

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
June 8, 2017

Senate called to order by President Pro Tempore Garrett P. Mason of Androscoggin County.

Prayer by Pastor Henry Cooper, Fayette Baptist Church.

PASTOR COOPER: Let us pray. Lord, thank You so much for this day. It is truly a gift. We thank You for these men and women who have been given both the privilege and the responsibility to represent the citizens of this state. I pray that they would have wisdom and discernment to know what is right, the right thing to do, and to resist the temptation to push forward any personal agendas. Help them to collaborate, compromise whenever possible, in order to keep moving our great state forward. I pray they never lose a deep-seated conviction that what they do does matter. May they truly believe that decisions they make are absolutely best for the people they serve, especially for the generations that follow them. Lord, this is serious business. I pray today that they would not take themselves too seriously at times. May they actually enjoy what they do. May it be really fulfilling. Knowing that we all have the potential to make mistakes and fail at times, we humbly ask for Your guidance and, as Jesus taught his disciples to pray, thy will be done on earth as it is in heaven. Amen.

Pledge of Allegiance led by Senator Andre E. Cushing, III of Penobscot County.

Reading of the Journal of Wednesday, June 7, 2017.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Prohibit a Person from Providing False Testimony to a Committee of the Legislature"
H.P. 599 L.D. 850
(C "B" H-182)

Report "A" - **Ought Not to Pass** (6 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "A" (H-181)** (5 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "B" (H-182)** (2 members)

In Senate, June 1, 2017, on motion by Senator **DAVIS** of Piscataquis, Report "C" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-182) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-182) in NON-CONCURRENCE.**

Comes from the House, Report "C" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-182) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-182) AS AMENDED BY HOUSE AMENDMENT "A" (H-415)** thereto in **NON-CONCURRENCE.**

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

Sent down for concurrence.

Non-Concurrent Matter

Bill "An Act To Increase the Penalties for Hunting Deer over Bait"
H.P. 761 L.D. 1083
(C "A" H-148)

In Senate, May 24, 2017, **PASSED TO BE ENACTED** in concurrence.

In House, **RECALLED** from the Governor's Desk, pursuant to Joint Order H.P. 1125.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-148) AS AMENDED BY HOUSE AMENDMENT "A" (H-411)** thereto in **NON-CONCURRENCE.**

On motion by Senator **CYRWAY** of Kennebec, the Senate **RECEDED and CONCURRED.**

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Restore Judicial Discretion" (EMERGENCY)
S.P. 97 L.D. 309
(C "A" S-191)

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-191)** (11 members)

Minority - **Ought Not to Pass** (2 members)

In Senate, June 5, 2017, on motion by Senator **KEIM** of Oxford, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-191)**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-191) AS AMENDED BY HOUSE AMENDMENT "A" (H-449)** thereto in **NON-CONCURRENCE**.

On motion by Senator **KEIM** of Oxford, the Senate **RECEDED** and **CONCURRED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding College Affordability"

H.P. 792 L.D. 1129

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-394)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **LANGLEY** of Hancock, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-394)**.

On motion by Senator **LANGLEY** of Hancock, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Confer Categorical Eligibility for Supplemental Nutrition Assistance Program Benefit Applications"

H.P. 480 L.D. 689

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-398)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-398)**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Provide Supplemental Nutrition Assistance to Veterans and Rental Assistance to Long-term Homeless Persons"

H.P. 1059 L.D. 1538

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-399)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **BRAKEY** of Androscoggin, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-399)**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents"

H.P. 904 L.D. 1307
(C "A" H-400)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-400)** (5 members)

In Senate, June 6, 2017, on motion by Senator **VOLK** of Cumberland, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.

On motion by Senator **LANGLEY** of Hancock, the Senate **INSISTED**.

Senate at Ease.

The Senate was called to order by
President Pro Tempore Mason.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TAXATION** on Bill
"An Act Regarding the Commercial Forestry Excise Tax"
H.P. 385 L.D. 541

Majority - **Ought to Pass as Amended by Committee
Amendment "B" (H-385)** (8 members)

Minority - **Ought Not to Pass** (5 members)

In Senate, June 6, 2017, on motion by Senator **DOW** of Lincoln,
the Minority **OUGHT NOT TO PASS** Report **READ** and
ACCEPTED in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former
action whereby the Majority **OUGHT TO PASS AS AMENDED**
Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE**
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT
"B" (H-385).

On motion by Senator **DOW** of Lincoln, **TABLED** until Later in
Today's Session, pending **FURTHER CONSIDERATION**.

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.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TAXATION** on
RESOLUTION, Proposing an Amendment to the Constitution of
Maine To Dedicate All Sales Taxes from All Vehicle Sales and
Any Vehicle-related Sales to the Highway Fund for Roads and
Bridge Capital Improvements

H.P. 780 L.D. 1106
(C "A" H-387)

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (H-387)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **DOW** of Lincoln,
the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and
ACCEPTED and the RESOLUTION **PASSED TO BE**
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT
"A" (H-387) in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former
action whereby the Minority **OUGHT NOT TO PASS** Report was
READ and **ACCEPTED**.

On motion by Senator **DOW** of Lincoln, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TAXATION** on Bill
"An Act To Support Maine Families by Increasing the Dependent
Care Credit"

H.P. 807 L.D. 1144

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (H-235)** (10 members)

Minority - **Ought Not to Pass** (3 members)

In Senate, June 6, 2017, on motion by Senator **DOW** of Lincoln,
the Minority **OUGHT NOT TO PASS** Report **READ** and
ACCEPTED in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former
action whereby the Majority **OUGHT TO PASS AS AMENDED**
Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE**
ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT
"A" (H-235).

On motion by Senator **DOW** of Lincoln, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **CRIMINAL
JUSTICE AND PUBLIC SAFETY** on Resolve, To Address
Substance Use and Addiction in County Jails

H.P. 588 L.D. 839

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (H-219)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **ROSEN** of
Hancock, the Minority **OUGHT NOT TO PASS** Report **READ** and
ACCEPTED in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former
action whereby the Majority **OUGHT TO PASS AS AMENDED**
Report was **READ** and **ACCEPTED** and the Resolve **PASSED**
TO BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (H-219).

On motion by Senator **ROSEN** of Hancock, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **TAXATION** on Bill "An Act To Support Employees with Significant Commutes"
H.P. 675 L.D. 947

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-238)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **DOW** of Lincoln, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)**.

On motion by Senator **DOW** of Lincoln, the Senate **INSISTED**.

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Include Additional Corrections Officers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers"
H.P. 942 L.D. 1365

Majority - **Ought to Pass as Amended by Committee Amendment "A" (H-410)** (7 members)

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

In Senate, June 6, 2017, on motion by Senator **HAMPER** of Oxford, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Majority **OUGHT TO PASS AS AMENDED** Report was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-410)**.

On motion by Senator **HAMPER** of Oxford, the Senate **INSISTED**.

Non-Concurrent Matter

Bill "An Act To Prohibit the Exclusion of a Patient from Eligibility for an Organ Transplant Based on Medical Marijuana Use"
H.P. 544 L.D. 764
(C "A" H-328)

In Senate, June 1, 2017, on motion by Senator **BRAKEY** of Androscoggin, 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-328)** in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-328) AS AMENDED BY HOUSE AMENDMENT "A" (H-427)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Align Time Limits in the Municipal General Assistance Program and Temporary Assistance for Needy Families Program"
S.P. 66 L.D. 220
(C "A" S-61)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-61)** (6 members)

In Senate, May 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-61)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **INSISTED**.

Sent down for concurrence.

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Prioritize Use of Available Resources in General Assistance Programs"
S.P. 65 L.D. 219
(C "A" S-62)

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-62)** (6 members)

In Senate, May 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-62)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion by Senator **BRAKEY** of Androscoggin, the Senate **ADHERED**.

Sent down for concurrence.

Ten 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 Michael R. Currie of Falmouth, for appointment to the Maine Public Employees Retirement System Board of Trustees be confirmed.

Signed,

S/James M. Hamper
Senate Chair

S/Drew M. Gattine
House Chair

READ and **ORDERED PLACED ON FILE**.

COMMUNICATIONS

The Following Communication: S.C. 493

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

June 6, 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 Appropriations and Financial Affairs has had under consideration the nomination of Michael R. Currie of Falmouth, for appointment to the Maine Public Employees Retirement System Board of Trustees.

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	Hamper of Oxford
	Representatives	9	Gattine of Westbrook, Frey of Bangor, Hubbell of Bar Harbor, Jorgensen of Portland, Martin of Eagle Lake, Seavey of Kennebunkport, Tepler of Topsham, Timberlake of Turner, Winsor of Norway
NAYS		0	
ABSENT		3	Sen. Breen of Cumberland, Sen. Katz of Kennebec, Rep. Sirocki of Scarborough

The Chair noted the absence of the Senator from York, Senator **HILL**, the Senator from Cumberland, Senator **VOLK**, and the Senator from Penobscot, Senator **DILL**, and further excused the same Senators from today's Roll Call votes.

The President Pro Tempore laid before the Senate the following: "Shall the recommendation of the Committee on **APPROPRIATIONS AND FINANCIAL 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 (#254)

YEAS: Senators: None

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

EXCUSED: Senators: DILL, HILL, VOLK

No Senator having voted in the affirmative and 32 Senators having voted in the negative, with 3 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 **Michael R. Currie** of Falmouth, for appointment to the Maine Public Employees Retirement System Board of Trustees was **CONFIRMED**.

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

The Following Communication: S.C. 490

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

June 2, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 1342 An Act Regarding Grid-scale Wind Energy Development

This is notification of the Committee's action.

Sincerely,

S/Sen. David Woodsome S/Rep. Seth A. Berry
Senate Chair House Chair

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

The Following Communication: S.C. 491

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

June 2, 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. 567 An Act To Ensure Timely Expenditure of Federal Funds in the Department of Health and Human Services

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey S/Rep. Patricia Hymanson
Senate Chair House Chair

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

The Following Communication: S.C. 492

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

June 5, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 1618 An Act To Support Maine's Working Families through Universal Child Care

This is notification of the Committee's action.

Sincerely,

S/Sen. Dana L. Dow S/Rep. Ryan Tipping
Senate Chair House Chair

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

The Following Communication: H.C. 221

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

June 7, 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 Veterans and Legal Affairs on Bill "An Act To Assist Veterans in Their Applications for Service-related Benefits" (S.P. 160) (L.D. 465) and Passage to be Engrossed as Amended by Committee Amendment "A" (S-168).

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: H.C. 223

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

June 7, 2017

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

Dear Secretary Priest:

Senate Paper 25, Legislative Document 45, "Resolve, Concerning the Ownership of a Causeway on Long Lake near St. Agatha," 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?"

81 voted in favor and 65 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.

ORDERS

Joint Order

On motion by Senator **MIRAMANT** of Knox, the following Joint Order:
S.P. 587

**STATE OF MAINE
128TH MAINE LEGISLATURE**

ORDERED, the House concurring, that the Joint Standing Committee on Environment and Natural Resources report out a bill to the Senate that requires the State to:

1. Implement measures designed to meet, as practicable and on a state level, the broad goals of the Paris Agreement on climate change signed by the United States on April 22, 2016 and entered into force on November 4, 2016, referred to in this order as "the Paris Agreement," including measures to reduce carbon emissions within the time limits proposed in the Paris Agreement; or
2. Join with any other states that have formed a coalition to implement and comply with the goals of the Paris Agreement.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, I present this order in response to a crisis that we are facing and that we need to really examine closely. I request to speak to the order.

READ.

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

Senator **MIRAMANT:** Thank you, Mr. President. Sorry, I got anxious there. Men and women of the Senate, the Paris Agreements have been in the news a lot lately and what it represents to me is a coming together of the whole world to address a problem facing the whole world, and each one of us has a part we can play. The United States joined this group. Only two countries didn't. One because they didn't feel it went far enough and the other because its government, if they set foot in France, would have been arrested and jailed. So pretty unanimous consent to the agreement and what I want is that we look at the reasons for it. We need to hold the line at two degrees. We made this focus on STEM. We hear STEM every day in education. Science, technology, engineering, and mathematics. All four of those groups are represented in the folks researching how the temperature rise is affecting us. But we have it every day. We watch it. We deal with it in the Marine

Resources Committee, when I was on it, every day. Sea level rise. Acidification. Acid rain on the rest of the state. We have so much going on because of the carbon dioxide levels in the environment. The fact that the ocean absorbs them. Without a balance we're pushing rise to levels that won't sustain life as we know it and, if not caught and stopped, life at all. So we need to be figuring it out now because we're living the effects of 20 to 30 years ago. What we did then is what we're starting to see. So these agreements are, it will try to hold the line beyond the development of the industrial society at two degrees, or 3-1/2 degrees Fahrenheit. Beyond that, acceleration of damage is pretty rapid. One of the ways that I know that I had a unique perspective on our world was flying back and forth to Europe, watching the glaciers on Greenland, and seeing that there's this expanse of white over a distance you can't believe. That white would have small pools of blue, a blue that you've never seen before. It's unbelievable color. If you could just capture that in a crayon. But now what I'm hearing from my friends who are still doing it is that it's not small pools here and there, that it's big lakes, that it's rivers rushing to the ocean. Greenland has enough ice that if it melts it could raise the level of the oceans 21 feet. So it's important that we keep the ice where it belongs, that we're not doing already. We haven't gone too far towards stemming this rise of temperature and it's going to go way beyond 3-1/2 degrees, another 3-1/2 degrees, by 2050 at the rate we're going. I'm sorry. I'm trying to think of all the things and say them in a way to encourage us to just embrace this with the world and try to use the technologies that are now available to clean up our environment.

So some people are concerned that this is putting a burden on the more developed countries that have had the benefit of using polluting technologies to advance their societies while others are suffering at the hands of it, and the way that we did that was to agree to pool money to help some of those developing countries, but we're not obligated. This is something we can choose to do. I think we must choose to do it. We're also not liable for any damage that the results of warming do to the countries that are going to suffer the worst. That was specifically prohibited in the agreements. But every five years we're required to look at what we're doing to stem the rise of temperature around the globe and I think by working together we have the best chance to do it. We bring everyone in. We report what we've been doing. We see if it's making a difference, and then we work to try to help those countries that are having the hardest time with it to move forward. It's a goal that we need for this planet and for the people of this planet, and I really would encourage you not to support the motion and to instead pass this along and then join us all in working to solve this problem. Thank you. Has a motion been made, Mr. President Pro Tem?

THE PRESIDENT PRO TEMPORE: Just its passage.

Senator **MIRAMANT:** I move its passage. Thank you.

THE PRESIDENT PRO TEMPORE: That one's already out there. The Chair recognizes the Senator from Franklin, Senator Saviello.

Senator **SAVIELLO:** Thank you, Mr. President Pro Tem and ladies and gentlemen of the Senate. I am concerned about climate change and I am not a climate change doubter. However, in 2002, when I first got here, one of the first things we did in the

Environment and Natural Resources Committee is establish some goals for the State of Maine. I have not have time to look into those goals because I just saw this on the calendar last night. But I would suggest to you that I wouldn't be surprised if we've come very close to those goals. One, because we've gone to natural gas, mostly, in the state. Two, because of the renewables we're using. Three, sadly, because of the number of mills that have closed in area, and, thirdly, which I'd like to expand upon but won't have in my time as legislator, is recognizing the forest as a sequester of carbon. We are very fortunate that over 90% of the state is in a carbon sequestration program. But we do not have the time and resources to address this global issue. However, I will ask DEP to come back and report on their efforts either during the summer, when we have one of our committee meetings, or during the year next year. As a result of that, Mr. President, I make a motion that we Indefinitely Postpone this order and all of its accompanying papers.

Senator **SAVIELLO** of Franklin moved the Joint Order be **INDEFINITELY POSTPONED.**

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#255)

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

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

EXCUSED: Senators: HILL, VOLK

17 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **SAVIELLO** of Franklin to **INDEFINITELY POSTPONE PREVAILED.**

Senate at Ease.

The Senate was called to order by President Pro Tempore Mason.

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Order

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Update the Scheduling Guidelines for Review of Agencies or Independent Agencies under the State Government Evaluation Act"

H.P. 1127 L.D. 1634

Reported that the same **Ought to Pass**, pursuant to Joint Order, H.P. 1116.

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

The Committee on **TAXATION** on Bill "An Act To Implement Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Legislative Reviews of Tax Expenditures"

H.P. 1083 L.D. 1572

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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Support Tourism on Public Reserved Lands by Leasing Sites to Commercial Sporting Camps"

H.P. 789 L.D. 1126

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-417)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-417)**.

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

Bill READ ONCE.

Committee Amendment "A" (H-417) **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 **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Increase Transparency in Cooperative Agreements within the Department of Agriculture, Conservation and Forestry"

H.P. 839 L.D. 1203

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-418)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-418)**.

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

Bill READ ONCE.

Committee Amendment "A" (H-418) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Amend the Laws Governing the Membership of the Advisory Committee on College Savings"

H.P. 418 L.D. 602

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-419)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-419)**.

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

Bill READ ONCE.

Committee Amendment "A" (H-419) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Line Projects"

H.P. 535 L.D. 755

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-424)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-424)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-424) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Establish Energy Policy in Maine"

H.P. 910 L.D. 1313

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-429)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-429)**.

Report **READ**.

On motion by Senator **WOODSOME** of York, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF THE REPORT**, in concurrence.

The Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Encourage Living Kidney Donation in Maine"

H.P. 638 L.D. 910

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-420)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-420)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-420) **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 **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Clarify and Enhance Maine's Wildlife Laws"

H.P. 1087 L.D. 1580

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-425)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-425)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-425) **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 Amend the Percentage of Votes Needed for Condominium Governance"

H.P. 214 L.D. 281

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-430)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-430)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-430) **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 the Application of the Statute of Limitations under Article 3-A of the Uniform Commercial Code"

H.P. 377 L.D. 533

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-431)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-431)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-431) **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 **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling and To Increase the MaineCare Reimbursement Rates for Certain Counselors"

H.P. 955 L.D. 1376

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-422)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-422)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-422) **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 **MARINE RESOURCES** on Bill "An Act To Promote and Encourage the Sustainability of the Elver Fishery"

H.P. 219 L.D. 286

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-426)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-426)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-426) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Create Education Savings Accounts for Maine Students"

H.P. 794 L.D. 1131

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

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth
SAMPSON of Alfred
STEWART of Presque Isle

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-395)**.

Signed:

Representative:

TURNER of Burlington

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

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#256)

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: HILL, VOLK

32 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 2 Senators being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Protect Substance-exposed Infants"

H.P. 746 L.D. 1063

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-383)**.

Signed:

Senator:
CHIPMAN of Cumberland

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

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

Signed:

Senators:
BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:
CHACE of Durham
HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

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-383)**.

Reports **READ**.

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

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

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

Senator **BELLOWS:** Thank you, Mr. President Pro Tem. Ladies and gentlemen of the Senate, one of the tragic consequences of the opioid crisis in our state is the rise in the number of babies born affected by drugs. Tragically, Maine has the second highest rate of babies born addicted to opioids. One in every twelve births in our state is a baby affected by drugs. MaineCare covers more than half of the births in Maine and more than 75% of the births resulting from unintended pregnancies. Among women struggling with drug addiction more than 85% of their pregnancies are unintended. Annually MaineCare costs covering unintended pregnancies are \$58 million. The Maine Legislature created the MaineCare Limited Family Planning Benefit in 2015 to provide reproductive healthcare to women who would be eligible for pregnancy related coverage. As it stands now women have to apply for the benefit and ask that the Family Planning be covered as part of a 90 day look-back. But that is about to change under the new Medicaid waiver applied for by DHHS, so women would have to apply for coverage several months - and wait several months to deemed eligible and get those contraceptives. By then, for many women, it will be too late. It's almost an insurmountable barrier for women dealing with addiction. This bill would provide presumptive eligibility to allow women to get the contraceptives they need as soon as they need them. Healthcare staff would be able to deem them eligible for short-term coverage while their permanent application is pending. These are the same women who get presumptive eligibility if they are pregnant. It will streamline access to contraceptives to allow them to avoid unintended pregnancy and avoid getting pregnant while they're still struggling with their addiction. It will save the State millions of dollars over the long-term, but, most importantly, it will help women. It's a concrete step we can take to confront the opioid crisis and I urge you to join me in opposing the pending motion.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the pending Ought Not to Pass motion for a number of reasons. I'll be brief. First let me say what this bill does is somewhat unprecedented. Which is fine. We often do unprecedented things in bills. Sometimes, you know, we're looking to make real changes. But what is done here - I think we need to understand what presumptive eligibility is and what its current status in law is. Currently, there is only one case, or one situation, in Maine where

any group is awarded presumptive eligibility and that's in our hospitals. We have presumptive eligibility in our hospitals because our hospitals are required under law to take people whether they want to or not. They are required to see anyone and everyone who shows up at their doors and so we have offered them presumptive eligibility for their patients so that they can receive some help, compensation, in cases there. It should be noted that they don't always use that, but that is the only situation where we have presumptive eligibility. This would be the first time we provide presumptive eligibility to any group outside of that. Now is that a good thing or bad thing? That's certainly a matter for debate, but the problem is this bill was a concept draft when it came to us at the public hearing. Then this, what we have before us, the amendment relating to presumptive eligibility was just thrown in at the work session. We never had a public hearing on that. We don't know the real pros and cons of what the precedent might be if we were to potentially open Pandora's Box and start awarding presumptive eligibilities for MaineCare. If we'd had a public hearing we could know. So if folks who like this idea want to bring this bill back in the future, when we can hear it and have a real public hearing on it and know what the unintended consequences might be, then that would be a welcomed thing to do. But to make a change like this without a public hearing, I think, is irresponsible. Thank you, Mr. President.

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

Senator **CHIPMAN:** Thank you, Mr. President. With all due respect to my good friend and colleague from Androscoggin about presumptive eligibility, I'd like to point out that pregnant women also get presumptive eligibility. It's not just situations where folks show up at hospitals. Again, I just want to stress the importance of this bill as we're dealing with the opioid crisis. It's targeted towards women and adolescents who are participating in substance abuse disorder treatment. So folks that are participating in treatment, they've got a drug addiction. We need to link them up to services and have them have access to contraceptives to avoid more pregnancies with drug addicted babies. It's a serious problem and I hope you'll join me in voting against this motion. Thank you.

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

Senator **CARPENTER:** Thank you, Mr. President Pro Tem. I rise in part, I suppose, in my capacity as a guardian ad litem. I have stood in the NIC Unit at Eastern Maine Medical Center in Bangor and I have stood in the NIC Unit at the Maine Medical Center in Portland and if this bill will prevent one more baby from going through the hell that they go through when they're withdrawing post-birth from opioids it's well worth it, just in financial terms, if you want to just boil it down to financial terms, because many of these children that I've watched have the terrible tremors and the uncontrolled crying for hours as they're withdrawing from their mother's addiction. It's heart wrenching to watch. But further, as you go down the line, these children are damaged for years and the amount of State money that we will put into these children going forward, probably never to have them fully recover, but to even get them to a place where they can live something that we might regard as a normal life, thousands and thousands of dollars. So if this bill might prevent one of these little babies,

because these little babies can't tell us how bad they're hurting and they cry for hours and they shake and they tremor. Thank you.

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

Senator **GRATWICK:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I, too, rise in support of the - I'm sorry - of the Ought to Pass aspect of this. I, too, have seen drug addicted babies. They are truly heart wrenching. This is a very common sense bill for mothers and for small children. I would simply note that right now a large number of women who are on opioids are not eligible for Medicaid. However, as soon as they become pregnant they then become eligible for MaineCare. This is a backwards way of thinking, to try to go along with the Ought Not to Pass. We want to prevent the pregnancies. It's entirely up to these women, but, as has been said, the study that came out of Johns Hopkins says that 80 - 85% of these women have unintended pregnancies. This is a common sense way that we could begin to cut back on this human tragedy. Thank you, Mr. President Pro Tem.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Acceptance of the Ought Not to Pass Report. If you are in favor of it you will vote yes. If you are opposed you will vote no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#257)

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

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

EXCUSED: Senators: HILL, VOLK

17 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, PREVAILED.**

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, To Recognize and Provide for the Right of Members of the Houlton Band of Maliseet Indians To Hunt Moose throughout Aroostook County

H.P. 448 L.D. 632

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

Signed:

Senators:

CYRWAY of Kennebec
CARPENTER of Aroostook
WOODSOME of York

Representatives:

DUCHESNE of Hudson
MASON of Lisbon
NADEAU of Winslow
REED of Carmel
STEARNS of Guilford
THERIAULT of China
WOOD of Greene

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-310)**.

Signed:

Representatives:

ALLEY of Beals
HARLOW of Portland

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Clarify the Law Regarding Arbitration Privacy with Respect to Executive and Legislative Branch Employees"

H.P. 848 L.D. 1216

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-433)**.

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk

BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland

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

Signed:

Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello
SHERMAN of Hodgdon

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-433)**.

Reports **READ**.

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

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Increase Efficiency in Enforcement of the Maine Human Rights Act"

H.P. 862 L.D. 1239

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-434)**.

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:

Senators:

KEIM of Oxford
WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello

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-434).**

Reports **READ.**

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

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

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Amend the Law Regarding Lien Recordings on Statutory Road Associations"

H.P. 908 L.D. 1311

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-435).**

Signed:

Senator:

HILL of York

Representatives:

MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
CARDONE of Bangor
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

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

Signed:

Senators:

KEIM of Oxford

WHITTEMORE of Somerset

Representatives:

BRADSTREET of Vassalboro
GUERIN of Glenburn
JOHANSEN of Monticello

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-435).**

Reports **READ.**

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

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

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act Regarding the Dispensing of Naloxone Hydrochloride by Pharmacists"

H.P. 1098 L.D. 1594

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-355).**

Signed:

Senators:

VOLK of Cumberland
BELLOWS of Kennebec

Representatives:

FECTEAU of Biddeford
BATES of Westbrook
DUNPHY of Old Town
HANDY of Lewiston
MASTRACCIO of Sanford
VACHON of Scarborough

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

Signed:

Representatives:

AUSTIN of Gray
LOCKMAN of Amherst
STETKIS of Canaan

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-355)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-355) **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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Promote Efficiency and Accountability to Taxpayers in Personal Services Contracting" H.P. 520 L.D. 740

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-199)**.

Signed:

Senator:
DESCHAMBAULT of York

Representatives:
MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
HOGAN of Old Orchard Beach
MADIGAN of Rumford
SPEAR of South Thomaston

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

Signed:

Senators:
DAVIS of Piscataquis
KEIM of Oxford

Representatives:
GRIGNON of Athens
HARRINGTON of Sanford
ORDWAY of Standish
PICKETT of Dixfield

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-199)**.

Reports **READ**.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#258)

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

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

EXCUSED: Senator: HILL

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **DAVIS** of Piscataquis to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit Payment Per Signature for Citizen Petition Drives

H.P. 39 L.D. 53

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-436)**.

Signed:

Senator:
COLLINS of York

Representatives:

LUCHINI of Ellsworth
CASÁS of Rockport
DILLINGHAM of Oxford
HANINGTON of Lincoln
HICKMAN of Winthrop
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:

Senators:

MASON of Androscoggin
CARPENTER of Aroostook

Representative:

FARRIN of Norridgewock

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the **RESOLUTION PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-436).**

Reports **READ.**

On motion by Senator **COLLINS** of York, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF EITHER REPORT.**

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Mental Health Care for Maine Veterans"

H.P. 853 L.D. 1231

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-407).**

Signed:

Senators:

CARPENTER of Aroostook
COLLINS of York

Representatives:

LUCHINI of Ellsworth
CASÁS of Rockport
HANINGTON of Lincoln
HICKMAN of Winthrop
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:

Senator:

MASON of Androscoggin

Representatives:

DILLINGHAM of Oxford
FARRIN of Norridgewock

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-407).**

Reports **READ.**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-407) **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 Enact the Maine Citizens' Initiatives Clean Election Act"

H.P. 1077 L.D. 1561

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

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
WHITE of Washburn

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-438).**

Signed:

Representatives:

CASÁS of Rockport
HICKMAN of Winthrop
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Election Laws Relating to Party Qualification"

H.P. 1082 L.D. 1571

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-439)**.

Signed:

Senators:

MASON of Androscoggin
CARPENTER of Aroostook
COLLINS of York

Representatives:

LUCHINI of Ellsworth
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
HICKMAN of Winthrop
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 To Pass as Amended by Committee Amendment "B" (H-440)**.

Signed:

Representative:

CASÁS of Rockport

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-439)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-439)**.

Reports **READ**.

On motion by Senator **COLLINS** of York, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-439)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-439) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-439)**, in concurrence.

Senate

Ought to Pass

Senator DAVIS for the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices"

S.P. 575 L.D. 1622

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

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

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

Sent down for concurrence.

Ought to Pass As Amended

Senator LANGLEY for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require Background Checks for All School Employees"

S.P. 438 L.D. 1286

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-221)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-221) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator KEIM for the Committee on **JUDICIARY** on Bill "An Act To Raise the Debtor's Exemption on Vehicles and To Exempt Amounts Rolled Over from 401(k) or 403(b) Accounts to Individual Retirement Accounts"

S.P. 497 L.D. 1442

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-212)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-212) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **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 Adopt the Nurse Licensure Compact"

S.P. 488 L.D. 1410

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-215)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-215) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **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 Update Professional and Occupational Licensing Laws"

S.P. 498 L.D. 1443

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-216)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-216) **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 **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Remove the Limit on the Number of Public Charter Schools That May Be Approved"

S.P. 379 L.D. 1158

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

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFIELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
McCREA of Fort Fairfield
PIERCE of Falmouth

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-217)**.

Signed:

Representatives:

GINZLER of Bridgton
SAMPSON of Alfred
STEWART of Presque Isle

Reports **READ**.

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#259)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MILLETT, ROSEN, SAVIELLO, VITELLI, VOLK, WOODSOME

NAYS: Senators: BRAKEY, CUSHING, MIRAMANT,
THIBODEAU, WHITTEMORE,
PRESIDENT PRO TEMPORE MASON

The Majority of the Committee on **TAXATION** on Bill "An Act To
Tax Political Expenditures Made Immediately before an Election"
S.P. 437 L.D. 1285

EXCUSED: Senator: HILL

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

28 Senators having voted in the affirmative and 6 Senators
having voted in the negative, with 1 Senator being excused, the
motion by Senator **LANGLEY** of Hancock to **ACCEPT** the
Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Signed:

Senators:
DOW of Lincoln
CUSHING of Penobscot

Sent down for concurrence.

Representatives:
TIPPING of Orono
BICKFORD of Auburn
COOPER of Yarmouth
GRANT of Gardiner
HILLIARD of Belgrade
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham
WARD of Dedham

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To
Increase Consumer Prescription Drug Protections"
S.P. 563 L.D. 1605

The Minority of the same Committee on the same subject
reported that the same **Ought To Pass as Amended by
Committee Amendment "A" (S-218)**.

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

Signed:

Signed:

Senators:
KEIM of Oxford
HILL of York
WHITTEMORE of Somerset

Senator:
CHENETTE of York

Representatives:
MOONEN of Portland
BABBIDGE of Kennebunk
BAILEY of Saco
BRADSTREET of Vassalboro
CARDONE of Bangor
GUERIN of Glenburn
McCREIGHT of Harpswell
RECKITT of South Portland
SHERMAN of Hodgdon

Reports **READ**.

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

Sent down for concurrence.

Divided Report

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

The Majority of the Committee on **VETERANS AND LEGAL
AFFAIRS** on Bill "An Act To Eliminate the 24-hour Reporting
Requirement under the Election Laws"
S.P. 340 L.D. 1033

Signed:

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

Representative:
JOHANSEN of Monticello

Signed:

Reports **READ**.

Senator:
CARPENTER of Aroostook

On motion by Senator **KEIM** of Oxford, Bill and accompanying
papers **COMMITTED** to the Committee on **JUDICIARY**.

Sent down for concurrence.

Divided Report

Representatives:

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

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

Sent down for concurrence.

Divided Report

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-213).**

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Clarify the Use of Public Money for Bulk Mailing in the Election Process"

S.P. 395 L.D. 1174

Signed:

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-214).**

Senators:

MASON of Androscoggin
COLLINS of York

Signed:

Senators:

MASON of Androscoggin
COLLINS of York

Representatives:

DILLINGHAM of Oxford
FARRIN of Norridgewock
WHITE of Washburn

Representatives:

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

Reports **READ.**

Senator **COLLINS** of York moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report.

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

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.

Signed:

The Doorkeepers secured the Chamber.

Senator:

CARPENTER of Aroostook

The Secretary opened the vote.

ROLL CALL (#260)

Representatives:

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

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

Reports **READ.**

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

Senator **COLLINS** of York moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

EXCUSED: Senator: HILL

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.

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **COLLINS** of York to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report **PREVAILED.**

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

Bill **READ ONCE.**

Senator **CARPENTER:** I'd pose a question through the Chair to the sponsor of the bill.

Committee Amendment "A" (S-213) **READ** and **ADOPTED.**

THE PRESIDENT PRO TEMPORE: The Senator may proceed.

Senator **CARPENTER**: As to what's the problem we're looking to solve.

THE PRESIDENT PRO TEMPORE: The Senator Carpenter has posed a question through the Chair to the Senator from Penobscot.

Senator **CUSHING**: Thank you, Mr. President. Mr. President Pro Tem, ladies and gentlemen of the Senate, I rise to address the question from the good gentleman from Aroostook County. You will note on your desk I have distributed a copy of my testimony to the committee in regards to L.D. 1174. This is a fairly simple process, Mr. President, that I'm requesting the Body to consider. When anyone enters a piece of mail into the United States Postal System for bulk purposes, either first or third, there is a form that the postal service provides. I have attached a copy of that form. It indicates information regarding this mailer. It does not include a copier of the mailer or the content of the mailer, but it does identify that a certain number of pieces going to certain locations have been entered into the United States Postal System and will be delivered by their carriers. I think that the purpose that we're look at, Mr. President, is an accountability metric, particularly in regards to the use of taxpayer money in the election process. I reviewed the Maine Commission on Governmental Ethics election site which tabulates the expenditures and the contributions to campaigns. This is a form that can be sorted by the vendor and it is clear in the 2012 and 2014 election cycle that certain vendors received considerable amounts of funding from candidates, which I have no problem with. The question that I feel rises to the level of considering this bill is the fact that there is over a quarter of a million dollars' worth of funding that flowed to members of this Body who ran for election using the Clean Election, or taxpayer funded, method. Those funds were expended. I see an important transparency measure that could be addressed by simply using a form that is currently in use by the U.S. Postal Service that attaches to every mailing. I don't understand why somebody would be concerned about this bill. We're very concerned about accountability and transparency in this Body, Mr. President. Anyone who is using taxpayer funding should be willing to accede to the accountability for the tax money that they have received. The simple inclusion of this form does not violate their strategy or their privacy in the mailing that they have put out. It doesn't question the mailing. It just questions whether or not they did, in fact, use money allotted to them through this system for the purpose of mailing to constituents in their district a political advertisement or informational piece. I would look at the numbers on the Ethic Commission's report and note that the vast majority of those numbers going to this consultant, Ourso Beychok, are rounded numbers, Mr. President Pro Tem. They are not indicative of numbers that might consider the calculation of postage being expended. So there may be a simple solution and explanation, which we certainly can't get into here, Mr. President. I believe before the committee, the Veterans and Legal Affairs, that might have been addressed, but sine we're at this point now, and the bill has come forward, I would urge members of the Body to support this measure in the spirit of making sure that we account for the taxpayer money expended in our election process. Thank you, Mr. President.

THE PRESIDENT PRO TEMPORE: The question now before the Senate is Acceptance of the Majority Report. If you are in favor of it you will vote yes. If you are opposed you will vote no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#261)

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

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

EXCUSED: Senator: HILL

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **COLLINS** of York to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Bill READ ONCE.

Committee Amendment "A" (S-214) **READ** and **ADOPTED**.

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

Sent down for concurrence.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

ENACTORS

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

Emergency Measure

An Act To Ensure Access to Community Services for Persons with Intellectual Disabilities or Autism

H.P. 680 L.D. 967
(C "A" H-342)

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

Emergency Measure

An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code and Related Statutes

H.P. 765 L.D. 1091
(C "A" H-361)

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

Emergency Measure

An Act To Make Technical Changes to Maine's Marine Resources Laws

H.P. 843 L.D. 1207
(C "A" H-347)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with 1 Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, To Establish the Commission To Review the Laws Governing Domestic Violence

H.P. 367 L.D. 523
(C "A" H-362)

Comes From the House, **FAILED FINAL PASSAGE.**

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

Acts

An Act To Ensure Continued Availability of High-speed Broadband Internet at Maine's Schools and Libraries

H.P. 189 L.D. 256
(C "A" H-189)

An Act To Allow the Storage of Tents, Campers, Trailers and Other Devices Used for Camping in Campgrounds in the Unorganized Townships

H.P. 363 L.D. 519
(C "A" H-375)

An Act To Update Maine's Fishing Laws

S.P. 182 L.D. 547
(C "A" S-167)

An Act To Allow Public Schools To Reserve Funds Designated for Operating Costs

H.P. 517 L.D. 737
(C "A" H-371)

An Act To Clarify the Financial Authority of Sewer and Sanitary Districts

H.P. 539 L.D. 759
(C "A" H-343)

An Act To Increase Access to Hearing Aids

H.P. 541 L.D. 761
(C "A" H-403)

An Act To Improve Antihunger Programs in Maine Schools

S.P. 367 L.D. 1113
(C "A" S-184)

An Act To Lower the Age at Which a Person May Hunt with a Crossbow during Any Open Season

H.P. 800 L.D. 1137
(C "A" H-351)

An Act Regarding Certain Abandoned Vehicles and Notice to the Secretary of State Regarding Those Vehicles

H.P. 874 L.D. 1251
(C "A" H-341)

An Act To Clarify Appeals of Municipal Land Use Decisions

H.P. 960 L.D. 1381
(C "A" H-358)

An Act To Amend the Election Laws

S.P. 471 L.D. 1384
(C "A" S-169)

An Act To Require Remote Sellers To Collect and Remit Sales and Use Tax on Sales into Maine

S.P. 483 L.D. 1405
(C "A" S-181)

An Act To Designate the Maine Farm Agricultural Resource Management and Sustainability Recognition Program

H.P. 997 L.D. 1445
(C "A" H-377)

An Act To Extend the Time for an Appeal of Limited Entry Fishing License Denial for Members of the Military

H.P. 1004 L.D. 1454
(C "A" H-348)

An Act To Return the Duties of the State Compensation Commission To Make Recommendations for the Salaries of the Governor and Judges

H.P. 1006 L.D. 1456
(C "A" H-359)

Ordered sent down forthwith.

An Act To Coordinate and Enforce Existing Workplace Training Requirements

H.P. 1016 L.D. 1477
(C "A" H-344)

An Act To Close the Gap in Children's Health Care Coverage in Maine

H.P. 264 L.D. 358
(C "A" H-260)

An Act To Protect Consumers during Residential Construction

S.P. 535 L.D. 1529
(C "A" S-166)

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

An Act To Update the Laws Relating to Liquor Licensing and Enforcement

H.P. 1053 L.D. 1533
(C "A" H-363)

An Act To Amend the Laws Governing Certain Sexual Offenses

S.P. 216 L.D. 654
(C "A" S-113)

An Act To Allow Maine Manufacturers To Sell Spirits at Farmers' Markets and To Allow Taste Testings at Farmers' Markets

H.P. 1056 L.D. 1536
(C "A" H-364)

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

An Act To Protect Consumers' Freedom of Choice in Auto Collision Repairs

H.P. 1061 L.D. 1540
(C "A" H-278)

An Act Regarding Telehealth

S.P. 304 L.D. 949
(C "A" S-187)

An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards

S.P. 539 L.D. 1544

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

An Act To Make Technical Changes to Maine's Tax Laws

H.P. 1081 L.D. 1570
(C "A" H-384)

An Act To Establish the Permanent Commission on the Status of Racial and Ethnic Populations

H.P. 709 L.D. 1008
(C "A" H-254)

An Act To Amend and Add Consistency to the Maine Weights and Measures Law

H.P. 1086 L.D. 1579
(C "A" H-392)

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

An Act To Remove Barriers to Professional Licensing for Veterans

H.P. 1096 L.D. 1592
(C "A" H-307)

An Act To Allow the Commercial Growth and Sale of Water Spinach in the State

H.P. 1101 L.D. 1598
(C "A" H-380)

An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks

H.P. 790 L.D. 1127
(C "A" H-376)

An Act To Report Limited Information to the Controlled Substances Prescription Monitoring Program Concerning Methadone

H.P. 1118 L.D. 1619
(C "A" H-397)

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

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

An Act To Facilitate MaineCare-Funded Assisted Living by Providing a Cost-of-living Adjustment to Private Nonmedical Institutions and Adult Family Care Homes

H.P. 825 L.D. 1188
(C "A" H-330)

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

An Act To Increase the Availability of Foster Homes

H.P. 1027 L.D. 1494
(C "A" H-396)

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

Resolves

Resolve, Directing the State Workforce Investment Board To Create the Maine Family First Employer Program

H.P. 957 L.D. 1378
(C "A" H-390)

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

Ordered sent down forthwith.

Resolve, Regarding Reimbursement for Speech and Language Pathology Services

H.P. 478 L.D. 687
(C "A" H-382)

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

Resolve, To Require the Department of Health and Human Services To Recalculate the MaineCare Reimbursement Rates for Services for Persons with Disabilities

H.P. 546 L.D. 766
(H "A" H-357 to C "A" H-247)

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

Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator

H.P. 1070 L.D. 1554
(C "A" H-365)

On motion by Senator **HAMPER** of Oxford, placed on the **SPECIAL APPROPRIATIONS TABLE** pending **FINAL PASSAGE** 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 (5/25/17) matter:

HOUSE REPORT - from the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Amend the Law Regarding Road Associations"

H.P. 731 L.D. 1042

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-255)**

Tabled - May 25, 2017, by Senator **DAVIS** of Piscataquis

Pending - **ACCEPTANCE OF REPORT** in concurrence

(In House, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255).**)

Report **ACCEPTED**, in concurrence.

Committee Amendment "A" (H-255) **READ**.

On motion by Senator **DAVIS** of Piscataquis, Senate Amendment "A" (S-196) to Committee Amendment "A" (H-255) **READ**.

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

Senator **DAVIS:** Thank you, Mr. President. Ladies and gentlemen of the Maine Senate, if you should happen to currently live on a private road that has a legal road association that association can assess your property 1% of its current assessed value to maintain the road. The bill that was brought before our committee would have increased that to 2%. Instead the committee decided to remove the cap altogether, allowing the unlimited assessment. Well, as many thing happen in the Maine Legislature, somebody raised the issue and what the issue was that they raised was that if you live on one of these association roads and say, hypothetically, that it is a gravel road and you live

on land that has been in your family for many, many years and you are of modest income and some wealthy people come in and they buy some property and they decide they're going to have that gravel road be paved. They decide it's going to be paved. Then they can simply do it and you would be assessed whatever percentage of your assessed value would be. What the amendment does, it goes back to the original bill and raises it to 2% but it requires a unanimous vote of everyone on the road, by everyone in the association, including the person of modest income compared to the wealthier people. They all have to agree to raise it above the 2%. That's what it does. Thank you, Mr. President.

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

Senator **BELLOWS:** Thank you, Mr. President Pro Tem. Ladies and gentlemen of the Senate, thank you to the good Senator from Piscataquis County for bringing this to our attention. There's politics that can be more bitter and divide neighbor against neighbor more permanently than their worst partisan wrangles in this Body and that's association politics when they go bad. I live in a district with many beautiful lakes and many road associations. So I paid special attention when a local road association contacted me about the amendment before us. They said that they had no problem with capping payments at 2%, nor do I, but they were concerned about the drafting of this amendment and that allowing elimination of the cap by unanimous vote could cause ceaseless debates and controversy at the local level. For that reason, politically, they've urged us to reject the amendment, but they had two technical concerns with the amendment. The road association pointed out that the voting procedure under the amendment is inconsistent with the underlying statute because of the voting. The amendment reads the unanimous vote of each individual property owner who is a member of the road association, but then under Title 23, Section 3101, Subsection IV, on voting, each individual owner of a property does not necessarily get a vote. The votes are given to the parcels. Additionally, the road association that contacted me pointed out that the amendment may conflict with road association bylaws regarding assessment of fees and might require significant and costly redrafting of road association bylaws. So I would respectfully request that we reject this amendment and consider, potentially, an amendment that might put in place a 2% cap or some other alternative, but that this amendment raises some unintended consequences and at least creates a controversy for at least one of my local road associations. For that reason, I will be voting against it. Thank you.

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.

On motion by Senator **DAVIS** of Piscataquis, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ADOPT** Senate Amendment "A" (S-196) to Committee Amendment "A" (H-255). (Roll Call Ordered)

The Chair laid before the Senate the following Tabled and Later Assigned (5/31/17) matter:

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Establish an Independent Citizens Oversight Committee on Maine's Welfare Programs" S.P. 486 L.D. 1408

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-156)** (9 members)

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

Tabled - May 31, 2017, by Senator **BRAKEY** of Androscoggin

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

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

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, this bill simply requires the collection of data related to the performance measures of the Temporary Assistance for Needy Families, or TANF, program, including reducing child poverty and food insecurity and improving the educational attainment, employment, and income levels, but also requires benchmarks be set for the improvement and success of the TANF program, and, finally, establishes the independent citizen oversight committee to monitor this progress. I should think this is something we would all want to do to make sure these programs are working well and I hope you will join me in opposing the pending motion. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the Ought Not to Pass motion. I'll just state very briefly. We already have a citizens' oversight committee on Maine's welfare programs. It's called the Health and Human Services Committee. It's made up of citizens and members elected by citizens to oversee many programs, including our welfare programs. As such, this bill is not necessary. Thank you very much, Mr. President.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Acceptance of the Ought Not to Pass Report. If you are in favor of it you will vote yes. If you are opposed you will vote no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#262)

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

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

EXCUSED: Senator: HILL

18 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled matter:

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

Tabled - June 8, 2017, by Senator **DAVIS** of Piscataquis

Pending - motion by same Senator to **ADOPT** Senate Amendment "A" (S-196) to Committee Amendment "A" (H-255) (Roll Call Ordered)

(In House, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255)**.)

(In Senate, Report **ACCEPTED**, in concurrence. Committee Amendment "A" (H-255) **READ**. On motion by Senator **DAVIS** of Piscataquis, Senate Amendment "A" (S-196) to Committee Amendment "A" (H-255) **READ**.)

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#263)

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

WOODSOME, PRESIDENT PRO TEMPORE MASON

NAYS: Senator: BELLOWS

EXCUSED: Senator: HILL

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **DAVIS** of Piscataquis to **ADOPT** Senate Amendment "A" (S-196) to Committee Amendment "A" (H-255) **PREVAILED**.

Committee Amendment "A" (H-255) as Amended by Senate Amendment "A" (S-196) thereto, **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-255) AS AMENDED BY SENATE AMENDMENT "A" (S-196)** thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (5/31/17) matter:

An Act To Amend Teacher Evaluation Requirements
H.P. 449 L.D. 633

Tabled - May 31, 2017, by Senator **LANGLEY** of Hancock

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED**.)

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#264)

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

NAYS: Senator: BRAKEY

EXCUSED: Senator: HILL

33 Senators having voted in the affirmative and 1 Senator having voted in the negative, with 1 Senator being excused, was **PASSED TO BE ENACTED**.

This Bill, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Senate at Ease.

The Senate was called to order by
President Pro Tempore Mason.

The Chair laid before the Senate the following Tabled and Later Assigned (6/7/17) matter:

Bill "An Act To Update the Statutes under Which Maine's Credit Unions Are Chartered"

H.P. 738 L.D. 1055
(C "A" H-142)

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

Pending - **CONSIDERATION**

(In House, **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.)

In Senate, Veto Communications (H.C. 208) **READ** and **ORDERED PLACED ON FILE.**)

The President Pro Tempore laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor? In accordance with Article IV, Part Third, Section 2 of the Constitution, the vote will be taken by the Yeas and Nays. A vote of yes will be in favor of overriding the veto of the Governor. A vote of no will be in favor of sustaining the veto of the Governor."

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#265)

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

NAYS: Senators: None

EXCUSED: Senator: HILL

34 Senators having voted in the affirmative and no Senator having voted in the negative, with 1 Senator being excused, and 34 being more than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **OVERRIDDEN** and the Bill become law notwithstanding the objections of the Governor.

Off Record Remarks

Senator **LIBBY** of Androscoggin inquired if the Senate was still in possession of S.P. 379 L.D. 1158.

Senate at Ease.

The Senate was called to order by
President Pro Tempore Mason.

The Chair answered in the negative.

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

SENATE PAPERS

Bill "An Act To Ensure Maine Is in Compliance with Certain Federal Drug Laws"

S.P. 588 L.D. 1637

Presented by Senator CYRWAY of Kennebec. (GOVERNOR'S BILL)

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

Ordered sent down forthwith for concurrence.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Support Workforce Development by Increasing Engineering Capacity"
S.P. 100 L.D. 312
(C "A" S-193)

Majority - **Ought Not to Pass** (12 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-193)** (1 member)

In Senate, June 6, 2017, the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-193)**.

Comes from the House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion by Senator **LANGLEY** of Hancock, the Senate **RECEDED** and **CONCURRED**.

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Allow Municipalities To Establish Ordinances Banning or Restricting Marijuana Caregivers within 500 Feet of a School" (EMERGENCY)

H.P. 1129 L.D. 1636

Comes 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.

All matters thus acted upon, with the exception of those matters being held, were ordered sent down forthwith for concurrence.

Off Record Remarks

Senator **CYRWAY** of Kennebec was granted unanimous consent to address the Senate on the Record.

Senator **CYRWAY**: I stand before you today saddened after learning about the death of Fryeburg police officer Nathan Desjardins. Nathan lived in Albion and was also a part-time police officer with the Winslow P.D. Nathan was one of my DARE students. His mother is a close friend of mine. She worked on

my father's farm and also at the Waterville District Attorney's Office. Great family. Nathan was critically injured while responding to his water rescue on the river in Fryeburg. I believe he had been - it was his first day on his shift for the river duty. This time of year, from now until September, the high crime area is on the river because you get a lot of people from out-of-state and also the college kids and whatever else. It's just historically a high crime area and so he was assigned to it and that was his first shift on that. He's been three months with the Fryeburg Police Department. Nathan's death is a tragedy. It should remind us all that law enforcement officers put their lives on the line each day to protect us all. I have my black band on my badge. We wear it for at least a week, the whole state, when we lose an officer in the line of duty like this, for our brotherhood. That agency they'll wear it for a month. I ask that you keep Nathan's family, friends, in your thoughts and prayers. Mr. President, I ask that when the Senate adjourns today we do in honor of Nathan Desjardins. Thank you.

On motion by Senator **CUSHING** of Penobscot, **ADJOURNED** until Friday, June 9, 2017 at 10:00 in the morning in memory of and lasting tribute to Nathan Desjardins of Albion.