

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
May 30, 2017

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

Prayer by Pastor Chad Colburn, South Liberty Baptist Church.

PASTOR COLBURN: Father, I thank You that we have this day before us. I thank You that You've permitted us all to be here and to gather together. I pray especially for these Senators here, Lord, that are here by Your wisdom. Lord, I pray that they would have Your wisdom, they would have clarity of thought, they would have recall, Lord, that they would be able to serve this great state. I thank You that we are privileged to live here in this state and also in this country. I thank You, Lord, that we are able to begin with prayer this morning. I thank You for the Lord Jesus who came and died on the cross for our sins and rose again, Lord. I pray that today would be a day You are especially watching and blessing the proceedings here today. In Jesus' name, Amen.

Pledge of Allegiance led by Senator David R. Miramant of Knox County.

Reading of the Journal of Thursday, May 25, 2017.

Doctor of the day, Dylan McKenney, M.D. of Portland.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 441

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

May 24, 2017

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Education and Cultural Affairs has had under consideration the nomination of Anna M. Perna of Holden, for appointment to the School Board of the Governor Baxter School for the Deaf.

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

YEAS	Senators	1	Langley of Hancock
	Representatives	8	Kornfield of Bangor, Farnsworth of Portland, Fuller of Lewiston, Ginzler of Bridgton, McCrea of Fort Fairfield, Sampson of Alfred, Stewart of Presque Isle, Turner of Burlington

NAYS 0

ABSENT	4	Sen. Maker of Washington, Sen. Millett of Cumberland, Rep. Daughtry of Brunswick, Rep. Pierce of Falmouth
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Nine members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Anna M. Perna of Holden, for appointment to the School Board of the Governor Baxter School for the Deaf be confirmed.

Signed,

S/Brian D. Langley
Senate Chair

S/Tori P. Kornfield
House Chair

READ and ORDERED PLACED ON FILE.

The Chair noted the absence of the Senator from Oxford, Senator **KEIM**, and the Senator from Franklin, Senator **SAVIELLO**, and further excused the same Senators from today's Roll Call votes.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **EDUCATION AND CULTURAL AFFAIRS** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#186)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, SAVIELLO

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Anna M. Perna** of Holden for appointment to the School Board of the Governor Baxter School for the Deaf was **CONFIRMED**.

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

The Following Communication: S.C. 442

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

May 24, 2017

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Alvin K. Ahlers of North Yarmouth, for reappointment to the Board of Environmental Protection.

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

YEAS	Senators	2	Saviello of Franklin, Gratwick of Penobscot
	Representatives	9	Tucker of Brunswick, Duchesne of Hudson, Fay of Raymond, Harlow of Portland, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield, Zeigler of Montville
NAYS		0	
ABSENT		2	Sen. Volk of Cumberland, Rep. Campbell of Orrington

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Alvin K. Ahlers of North Yarmouth, for reappointment to the Board of Environmental Protection be confirmed.

Signed,

S/Thomas B. Saviello
Senate Chair

S/Ralph L. Tucker
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#187)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, SAVIELLO

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Alvin K. Ahlers** of North Yarmouth for reappointment to the Board of Environmental Protection was **CONFIRMED**.

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

The Following Communication: S.C. 443

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

May 24, 2017

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Honorable James W. Parker of Veazie, for reappointment to the Board of Environmental Protection.

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

YEAS	Senators	2	Saviello of Franklin, Gratwick of Penobscot
	Representatives	9	Tucker of Brunswick, Duchesne of Hudson, Fay of Raymond, Harlow of Portland, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield, Zeigler of Montville
NAYS		0	
ABSENT		2	Sen. Volk of Cumberland, Rep. Campbell of Orrington

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Honorable James W. Parker of Veazie, for reappointment to the Board of Environmental Protection be confirmed.

Signed,

S/Thomas B. Saviello
Senate Chair

S/Ralph L. Tucker
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#188)

YEAS: Senators: None

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

EXCUSED: Senators: KEIM, SAVIELLO

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of the Honorable **James W. Parker** of Veazie for reappointment to the Board of Environmental Protection was **CONFIRMED**.

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

The Following Communication: S.C. 450

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

May 26, 2017

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

Dear Secretary Priest:

In reference to the action of the Senate on May 23, 2017 in which it Insisted and Asked for a Committee of Conference on L.D. 587, "An Act To Allow Fees To Be Charged for Wild Game Dinners" (S.P. 202) I am pleased to appoint the following as conferees on the part of the Senate:

Senator Thomas B. Saviello of Franklin
Senator Paul T. Davis, Sr. of Piscataquis
Senator Brownie Carson of Cumberland

Please contact my office if you have any questions regarding these appointments.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 445

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

May 25, 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. 599 An Act To Prevent Violence against Emergency Responders
- L.D. 838 An Act To Prevent Sexual Abuse by Members of the Clergy
- L.D. 1606 An Act To Remove the Reporting Requirement of the Office of Victim Services

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. 446

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

May 25, 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 Health and Human Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 447 An Act To Coordinate Services and Support Workforce Development for Substance Use Disorder Prevention and Peer Recovery Services
- L.D. 717 An Act To Protect Maine School Children from Lead and Arsenic Exposure
- L.D. 1052 An Act To Allow Drug Testing Prior to Providing Welfare Benefits

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Patricia Hymanson
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 444

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

May 22, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 1020 An Act To Minimize Crop Damage by Deer by Amending Certain Laws Governing Hunting

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 447

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

May 25, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 666 An Act To Improve Access to Cost-effective Health Care Services

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 448

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

May 19, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 64 An Act To Require Mediation within 90 Days of a Homeowner's Receipt of a Foreclosure Notice

L.D. 486 An Act To Authorize Vacating the Convictions of Members of the Houlton Band of Maliseet Indians Convicted under Prior Laws Governing the Possession and Use of Marijuana (EMERGENCY)

L.D. 697 Resolve, To Establish a Commission To Study the Roles and Rights of Grandparents in Raising Their Grandchildren

This is notification of the Committee's action.

Sincerely,

S/Sen. Lisa Keim S/Rep. Matthew W. Moonen
Senate Chair House Chair

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

The Following Communication: S.C. 449

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

May 25, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

- L.D. 896 An Act To Promote Retention and Recruitment of Judicial Marshals and Sergeants (EMERGENCY)
- L.D. 1264 Resolve, Regarding Court Facilities in York County
- L.D. 1315 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)

This is notification of the Committee's action.

Sincerely,

S/Sen. Lisa Keim
Senate Chair

S/Rep. Matthew W. Moonen
House Chair

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

The Following Communication: H.C. 187

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

May 25, 2017

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

Dear Secretary Priest:

The Speaker appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act To Allow Fees To Be Charged for Wild Game Dinners" (S.P. 202)(L.D. 587).

Representative Robert S. Duchesne of Hudson
Representative Denise Patricia Harlow of Portland
Representative Catherine M. Nadeau of Winslow

Sincerely,

S/Robert B. Hunt
Clerk of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: H.C. 188

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

May 25, 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 Address the Policies Relating to Substance Use in the Workplace" (S.P. 413) (L.D. 1222) 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.**

The Following Communication: H.C. 189

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

May 25, 2017

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

Dear Secretary Priest:

Senate Paper 332, Legislative Document 1025, "An Act To Allow Stepparents To Sign the Application for a Driver's License for a Minor," 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?"

27 voted in favor and 114 against, with 2 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.**

Senate at Ease.

The Senate was called to order by the President.

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

Off Record Remarks

ORDERS

Joint Order

Expression of Legislative Sentiment recognizing:

Clayton Jordan, of Whitefield, a deputy sheriff with the Lincoln County Sheriff's Office, who was named 2016 Deputy Sheriff of the Year. We extend to Deputy Sheriff Jordan our congratulations and best wishes;

SLS 309

Sponsored by Senator DOW of Lincoln.
Cosponsored by Representative: SANDERSON of Chelsea.

READ.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Dow.

Senator **DOW:** Thank you, Mr. President. Good morning, ladies and gentlemen of the Senate. I rise this morning recognizing Deputy Jordan of Whitefield. Deputy Jordan, a 20 year plus veteran of the agency, whose career in law enforcement dates to the early 1970s, is Lincoln County's 2016 Deputy Sheriff of the Year. A graduate of the Maine Criminal Justice Academy, he worked part-time patrol for the Hallowell Police Department and the Kennebec County Sheriff's Office before landing his first full-time patrol job at the Lincoln County Sheriff's Office in late 1984. Deputy Clayton Jordan first worked for the Lincoln County Sheriff's Office from the mid-1980s until 2002, starting as a patrol deputy and working his way up to patrol sergeant and then to patrol attendant. In 1986 Jordan became the County's first

deputy to work with a full-time police dog, a German Shepard named Heidi. I remember this dog and it's pleasant to even be able to speak about it again. Jordan bought Heidi himself and paid for her training. Jordan resigned in 2002 from the Sheriff's Office and went into business for himself as a carpenter. In 2012 the Sheriff's Office recruited him to come back and work in the special services division. His primary assignment was to provide security for District Court Judge Barbara Raimondi. He also was tasked with the transportation of inmates to Two Bridges Regional Jail to and from the court house and other correctional facilities. At 63, he is the agency's oldest full-time deputy. Off duty, Deputy Jordan likes to work with wood, building cabinets and furniture. He lives in Whitefield with his wife of 26 years, Beth. They have three adult children and two grandchildren, and I'm pleased to have Deputy Jordan join us today, along with his wife, Beth, and colleagues from the Lincoln County Sheriff's Office, to congratulate and thank him in front of this Body for dedicating his career to the safety of Lincoln County residents and our judges. I thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the Chamber with us Clayton Jordan; his wife, Beth Jordan; and colleague from the Lincoln County Sheriff's Department. Would they please all rise and accept the greetings of the State Senate.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **JUDICIARY** on 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

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.

Under suspension of the Rules, Bill **READ TWICE** and **PASSED TO BE ENGROSSED** in concurrence.

Ought to Pass As Amended

The Committee on **JUDICIARY** on Bill "An Act To Allow and Recognize a Legal Name Change upon Marriage"

H.P. 126 L.D. 170

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-274).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-274)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-274) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act To Protect Individual Retirement Accounts from Creditor Collection" H.P. 149 L.D. 193

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-275)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-275)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-275) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **JUDICIARY** on Bill "An Act To Clarify Certain Right-of-way Limitations" H.P. 802 L.D. 1139

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-276)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-276)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-276) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Regarding Funding for Children's Behavioral Health Day Treatment"

H.P. 199 L.D. 266

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

Signed:

Senators:
BRAKEY of Androscoggin
CHIPMAN of Cumberland
HAMPER of Oxford

Representatives:
HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HEAD of Bethel
PERRY of Calais
SANDERSON of Chelsea

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-259)**.

Signed:

Representatives:
HAMANN of South Portland
MADIGAN of Waterville
MALABY of Hancock
PARKER of South Berwick

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

Reports **READ**.

On motion by Senator **BRAKEY** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Repeal the Laws Establishing the Cumberland County Recreation Center and To Transfer Authority to Cumberland County"

H.P. 805 L.D. 1142

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-256)**.

Signed:

Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York
KEIM of Oxford

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
GRIGNON of Athens
HARRINGTON of Sanford
HOGAN of Old Orchard Beach
MADIGAN of Rumford
PICKETT of Dixfield
SPEAR of South Thomaston

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

Signed:

Representative:

ORDWAY of Standish

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-256)**.

Reports **READ**.

On motion by Senator **DAVIS** of Piscataquis, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-256) **READ** and **ADOPTED**, in concurrence.

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

Senator **ROSEN** of Hancock requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify the Law Allowing Certificate of Approval Holders and Manufacturers or Suppliers of Spirits To Offer Mail-in Rebates"

H.P. 714 L.D. 1013

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-265)**.

Signed:

Senators:

MASON of Androscoggin
CARPENTER of Aroostook
COLLINS of York

Representatives:

LUCHINI of Ellsworth
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor
WHITE of Washburn

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

Signed:

Representatives:

CASAS of Rockport
HICKMAN of Winthrop

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-265)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-265) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Require the Secretary of State To Automatically Register Nonregistered Persons Who Are Qualified To Vote through Records of the Bureau of Motor Vehicles"
H.P. 854 L.D. 1232

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-267)**.

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

LUCHINI of Ellsworth
CASÁS of Rockport
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

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

Signed:

Senators:

MASON of Androscoggin
COLLINS of York

Representatives:

DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
WHITE of Washburn

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-267)**.

Reports **READ**.

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

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

Senator **MASON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, you know with all bills around here most of them end up well intentioned, but I think they have some unintended consequences. The bill before you, I feel, that voters should have to make some sort of affirmative action to say that they, yes, do want to be on the voting rolls and would like to participate in things like jury duty. I think the bill in front of you has some unintended consequences while trying to get everybody registered to vote. There are many who do not want to be on the rolls to vote. There are some who have religious preferences to not be registered to vote and also the courts pull jury duty out of the voter rolls and would compel those who do not wish to be part of that for, once again, said religious differences to be part of it. So I think this has some unintended consequences. I'd urge the Body for an Ought Not to Pass vote. Thank you, Mr. President.

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

Senator **CARPENTER:** Thank you, Mr. President. Men and women of the Senate, if you look at Committee Amendment "A" under, I don't have the filing number, but - I'm sorry - H-276, I believe you will find that this bill has now been turned into a study

asking the Secretary of State to study the issue of automatic registration of voters. I think we should do everything we possibly can to encourage people to register to vote and to get as many people to come and vote as possible. I think, potentially, this could be a step in the right direction. Mr. President, I request when the vote be taken it be taken by the Yeas and Nays. Thank you.

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 Kennebec, Senator Bellows.

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the pending motion and urge you to consider that a similar measure just passed in the Illinois legislature, unanimously in the House 115-0. In these times voting is a cornerstone of our democracy. It should not be a partisan issue and making it easier, not harder, to be able to study that, I think, is extraordinarily important. I urge you to reject the pending motion.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I fully believe in doing all we can to get people registered to vote. Back in the '90s we started a program in the Secretary of State's Office called "Motor Voter" and all the motor vehicle branches had the registration cards and we really made a strong effort to register people. We even registered - allowed homeless people to claim their bench where they were sleeping at night as a residence so they could register to vote. I stood in fast food lines at McDonald's and other places before elections, passing out registration cards; doing all that we could do. We had the Corporate Division of the Secretary of State's Office hand out registration cards at various businesses. We really reached out and I think that's all paid off. But to have people register to vote without them knowing is really, to me, and I understand there's an opt out, but that seems to me inappropriate, and I think we should do all we can do to get folks registered and the message I would want to, if this passes, send to the Secretary of State when they're considering this is that this really is an issue which we should take very, very seriously. It makes me very uneasy to think that people are going to be registered without their knowledge, and, even if they can opt out, it just seems inappropriate to me to do it that way. I think we should focus our energy on the other side of it, and that is encouraging people to vote as much as we can, as we have in the past. Thank you, Mr. President.

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

Senator **MILLETT:** Thank you, Mr. Chair. Mr. Chair, may I request, pose a question to the Body through the Chair?

THE PRESIDENT: The Senator may proceed.

Senator **MILLETT**: Thank you, Mr. President. Can someone please inform us as to what's in front of us? Is it - what's in front of us is Ought Not to Pass, but is the alternative in the amended version actual change the statute or a study?

THE PRESIDENT: The Senator from Cumberland, Senator Millett, has posed a question through the Chair to anyone who cares to answer. The Chair recognizes the Senator from Androscoggin, Senator Mason.

Senator **MASON**: Thank you, Mr. President. I rise to answer the question from the good Senator from Cumberland County, Senator Millett. The question before us is acceptance of the Ought Not to Pass Report, which debates the bill underlying that report, which is L.D. 1232. It does not discuss the amended version because it is not in front of us.

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

Senator **CARPENTER**: Thank you, Mr. President. I'm at the moment getting out my amendments and I will respond. Certainly, Senator Mason's absolutely correct. The pending motion is to accept the Ought Not to Pass Report. I would, however, call the Senate's attention to the House Amendment.

THE PRESIDENT: Senator, with all due respect, I'm not sure that it's appropriate to call the Senate's attention to another amendment. The pending question before the Senate is Acceptance of the Minority Ought Not to Pass Report. If you are in favor of accepting that report you will be voting Yes. If you are opposed you will be voting No. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#189)

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

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

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, the motion by Senator **MASON** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED**.

Sent down for concurrence.

Senate

Ought to Pass As Amended

Senator HAMPER for the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Volatility in State Pension Funding Requirements Caused by the Financial Markets

S.P. 240 L.D. 723

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-148)**.

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

Resolution **READ ONCE**.

Committee Amendment "A" (S-148) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator VOLK for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on 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

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-149)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-149) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Help Maine Manufacturing" S.P. 297 L.D. 895

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

Signed:

Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York
KEIM of Oxford

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
HARRINGTON of Sanford
HOGAN of Old Orchard Beach
MADIGAN of Rumford
ORDWAY of Standish
PICKETT of Dixfield
SPEAR of South Thomaston

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-143).**

Signed:

Representative:

BRYANT of Windham

Reports **READ.**

On motion by Senator **DAVIS** of Piscataquis, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED.**

Sent down for concurrence.

Divided Report

Eight members of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Reduce Youth Access to Tobacco Products"

S.P. 391 L.D. 1170

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-146).**

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
CHACE of Durham
DENNO of Cumberland
HAMANN of South Portland
HEAD of Bethel
MADIGAN of Waterville
PARKER of South Berwick

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought Not to Pass.**

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

MALABY of Hancock
SANDERSON of Chelsea

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-147).**

Signed:

Representative:

PERRY of Calais

Reports **READ.**

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** Report "**B**" **OUGHT NOT TO PASS.**

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "**B**" **OUGHT NOT TO PASS.**

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, To Establish the Commission To Streamline Veterans' Licensing and Certification

H.P. 170 L.D. 214
(C "A" H-187)

On motion by Senator **CUSHING** of Penobscot, placed on the **SPECIAL STUDY TABLE** pending **FINAL PASSAGE** in concurrence.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Late-filed Major Substantive Rule of the Department of Health and Human Services

H.P. 977 L.D. 1419

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 Improve Attendance at Public Elementary Schools
S.P. 44 L.D. 96
(C "A" S-28)

An Act To Reduce Youth Cancer Risk
S.P. 289 L.D. 889

An Act Regarding the Taxation of Certain Nonprofit Organizations
S.P. 334 L.D. 1027

An Act To Provide a Definition of "Primary Residence" for Purposes of Property Tax Abatements Based on Hardship or Poverty
S.P. 401 L.D. 1180

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 Amend Principles of Reimbursement for Nursing Facilities and for Residential Care Facilities
S.P. 178 L.D. 517
(C "A" S-91)

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

An Act To Provide a Sales Tax Exemption for Certain Nonprofit Organizations Supporting Veterans
H.P. 562 L.D. 782
(C "A" H-193)

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

An Act Regarding the Maine Clean Election Fund
H.P. 846 L.D. 1210
(C "A" H-185)

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

An Act To Repeal the Income Tax on Pick-up Contributions Paid to the Maine Public Employees Retirement System and To Clarify the Taxation of Pick-up Contributions Distributed in the Form of a Rollover

H.P. 870 L.D. 1247
(C "A" H-194)

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

Resolve

Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

H.P. 979 L.D. 1421
(C "A" H-195)

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

Ordered sent down forthwith.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (5/23/17) matter:

SENATE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Amend the Laws Governing the Practice of Pharmacy"

S.P. 187 L.D. 572

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-124)** (6 members)

Tabled - May 23, 2017, by Senator **VOLK** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report

On motion by Senator **VOLK** of Cumberland, the Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-124) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/24/17) matter:

HOUSE REPORT - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Prohibit Any Questions Regarding Criminal History on State Employment Applications" H.P. 221 L.D. 288

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-242)**

Tabled - May 24, 2017, by Senator **DAVIS** of Piscataquis

Pending - **ACCEPTANCE OF REPORT**

(In House, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-242)**.)

Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-242) **READ** and **ADOPTED**, in concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (5/24/17) matter:

Emergency Measure

An Act To Allow for the Regulation of Transportation Network Companies at Airports

H.P. 711 L.D. 1010
(C "A" H-123)

Tabled - May 24, 2017, by Senator **LIBBY** of Androscoggin

Pending - **ENACTMENT** in **NON-CONCURRENCE**

(In House, **FAILED ENACTMENT**.)

On motion by Senator **DION** of Cumberland, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123)**, in concurrence.

On further motion by same Senator, the Senate **SUSPENDED THE RULES**.

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-123), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-145) to Committee Amendment "A" (H-123) **READ** and **ADOPTED**.

Committee Amendment "A" (H-123) as Amended by Senate Amendment "A" (S-145) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-123) AS AMENDED BY SENATE AMENDMENT "A" (S-145) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/25/17) matter:

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Create the Small Communities Tourism Fund" H.P. 903 L.D. 1306

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-227)** (9 members)

Minority - **Ought Not to Pass** (4 members)

Tabled - May 25, 2017, by Senator **VOLK** of Cumberland

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report in **NON-CONCURRENCE**

(In House, 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-227)**.)

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

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

Senator **BELLOWS**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise in opposition to the pending motion and draw your attention to the Majority Report of the Committee, which.

THE PRESIDENT: If we could please defer. Once again, I want to remind members that calling our attention to reports that are not before us is an improper action. So we need to talk about the report that's in front of us. The Senator may proceed.

Senator **BELLOWS**: Thank you, Mr. President. I urge you to oppose the pending motion because I think it is extraordinarily important that we prioritize communities of 7,000 or less, which is what the majority of the committee and myself would encourage you to consider doing, and that I am very heartened that the Maine Tourism Association has agreed to amend their application process to recognize those communities. I really respect those people doing the work now, but I worry that in the future we might see a rolling back of that, and I think that Representative Herbig, who brought this bill forward, spoke to the need of smaller communities that bring these community festivals, festivals that too often the larger communities dominate but make Maine great. So I encourage you to defeat the pending motion and allow us to consider some alternatives.

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 rise to speak in favor of the pending motion and I just want to make the point that tourism marketing dollars are precious and they are expended based on extensive research, and fracturing off those dollars and statutorily directing where and how they should be spent is really bad precedent and will likely reduce the impact of our overall marketing strategy, which is responsible for bringing 40 million visitors to Maine each year, which is a staggering number for a state of 1.3 million. You know, this bill was brought forward to the committee and what happened was we had the department react to this bill. They reacted in a favorable way. They took a look at the application, which was very lengthy. It was something that you really needed to have staff in order to complete. They considered the testimony of these small towns who said, you know, we have these volunteer committees that, you know, are trying to put on these festivals and they really can't take the time to fill out a lengthy application. So, at this point, the application has been amended. I have a copy of it right here, and they would actually - a minimum grant increased from \$1,000 to \$2,500 and municipalities would be able to, they were able to before but there was some confusion about that, so the new application clarifies that municipalities can apply on behalf of an event organization. It stipulates that an event may not file for application more than two consecutive years, so that's important, to make sure that we're able to spread these marketing dollars around, and it removes an existing barrier by eliminating the need of filing a copy of operating guidelines, bylaws, and all of that kind of thing. For municipalities with 7,000 residents or less, they actually get 10 bonus points on their application if they met with a Maine Office of Tourism Destination Development Specialist during the grant evaluation process. So our Office of Tourism stands ready to help small communities, help small organizations, qualify for these marketing dollars and I believe, going forward, that this

legislation is now unnecessary and it really falls into the category of micromanagement, which I don't think is a road that we need to be going down. Thank you.

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

Senator **LANGLEY**: Thank you, Mr. President. Mr. President and men and women of the Senate, I, too, rise to support the motion that's in front of us. My comments are probably much more simple in that in my experience here, in the Legislature, sometimes you put in a bill, an effort to move something along, and the response that you get can be better than what you hoped for in your original bill, and that's the case here. These folks here, the Tourism folks, took this to heart and they did, they amended their whole program so that this gets folded into one program so you don't have two programs out there. The fear would be that another one would come along next year and there would be a third program, all needing to be managed. So, in an effort to be efficient, they retooled their Maine Tourism Marketing Partnership Program and increased the opportunities for small. The bill, as it stands, the one that's Ought Not to Pass, is - awards - grants of \$1,000 to \$2,000. What the new program does, the grants go from \$1,000 to \$10,000. So if you have a really good idea, and you have a wonderful grant, and you get extra points for being in a small community, then you're going to get more money. So this - if you vote Ought Not to Pass you're not voting to kill the program. You're voting to increase the funding from \$1,000 all the way to \$10,000. I think this is a better deal. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority Ought Not to Pass Report. If you are in favor of accepting that report you'll be voting Yes. If you are opposed you will be voting No. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#190)

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

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

16 Senators having voted in the affirmative and 19 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, FAILED**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-227) **READ** and **ADOPTED**, in concurrence.

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Wednesday, May 31, 2017 at 10:00 in the morning.