate

Ought to Pass As Amended

Senator **WOODSOME** for the Committee on **ENERGY,
UTILITIES AND TECHNOLOGY** on Bill "An Act To Provide
Opportunity for Energy Cost Reduction for Maine Businesses and
Citizens"

S.P. 110 L.D. 344

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

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

Bill **READ ONCE**.

Committee Amendment "A" (S-16) **READ** and **ADOPTED**.

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

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:

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **TRANSPORTATION** on Bill
"An Act To Require State Compliance with Federal REAL ID
Guidelines"

S.P. 92 L.D. 306

Reported that the same **Ought to Pass as Amended by
Committee Amendment "A" (S-17)**.

Signed:

Senators:

COLLINS of York
MIRAMANT of Knox
ROSEN of Hancock

Representatives:

McLEAN of Gorham
AUSTIN of Skowhegan
BRYANT of Windham
CEBRA of Naples
GILLWAY of Searsport
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 "B" (S-18)**.

Signed:

Representative:

GRANT of Gardiner

Reports **READ**.

Senator **COLLINS** of York moved the Senate **ACCEPT** the
Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-17)** Report.

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

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

Senator **BELLOWS:** Thank you, Mr. President. I rise in opposition to the pending motion. One of our jobs as a State Legislator is to stand up against dangerous federal mandates that we believe might compromise the security and freedom of Mainers and this bill is not a debate between privacy and security. I believe the pending motion would harm both privacy and security because what it would do is require the State of Maine to set up a system to retain documents relating to license or ID applications for up to ten years. From my perspective, it is madness for our state to spend millions of taxpayer dollars to set up what will be a treasure-trove for identity thieves. With any centralized database, particularly when there are not enough resources to keep pace with the technology developed by hackers and thieves, it's not a question of if the data will be breached but when and to what consequences, and I urge you to consider the costly consequences of the State if Maine's Real ID database were breached, allowing identity thieves to rob all Maine license holders of their identity. The pending motion in compliance would make Maine a one-stop shop for identity thieves. It is absolutely not true that Maine's licenses are fundamentally any less secure than any other state's. What does Real ID compliance really mean? What did they say we were not compliant with? It was centralization of our data, collection of our photos for facial recognition technology, and fingerprinting of the DMV employees. It is also fundamentally not true that all of the other states are compliant when we are not. The largest state in the union, California, is not compliant and yet received an extension until 2020 based on a promise to try to comply in the future. South Carolina recently received an extension when Republican Governor Haley, before her elevation to the Trump administration, and Republican Representative Mark Sanford urged the Department of Homeland Security under Trump to give them an extension, which the Obama administration denied Maine. So I urge the Body to reject this motion. The choice is not to accept this motion and to do nothing. The Minority Report offers a different route. What it does is allocate the same exact amount of funding to provide for Mainers a passport card or a passport. So I would just say that the choice is not between this motion and doing nothing. There is another choice and I urge this Body to protect the privacy and security of all Mainers just as you did in 2005 and 2007 when Maine led the way in expressing its concerns about the federal Real ID because of the threats to privacy and security that this federal unfunded mandate placed upon our state. Thank you.

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

Senator **CHIPMAN:** Thank you, Mr. President. I just wanted to say a few things about this as well before we vote. There's been a lot of, I don't want to say, myths out there, but misunderstandings, I guess, about this law. One of those is that Maine is one of only five states that are out of compliance with Real ID. The fact of the matter is there are 25 states out of compliance with Real ID and most of those states were granted waivers or extensions until at least 2020. One thing we've heard is that Maine must comply with Real ID so Mainers can get on commercial flights, to access federal facilities, but the truth is Mainers can use passports, passport cards, and other

documentation to board commercial flights and enter federal facilities. In fact, at least 400,000 Mainers already have passports or passport cards, so they can use those. Anyone who is eligible for Real ID is by definition eligible for another ID that would also be accepted. According to the Department of Homeland Security, lack of ID should never interfere with access to healthcare. We've heard that getting a Real ID is easier than getting a passport card, however I'd point out that getting a Real ID is like getting a driver's license for the first time. Consumers have to show more documentation, there is increased wait times at the Bureau of Motor Vehicles, and, while passport cards last for ten years, a Real ID will have to be renewed as often as a driver's license, every seven years, I believe. A passport card costs \$55 for the first time and only \$30 for renewal every ten years, so it's less than a driver's license over time. The government is collecting our information anyways, so privacy is over. We've heard that argument as well. I'd like to point out that the fact is the Real ID Act requires the government to collect, store, and be able to access more sensitive information than ever before. The government will store a photograph of anyone who applies for Real ID, even if you were denied. The government will store copies of your Social Security card, birth certificate, and more. I'd also like to point out, Mr. President, that Real ID will require the Secretary of State to build a whole new system for licensing. This will cost about \$3 million to build. This is a giant unfunded federal mandate and the Minority Report on this bill does come with a price tag to provide passport cards to those who can't afford them, but it's much less than the requirement of \$3 million to build a whole new system, so it would actually cost us less money, doesn't require the storing of all the data, and allows us to still comply to access these facilities. So I would ask you to please join me in voting down the pending motion. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to the motion here. I think there's just a few things I'd like to put on the record. First of all, the Real ID Act was slipped through Congress in an Iraq War - Tsunami Relief Supplemental bill in 2005. There was no hearing and no opportunity for public comment. This Act is a giant unfunded federal mandate and it will create enormous initial on-going administrative burden and cost for states. It will also create burdens for individual citizens, including a higher cost and longer wait for licensing, and it is far from clear that these extraordinary costs will bring any benefit in preventing terrorism. Before states spend any substantial resources Real ID will require, they owe it to their citizens to sincerely question the necessity and efficacy of implementing the Real ID Act. Real ID changes the very nature and mission of DMVs from agencies responsible primarily for insuring the safe operation of vehicles on state roadways into a wide ranging enforcement agent of the federal government. Once Maine complies with Read ID there is no turning back. The federal government can change the rules at any time. Thank you, Mr. President.

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

Senator **DIAMOND**: Thank you, Mr. President. Ladies and gentlemen of the Senate, as you've heard, in 2005 the Real ID Act was passed by Congress. Whether we liked it or not, they did it and there is certainly evidence that would suggest they could have made some corrections through the last ten years. In 2007 Maine said we were prohibited from becoming part and complying with the Real ID Act. So for the last ten years we've had waivers, waivers that said okay you've got another year. You have another year. Well this year the Department of Homeland Security has said that's it, no more waivers for anybody unless you're already in the queue. Enforcement has started. As of January 30th of this year Maine driver's licenses are not allowed or recognized as identification in any federal facility that requires such, including military bases. It impacts our veterans. It impacts our businesses who have products back and forth on these bases. It impacts our firefighters and police who have already been turned away from training sessions in Washington D.C. because they could not get into the building with their driver's license. Starting January 22nd of next year chaos really rains down on our constituents and the people of the State of Maine because at that time our driver's licenses will not be authorized or recognized for our people to get on airplanes, commercial airlines. If you want to see disruption and chaos back home because we didn't act, not just this year but for the last ten years, knowing full well that the deadline was before us, then we will see that and we all will hear that, and we should. The Transportation Committee, led by the good Senator from York, Senator Collins, did a great job working on this bill. They ended up with a bi-partisan 12 - 1 report with an opt out provision. If someone believes strongly that, for philosophical reasons, they do not want their information kept at the state level, not the federal level but the state level, than they can opt out. Forty-five states have either complied or are in the process of complying. That's a fact. Our constituents back home deserve our action and our attention because to turn our back and walk away and say we'll come up with something else maybe a little later certainly does not do them justice. They're depending on us. We need to act and support this motion, Mr. President.

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

Senator **BELLOWS**: The good Senator from Cumberland, Senator Diamond, and I completely agree that we must act and help our constituents. We all want Mainers to be able to access federal facilities, military bases, and to board planes. There is another choice and no one is suggesting that we take no action. It is to my dismay that President Obama did not fix the Real ID or repeal the problematic provisions during the eight years of office, but Maine was denied the federal waiver not under President Trump but by President Obama in November, unfortunately. So there is an opportunity to have this burdensome federal mandate repealed. So the question is not to pass this or to do nothing. The question is: do we use these funds to give our citizens a real benefit, broader access to passport cards and passports, to enable them to travel to Canada and Mexico and to enter these facilities and do we continue to advocate, as we are doing in a bi-partisan way nationally, to ask the federal government to repeal this regulation that was issued by the Department of Homeland Security without, again, no public hearing in Congress? So I urge you to oppose this pending motion not to do nothing but to do something that strengthens the privacy and security of Mainers.

THE PRESIDENT: The pending question before the Senate is the motion by the Senator from York, Senator Collins, to Accept the Majority Ought to Pass as Amended by Committee Amendment "A" (S-17) 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 (#59)

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

NAYS: Senators: BELLOWS, BRAKEY, CARSON, CHIPMAN

31 Senators having voted in the affirmative and 4 Senators having voted in the negative, the motion by Senator **COLLINS** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-17)** Report **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (S-17) **READ** and **ADOPTED**.

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

Sent down for concurrence.

SECOND READERS

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

House

Bill "An Act To Allow Alternate Flashing Headlights on a School Bus"

H.P. 29 L.D. 28

Bill "An Act To Correct the Maine Uniform Trust Code Concerning Certain Beneficiaries"

H.P. 245 L.D. 331

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

Senate

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

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

Sent down for concurrence.

Senate As Amended

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
(C "A" S-15)

Bill "An Act To Determine When the Remains of Deceased Persons May Be Considered Abandoned"

S.P. 69 L.D. 223
(C "A" S-14)

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.

ENACTORS

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

Emergency Resolve

Resolve, Regarding Legislative Review of Chapter 220: Removal of Provider of Last Resort Service Obligation, a Major Substantive Rule of the Public Utilities Commission

H.P. 327 L.D. 461

This being an Emergency Measure and having received the affirmative vote of 35 Members of the Senate, with no Senator having voted in the negative, and 35 being more than two-thirds of the entire elected Membership of the Senate, was **FINALLY PASSED** 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 Repeal the Requirement That Municipalities License Roller-skating Rinks

H.P. 23 L.D. 22

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
(C "A" S-8)

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.

An Act To Provide Funding for Costs Associated with Requiring the Licensing of Midwives

S.P. 49 L.D. 130
(C "A" S-9)

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

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 (3/30/17) matter:

Resolve, Regarding Court Facilities in York County

S.P. 427 L.D. 1264

Tabled - March 30, 2017, by Senator **KEIM** of Oxford

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/30/17) matter:

Bill "An Act To Address the Policies Relating to Substance Use in the Workplace"

S.P. 413 L.D. 1222

Tabled - March 30, 2017, by Senator **VOLK** of Cumberland

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/4/17) matter:

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

Tabled - April 4, 2017, by Senator **VOLK** of Cumberland

Pending - **REFERENCE**

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

(In House, **REFERRED** to the Committee on **TAXATION**.)

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/4/17) matter:

Bill "An Act Regarding Generic Drug Pricing"
S.P. 432 L.D. 1280

Tabled - April 4, 2017, by Senator **BRAKEY** of Androscoggin

Pending - **REFERENCE**

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

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (4/4/17) matter:

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)

Tabled - April 4, 2017, by Senator **MASON** of Androscoggin

Pending - **PASSAGE TO BE ENGROSSED AS AMENDED**, in concurrence

(In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-13)**.)

(In Senate, April 4, 2017, **READ A SECOND TIME**.)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-13), in 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 Authorize a General Fund Bond Issue To Facilitate Innovative Approaches to Regional School Facilities and To Establish the Maine Innovative Regional School Facilities Finance Program"

H.P. 924 L.D. 1330

Bill "An Act To Authorize a General Fund Bond Issue To Recapitalize the School Revolving Renovation Fund"
H.P. 925 L.D. 1331

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

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

Bill "An Act To Prohibit Possession of Black Powder and Muzzle-loading Firearms by Certain Persons"

H.P. 926 L.D. 1332

Bill "An Act To Enact the Drug Trafficking Offender Registration and Notification Act"

H.P. 927 L.D. 1333

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 Authorize the Town of Atkinson To Withdraw from School Administrative District No. 41"

H.P. 928 L.D. 1334

Bill "An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators"

H.P. 929 L.D. 1335

Bill "An Act To Amend the Laws Governing the Process for a Single Municipality To Withdraw from a Regional School Unit"

H.P. 930 L.D. 1336

Bill "An Act To Define 'Surrogate' for Student Residency Purposes"

H.P. 931 L.D. 1337

Bill "An Act To Assess and Improve the Quality of Physical Education in Kindergarten to Grade 12"

H.P. 934 L.D. 1344

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

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

Bill "An Act To Provide Alternative Repayment Methods to Employees Overcompensated through an Employer Error"

H.P. 935 L.D. 1345

Bill "An Act To Expand the Rights of Public Employees under the Maine Labor Laws"

H.P. 938 L.D. 1348

Bill "An Act Regarding the Registration of Appraisal Management Companies"

H.P. 939 L.D. 1349

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

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

Bill "An Act To Clarify Access to Landlocked Ancient and Family Burying Grounds and To Clarify the Definition of Ancient Burying Ground"

H.P. 936 L.D. 1346

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 Create and Sustain Jobs through Development of Cooperatives and Employee-owned Businesses"

H.P. 932 L.D. 1338

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

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

Bill "An Act To Amend the Laws Regarding Driver's License Fees"

H.P. 937 L.D. 1347

Comes 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 Procedure To Determine the Wording of Ballot Questions for Citizen Initiatives"

H.P. 933 L.D. 1339

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

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

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

On motion by Senator **LANGLEY** of Hancock, **ADJOURNED** until Tuesday, April 11, 2017 at 10:00 in the morning in memory of and lasting tribute to Irving "Irv" Kornfield of Bangor.

Off Record Remarks

Senator **LANGLEY** of Hancock was granted unanimous consent to address the Senate on the Record.

Senator **LANGLEY**: Mr. President, I rise today to ask that when we adjourn today that we do so in the memory of Irv Kornfield. Irv Kornfield is the husband of my co-Chair in the Education Committee, Representative Tori Kornfield. Irv Kornfield passed away Tuesday morning after a long battle with cancer. He and Representative Kornfield and I share a common bond of all having graduated from Syracuse University. Irv battled with cancer, as I said, and succumbed early Tuesday morning. This session has been so extremely difficult for Representative Kornfield. Your thoughts and prayers would be welcomed and there is a ceremony for him, a gathering, 4 - 6 p.m. tomorrow evening at Brookings Smith Funeral Home in Bangor. Thank you, Mr. President and men and women of the Senate.

Off Record Remarks

Senator **GRATWICK** of Penobscot was granted unanimous consent to address the Senate on the Record.

Senator **GRATWICK**: Thank you very much, Mr. President. Indicate, again, sadness at the passing of Irv Kornfield. Extraordinary man. Both he and his wife, Representative Kornfield, have been good friends for a very long time. He was a forensic pathologist, which is to say he specialized in different blood tests they used on animals and people and so forth. He was a teacher at the University. He got his students all excited about microbiology. He was an evolutionary geneticist. He traveled all over the world. Very distinguished scientific career and he also has a marine mollusk, I think it is, named after him, the *Austrocuma kornfieldi*. Distinguished accomplishment. Thank you very much, Mr. President.

Off Record Remarks

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