

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
Wednesday
June 21, 2017

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

Prayer by Reverend Kristin White, Green Street United Methodist
Church of Augusta.

REVEREND WHITE: I invite you to join me in prayer. Holy God,
our Creator, You are the one who formed us and breathed life into
us. You look at us and proclaim that we are good. You view us
with love and compassion. Through scripture we hear Your call
to love You and to love our neighbors as ourselves. As this
Senate begins its work today surround them with Your love and
assure them of their goodness. Guide in work that honors love, in
work that models compassion, in work that serves our neighbors,
and work that proclaims Your grace and goodness. Amen.

Pledge of Allegiance led by Senator Lisa M. Keim of Oxford
County.

Reading of the Journal of Tuesday, June 20, 2017.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **STATE AND
LOCAL GOVERNMENT** on Bill "An Act To Encourage
Development in the Logging Industry by Requiring State and
Local Government Agencies To Give Preference to Lumber and
Solid Wood Products Harvested in the State"

S.P. 551 L.D. 1573

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (S-269)** (11 members)

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

In Senate, June 14, 2017, on motion by Senator **DAVIS** of
Piscataquis, 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-269)**.

Comes from the House, the Majority **OUGHT TO PASS AS
AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED
TO BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-269) AS AMENDED BY HOUSE
AMENDMENT "B" (H-520)** thereto in **NON-CONCURRENCE**.

On motion by Senator **MASON** of Androscoggin, **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 **CRIMINAL
JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect the
Health and Safety of First Responders"

H.P. 1036 L.D. 1512

Report **"A" - Ought to Pass as Amended by Committee
Amendment "A" (H-511)** (8 members)

Report **"B" - Ought to Pass as Amended by Committee
Amendment "B" (H-512)** (3 members)

Report **"C" - Ought Not to Pass** (2 members)

In Senate, June 19, 2017, on motion by Senator **ROSEN** of
Hancock, Report **"A" OUGHT TO PASS AS AMENDED BY
COMMITTEE AMENDMENT "A" (H-511) READ** and
ACCEPTED and the Bill **PASSED TO BE ENGROSSED AS
AMENDED BY COMMITTEE AMENDMENT "A" (H-511) in
NON-CONCURRENCE**.

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

Senator **ROSEN** of Hancock moved the Senate **SUSPEND THE
RULES** and **RECONSIDER** whereby the Bill was **PASSED TO
BE ENGROSSED AS AMENDED BY COMMITTEE
AMENDMENT "A" (H-511)**, in **NON-CONCURRENCE**.

Senate at Ease.

The Senate was called to order by the President.

Senator **ROSEN** of Hancock requested and received leave of the Senate to withdraw her motion to **SUSPEND THE RULES** and **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-511)**, in **NON-CONCURRENCE**.

On motion by same Senator, the Senate **RECEDED** from whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-511)**, in **NON-CONCURRENCE**.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ADOPTED COMMITTEE AMENDMENT "A" (H-511)**.

On further motion by same Senator, the Senate **RECEDED** from whereby it **ACCEPTED** Report **"A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-511)**.

On further motion by same Senator, Report **"B" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-512) ACCEPTED**, in **NON-CONCURRENCE**.

Bill **READ ONCE**.

Committee Amendment "B" (H-512) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-512)**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

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

Senate at Ease.

The Senate was called to order by the President.

ORDERS

Joint Orders

On motion by Senator **MASON** of Androscoggin, the following Joint Order:

S.P. 595

STATE OF MAINE

ORDERED, the House concurring, that, in accordance with emergency authority granted under the Maine Revised Statutes, Title 3, section 2, the First Regular Session of the 128th Legislature is extended for up to 5 legislative days.

READ.

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, **PASSED**.

Ordered sent down forthwith for concurrence.

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

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

Joint Resolution

On motion by Senator **DAVIS** of Piscataquis (Cosponsored by Senators: **BELLOWS** of Kennebec, **BRAKEY** of Androscoggin, **BREEN** of Cumberland, **CARPENTER** of Aroostook, **CARSON** of Cumberland, **CHENETTE** of York, **CHIPMAN** of Cumberland, **COLLINS** of York, **CUSHING** of Penobscot, **CYRWAY** of Kennebec, **DESCHAMBAULT** of York, **DIAMOND** of Cumberland, **DILL** of Penobscot, **DION** of Cumberland, **DOW** of Lincoln, **GRATWICK** of Penobscot, **HAMPER** of Oxford, **HILL** of York, **JACKSON** of Aroostook, **KATZ** of Kennebec, **KEIM** of Oxford, **LANGLEY** of Hancock, **LIBBY** of Androscoggin, **MAKER** of Washington, **MASON** of Androscoggin, **MILLETT** of Cumberland, **MIRAMANT** of Knox, **ROSEN** of Hancock, **SAVIELLO** of Franklin, President **THIBODEAU** of Waldo, **VITELLI** of Sagadahoc, **VOLK** of Cumberland, **WHITTEMORE** of Somerset, **WOODSOME** of York, Representatives: **ACKLEY** of Monmouth, **ALLEY** of Beals, **AUSTIN** of Skowhegan, **AUSTIN** of Gray, **BABBIDGE** of Kennebunk, **BAILEY** of Saco, **BATES** of Westbrook, **BATTLE** of South Portland, **BEAR** of the Houlton Band of Maliseet Indians, **BEEBE-CENTER** of Rockland, **BERRY** of Bowdoinham, **BICKFORD** of Auburn, **BLACK** of Wilton, **BLUME** of York, **BRADSTREET** of Vassalboro, **BROOKS** of Lewiston, **BRYANT** of Windham, **CAMPBELL** of Orrington, **CARDONE** of Bangor, **CASÁS** of Rockport, **CEBRA** of Naples, **CHACE** of Durham, **CHAPMAN** of Brooksville, **COLLINGS** of Portland, **COOPER** of Yarmouth, **COREY** of Windham, **CRAIG** of Brewer, **DANA** of the Passamaquoddy Tribe, **DeCHANT** of Bath, **DENNO** of Cumberland, **DEVIN** of Newcastle, **DILLINGHAM** of Oxford, **DOORE** of Augusta, **DUCHESNE** of Hudson, **DUNPHY** of Old Town, **ESPLING** of New Gloucester, **FARNSWORTH** of Portland, **FARRIN** of Norridgewock, **FAY** of Raymond, **FECTEAU** of Biddeford, **FOLEY** of Wells, **FREDETTE** of Newport, **FREY** of Bangor, **FULLER** of Lewiston, **GATTINE** of Westbrook, **GERRISH** of Lebanon, Speaker **GIDEON** of Freeport, **GILLWAY** of Searsport, **GINZLER** of Bridgton, **GOLDEN** of Lewiston, **GRANT** of Gardiner, **GRIGNON** of Athens, **GROHMAN** of Biddeford,

GUERIN of Glenburn, HAGGAN of Hampden, HAMANN of South Portland, HANDY of Lewiston, HANINGTON of Lincoln, HANLEY of Pittston, HARLOW of Portland, HARRINGTON of Sanford, HARVELL of Farmington, HAWKE of Boothbay Harbor, HEAD of Bethel, HERBIG of Belfast, HERRICK of Paris, HICKMAN of Winthrop, HIGGINS of Dover-Foxcroft, HILLIARD of Belgrade, HOGAN of Old Orchard Beach, HUBBELL of Bar Harbor, HYMANSON of York, JOHANSEN of Monticello, JORGENSEN of Portland, KINNEY of Limington, KINNEY of Knox, KORNFIELD of Bangor, KUMIEGA of Deer Isle, LAWRENCE of South Berwick, LOCKMAN of Amherst, LONGSTAFF of Waterville, LUCHINI of Ellsworth, LYFORD of Eddington, MADIGAN of Waterville, MADIGAN of Rumford, MALABY of Hancock, MAREAN of Hollis, MARTIN of Eagle Lake, MARTIN of Sinclair, MASON of Lisbon, MASTRACCIO of Sanford, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McELWEE of Caribou, McLEAN of Gorham, MELARAGNO of Auburn, MONAGHAN of Cape Elizabeth, MOONEN of Portland, NADEAU of Winslow, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, PARKER of South Berwick, PARRY of Arundel, PERKINS of Oakland, PERRY of Calais, PICCHIOTTI of Fairfield, PICKETT of Dixfield, PIERCE of Dresden, PIERCE of Falmouth, POULIOT of Augusta, PRESCOTT of Waterboro, RECKITT of South Portland, REED of Carmel, RILEY of Jay, RYKERSON of Kittery, SAMPSON of Alfred, SANBORN of Portland, SANDERSON of Chelsea, SCHNECK of Bangor, SEAVEY of Kennebunkport, SHEATS of Auburn, SHERMAN of Hodgdon, SIMMONS of Waldoboro, SIROCKI of Scarborough, SKOLFIELD of Weld, SPEAR of South Thomaston, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STEWART of Presque Isle, STROM of Pittsfield, SUTTON of Warren, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, TIMBERLAKE of Turner, TIPPING of Orono, TUCKER of Brunswick, TUELL of East Machias, TURNER of Burlington, VACHON of Scarborough, WADSWORTH of Hiram, WALLACE of Dexter, WARD of Dedham, WARREN of Hallowell, WHITE of Washburn, WINSOR of Norway, WOOD of Greene, ZEIGLER of Montville), the following Joint Resolution:

S.P. 593

**STATE OF MAINE
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN**

**JOINT RESOLUTION
RECOGNIZING OFFICER DAVID BAILEY, OFFICER CRYSTAL
GRINER AND OFFICER HENRY CABRERA OF THE UNITED
STATES CAPITOL POLICE**

WHEREAS, more than 2,100 officers and civilians work for the Capitol Police in the District of Columbia; and

WHEREAS, the Capitol Police force is tasked with protecting the members, employees, visitors and facilities of Congress; and

WHEREAS, the jurisdiction of the Capitol Police also includes providing security outside of Washington, DC when required for additional security for members of Congress; and

WHEREAS, on June 13, 2017, the Republican team holding a practice session for the annual Congressional Baseball Game at a field in Alexandria, Virginia was attacked by gunman, who wounded 5 persons including House Majority Whip Stephen Scalise; and

WHEREAS, 3 officers of the Capitol Police, David Bailey, Crystal Griner and Henry Cabrera, immediately returned fire; and

WHEREAS, Officers Bailey and Griner rushed at the gunman, despite receiving wounds, and with Officer Cabrera continuing to fire; and

WHEREAS, after a 10-minute shootout, the gunman was shot and killed by the officers; and

WHEREAS, were it not for the presence of Officers Bailey, Griner and Cabrera, many lives would have been lost; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize Officer David Bailey, Officer Crystal Griner and Officer Henry Cabrera of the United States Capitol Police for their bravery and disregard for their personal safety, which led to their heroic response to this tragic event.

READ.

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

Senator **CYRWAY:** Thank you, Mr. President. Good morning, ladies and gentlemen of the Senate. I rise to express my sincere appreciation for the actions of Officer Bailey, Griner, and Cabrera. They are examples of law enforcement's finest. When confronted with a dangerous situation most people's initial reaction would be to run away, yet the first reaction of these courageous officers was to stand and fight, and not only stand but to approach and rush the gunman to take out the threat to do harm. Their bravery and their quick thinking actions surely saved many lives. The members of the United States Capitol Police and all members of law enforcement are trained to serve and protect others, often at their own risk. They stand ready to confront a dangerous situation head-on. Fortunately, this particular situation was not as bad as it could have been thanks to the actions of Officer Bailey, Griner, and Cabrera. They are heroes and we should be grateful for their service - I know that I am, and this is an example of what law enforcement officers face and why we respect what they do. Thank you.

ADOPTED.

Sent down for concurrence.

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

The President took a seat on the Floor.

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

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

Joint Resolution

On motion by Senator **CUSHING** of Penobscot (Cosponsored by Senators: **BELLOWS** of Kennebec, **BRAKEY** of Androscoggin, **BREEN** of Cumberland, **CARPENTER** of Aroostook, **CARSON** of Cumberland, **CHENETTE** of York, **CHIPMAN** of Cumberland, **COLLINS** of York, **CYRWAY** of Kennebec, **DAVIS** of Piscataquis, **DESCHAMBAULT** of York, **DIAMOND** of Cumberland, **DILL** of Penobscot, **DION** of Cumberland, **DOW** of Lincoln, **GRATWICK** of Penobscot, **HAMPER** of Oxford, **HILL** of York, **JACKSON** of Aroostook, **KATZ** of Kennebec, **KEIM** of Oxford, **LANGLEY** of Hancock, **LIBBY** of Androscoggin, **MAKER** of Washington, **MASON** of Androscoggin, **MILLETT** of Cumberland, **MIRAMANT** of Knox, **ROSEN** of Hancock, **SAVIELLO** of Franklin, President **THIBODEAU** of Waldo, **VITELLI** of Sagadahoc, **VOLK** of Cumberland, **WHITTEMORE** of Somerset, **WOODSOME** of York, Representatives: **ACKLEY** of Monmouth, **ALLEY** of Beals, **AUSTIN** of Skowhegan, **AUSTIN** of Gray, **BABBIDGE** of Kennebunk, **BAILEY** of Saco, **BATES** of Westbrook, **BATTLE** of South Portland, **BEAR** of the Houlton Band of Maliseet Indians, **BEEBE-CENTER** of Rockland, **BERRY** of Bowdoinham, **BICKFORD** of Auburn, **BLACK** of Wilton, **BLUME** of York, **BRADSTREET** of Vassalboro, **BROOKS** of Lewiston, **BRYANT** of Windham, **CAMPBELL** of Orrington, **CARDONE** of Bangor, **CASÁS** of Rockport, **CEBRA** of Naples, **CHACE** of Durham, **CHAPMAN** of Brooksville, **COLLINGS** of Portland, **COOPER** of Yarmouth, **COREY** of Windham, **DANA** of the Passamaquoddy Tribe, **DAUGHTRY** of Brunswick, **DeCHANT** of Bath, **DENNO** of Cumberland, **DEVIN** of Newcastle, **DILLINGHAM** of Oxford, **DOORE** of Augusta, **DUCHESNE** of Hudson, **DUNPHY** of Old Town, **ESPLING** of New Gloucester, **FARNSWORTH** of Portland, **FARRIN** of Norridgewock, **FAY** of Raymond, **FECTEAU** of Biddeford, **FOLEY** of Wells, **FREDETTE** of Newport, **FREY** of Bangor, **FULLER** of Lewiston, **GATTINE** of Westbrook, **GERRISH** of Lebanon, Speaker **GIDEON** of Freeport, **GILLWAY** of Searsport, **GINZLER** of Bridgton, **GOLDEN** of Lewiston, **GRANT** of Gardiner, **GRIGNON** of Athens, **GROHMAN** of Biddeford, **GUERIN** of Glenburn, **HAGGAN** of Hampden, **HAMANN** of South Portland, **HANDY** of Lewiston, **HANINGTON** of Lincoln, **HANLEY** of Pittston, **HARLOW** of Portland, **HARRINGTON** of Sanford, **HARVELL** of Farmington, **HAWKE** of Boothbay Harbor, **HEAD** of Bethel, **HERBIG** of Belfast, **HERRICK** of Paris, **HICKMAN** of Winthrop, **HIGGINS** of Dover-Foxcroft, **HILLIARD** of Belgrade, **HOGAN** of Old Orchard Beach, **HUBBELL** of Bar Harbor, **HYMANSON** of York, **JOHANSEN** of Monticello, **JORGENSEN** of Portland, **KINNEY** of Limington, **KINNEY** of Knox, **KORNFIELD** of

Bangor, **KUMIEGA** of Deer Isle, **LAWRENCE** of South Berwick, **LOCKMAN** of Amherst, **LONGSTAFF** of Waterville, **LUCHINI** of Ellsworth, **LYFORD** of Eddington, **MADIGAN** of Waterville, **MADIGAN** of Rumford, **MALABY** of Hancock, **MAREAN** of Hollis, **MARTIN** of Eagle Lake, **MARTIN** of Sinclair, **MASON** of Lisbon, **MASTRACCIO** of Sanford, **McCREA** of Fort Fairfield, **McCREIGHT** of Harpswell, **McELWEE** of Caribou, **McLEAN** of Gorham, **MELARAGNO** of Auburn, **MONAGHAN** of Cape Elizabeth, **MOONEN** of Portland, **NADEAU** of Winslow, **O'CONNOR** of Berwick, **O'NEIL** of Saco, **ORDWAY** of Standish, **PARKER** of South Berwick, **PARRY** of Arundel, **PERKINS** of Oakland, **PERRY** of Calais, **PICCHIOTTI** of Fairfield, **PICKETT** of Dixfield, **PIERCE** of Dresden, **PIERCE** of Falmouth, **POULIOT** of Augusta, **PRESCOTT** of Waterboro, **RECKITT** of South Portland, **REED** of Carmel, **RILEY** of Jay, **RYKERSON** of Kittery, **SAMPSON** of Alfred, **SANBORN** of Portland, **SANDERSON** of Chelsea, **SCHNECK** of Bangor, **SEAVEY** of Kennebunkport, **SHEATS** of Auburn, **SHERMAN** of Hodgdon, **SIMMONS** of Waldoboro, **SIROCKI** of Scarborough, **SKOLFIELD** of Weld, **SPEAR** of South Thomaston, **STANLEY** of Medway, **STEARNS** of Guilford, **STETKIS** of Canaan, **STEWART** of Presque Isle, **STROM** of Pittsfield, **SUTTON** of Warren, **SYLVESTER** of Portland, **TALBOT ROSS** of Portland, **TEPLER** of Topsham, **TERRY** of Gorham, **THERIAULT** of China, **TIMBERLAKE** of Turner, **TIPPING** of Orono, **TUCKER** of Brunswick, **TUELL** of East Machias, **TURNER** of Burlington, **VACHON** of Scarborough, **WADSWORTH** of Hiram, **WALLACE** of Dexter, **WARD** of Dedham, **WARREN** of Hallowell, **WHITE** of Washburn, **WINSOR** of Norway, **WOOD** of Greene, **ZEIGLER** of Montville), the following Joint Resolution:

S.P. 594

**STATE OF MAINE
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN**

**JOINT RESOLUTION
RECOGNIZING RICHARD ROSEN'S
SERVICE TO THE STATE OF MAINE**

WHEREAS, the Honorable Richard Rosen, of Bucksport, graduated from the University of Maine with a degree in finance and, from 1982 to 2013, operated his family's store in Bucksport, Rosen's Department Store; and

WHEREAS, Mr. Rosen has served as a board member of the Retail Association of Maine, as President of Northeast Historic Film, as a trustee of Acadia Hospital in Bangor and as a board member for Bucksport Regional Health Center; and

WHEREAS, Mr. Rosen served in the Maine House of Representatives from 1998 to 2004 and in the Maine Senate from 2004 to 2012, for a total of 7 terms, and served as the Senate chair of the Joint Standing Committee on Appropriations and Financial Affairs for 2 years beginning in 2011; and

WHEREAS, Mr. Rosen was presented with the 2011 Adoptive and Foster Families of Maine Outstanding Legislative Advocate of the Year Award, received the Sunshine Award from Maine's Freedom of Information Coalition, was named a Margaret Chase Smith Policy Center Distinguished Maine Policy Fellow and

received the Bangor Region Chamber of Commerce Catherine Lebowitz Award for Public Service; and

WHEREAS, Mr. Rosen served as Director of the Governor's Office of Policy and Management from December 2012 to February 2014; and

WHEREAS, Mr. Rosen served as Deputy Commissioner of Finance for the Maine Department of Administrative and Financial Services from February 2014 to June 2015 and as Commissioner of Administrative and Financial Services from June 2015 to June 2017; and

WHEREAS, as commissioner, Mr. Rosen oversaw more than 1,200 employees serving all branches and agencies of State Government and was responsible for budgeting and financial management, human resources and other administrative services; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, take this occasion to recognize the dedicated service of Richard Rosen to the State of Maine.

READ.

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

Senator **CUSHING**: Thank you, Mr. President. Ladies and gentlemen of the Senate, this is one of those special opportunities where we have the chance to honor a colleague who has served this State admirably for a large portion of his adult career. Richard is one of those individuals that I have a great deal of respect for. Not only did he serve, but he convinced his wife to continue in that tradition and we're blessed, in my opinion, to have her as part of this Body as well. More importantly, he has always exhibited the characteristics that I think many of us aspire to. He's been respectful. He's been thoughtful. He has, in his years, rarely have you seen him express any frustration or concern. He's always been very resolved in his commitment to whatever duties he's been given. He's done a lot of things that aren't even listed. We probably wouldn't have had the time or space to identify them. I remember, and many of you know my passion for history, I remember going to the Alamo Theater down in Bucksport for viewing one night of some of the rich history of Maine's broadcast and political memorabilia, and if it wasn't for the diligent efforts that he put into providing the resources to establish that repository and support it we might have lost some treasured archives of Maine's history that has been captured on film and audio. I think, to me, that just characterizes a small, but important, part of his person, who he is, and his service to the State. He pays attention to the things that are important, that aren't always as urgent as some of us think they might be, but in the long run we come to appreciate and value more the culture and the significance of what we have preserved. I think he has brought that to his role serving the Chief Executive and, through that office, serving the people of the State of Maine. We are better off for having someone like Richard Rosen, who was willing at a time in his life when he is now, like myself, a grandparent, probably sacrificing some of those joys of being with his grandchildren and his children to serve here in our State. I think it

is appropriate now, Mr. President, that we take that moment, as we are, to honor him. I consider him a good friend and a mentor, and I am honored to have had the opportunity to share with you this opportunity to recognize him. Thank you, Mr. President.

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

Senator **DIAMOND**: Thank you, Mr. President, and ladies and gentlemen of the Senate. It's a pleasure to talk about Richard this morning. I went over to see him and said, "Richard, what are you doing here?" He said, "Well, I'd nothing else to do. I might as well come over and hang out with you guys." Richard served, as you know, six years in the House. Nothing remarkable there. But then he came down to the Senate and he sat in the same seat that Senator Miramant is now sitting in the 122nd and he did a good job there. He was a member of the Minority Party and he was able to always help bring things together and in the 123rd he was the Assistant Minority Leader. Sat right there where Senator Libby is sitting. Again, nothing remarkable those two years. But then in the 124th he, Senator Rosen then was - became a member of the Appropriations Committee and he was one of the Leads along with Sawin Millett from the House and I was Senate Chair of Approps and Emily Cain was the House. In all seriousness, he was key person in why we passed five unanimous budgets, including the biennial budget during that year of the 124th, and I say that with all - with a great deal of gratitude because it was difficult times. That was during the recession, as you know, and it took a lot of people with a lot of common sense and a lot of ability to work across the aisle and, Mr. President, ladies and gentlemen, he did that consistently and, again, I attribute the reason we had those five unanimous budgets during that time a lot to what Richard Rosen was able to do and how he worked with us and Chairs and Leads. Then in the 125th, of course, he was the Chair of Appropriations and he did a wonderful job there and I was then in the Minority and he loved to go 'na na na na na na' once in a while, but he did that with a great deal of distinction and he was very distinguished in all of that. So, I really want to say that he has made a tremendous contribution to these Legislatures over the years and he really was - he was really a leader in both the House and the Senate, and I considered it a privilege to work with him on some very, very difficult times - in some very difficult times and I'll always remember how much he has contributed to the State. Thank you.

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

Senator **KATZ**: Thank you, Mr. President. Men and women of the Senate, I've got to confess that I'm a big fan of anyone named Senator Rosen and I think I'm unique in this Body because I'm the only person who has had the pleasure of being a seatmate of both of them. For the first Senator Rosen it was in the 125th Legislature when I sat next to the Senate Chair of Appropriations for six months. Like any other rookie, I had no idea what I was doing and what a learning experience that was, to sit next to Richard Rosen. No question was too stupid for him to answer and I quickly learned that his knowledge of the budget and State government was broad and it was deep. I also watched him as a skilled negotiator, as the good Senator from Cumberland pointed out, in the 125th Legislature, where we also had difficult economic times. He, along with Representative Pat Flood, who was then

the House Chair of Appropriations, also had five, I think it was, unanimous budgets come out of that committee. You think about Richard Rosen and Pat Flood, what an incredible pair of mentors for a legislator to have. After the 125th it was onto the Office of Management and Budget and then to DAFS for several years. Throughout all those years, Mr. President, I think we can all agree that Richard always showed himself to be principled, thoughtful, and a consistent example of pragmatism and commonsense, and a thoughtful voice of conservative Republican thinking. He's also, I think, the most patient human being I've ever met. In fact, when I thought about it last night, I think there are only two people I've ever met in State government who rise to the level of Hall of Fame. One of them is Sawin Millett and the other one is Richard Rosen. So we are all the worst for his departure. I don't know what his next challenge will be, but I think we all know he'll approach it with the same skill, judgement, honesty, patience, and good humor we are all privileged to know. I wish we could give, raise a glass of champagne, Mr. President, and raise a toast to Richard because here's what I would say: Here's to Richard Rosen, a Hall of Famer. Thank you.

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

Senator **BREEN:** Thank you, Mr. President Pro Tem. As the Minority Lead serving on Appropriations in this Legislature, I want to thank Mr. Rosen for his incredible professionalism throughout the budget process and his presentations and in all the public hearings. He showed tremendous respect for the entire committee, for the process, and for the public. We're not in difficult times and yet we are having a budget struggle. So I just want everyone to understand Richard Rosen had nothing to do with that. Thank you.

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

Senator **LANGLEY:** Thank you, Mr. President Pro Tem. I'd like to stand and add just a couple of words. First, the thought that comes to mind for me is that my Pendleton wool collection that I have from Rosen's Department Store will long live, I think, long outlast Senator Rosen's service here. The stuff's really quite good quality. For me, it really was when you come into this Body as a freshman, even though I served in the House this is a different Body than the other Body, very quickly you gravitate towards people who really could help and serve as a mentor, and I would say a lot of my demeanor and how I approach my job every day is a direct relationship to sitting for hours in here and in our caucuses over the years I got to serve with Senator Rosen. Actually both Senators Rosen. So it will be quite a favorable memory for me and very much a heartfelt thank you to Richard for being a good mentor and a tutor. Thank you.

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

Senator **SAVIELLO:** Thank you, Mr. President. Mr. President and ladies and gentlemen of the Senate, as I sit here and think about Richard, I've actually had the opportunity to serve with him a number of years and we have our own little favorite sign. I'll give it to you; you and I know what that means, nobody else does. That's good. It's a secret. But as I looked up the word dedication

it says; committed to a task or purpose; respect; feeling of admiration for somebody elicited by abilities, qualities, or achievements; even keeled; balanced. Keel is horizontal on the ship. Richard, you have been dedicated to this State, done it respectfully, and, even in difficult times, keep the keel of the ship horizontal. Thank you.

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

Senator **THIBODEAU:** Thank you, Mr. President. Ladies and gentlemen of the Senate, you know, it isn't every day that we get to stand and honor somebody that is truly a friend, and today I think many of us are honoring somebody that was not only a colleague but truly a friend. You know, a lot of us, as we preform our legislative duties, we often hear people talk about a legacy. Well I want to suggest to you that Richard Rosen truly has left a legacy. That doesn't have anything to do with any policy that he ever passed, because not one of us sitting around here could point to a bill. Most of them, as Bill would say, were unremarkable. But guess what? He did leave a legacy. It's a legacy that each and every one of us should aspire to. It's one that I aspire to and, I want to point out, fall far short. Okay. Richard Rosen came to this Chamber every day in the most even tempered, moderate way; always trying to do the exact right thing; always trying to do it in the most respectful way he possibly, possibly could, and he accomplished it. Make no mistake, I truly mean this when I say it, I wish that I had the same demeanor as Richard Rosen because I know he's passionate about the issues, but I know that he's able to express that passion in the most professional way possible, to convey to each and every one of us why he feels the way he did about any issue and try to convince us in the kindest of ways. So, to me, Richard's legacy will be exactly that; kindness, passionate, but also doing it in the kindest of ways possible. So I, again, I think many of us, if not all of us, consider Richard Rosen a friend. I certainly do. He has shown us the right way to do things. Our State benefited greatly, not only from his service in this Chamber and what little he did down in the House Chamber, Bill, but also his service to our State as a member of the Governor's cabinet. Our State is better, a better place to live and work, because of his service. So I join in with all the rest of you in celebrating his service and looking forward to what's next on the horizon for Richard because I am sure that there is something even greater in his future that will involve public service because that truly is who he is. Thank you.

ADOPTED.

Sent down for concurrence.

THE PRESIDENT PRO TEMPORE: The Chair is pleased to recognize a colleague, a friend, and a true servant of the State of Maine, Richard Rosen. Would he please rise and accept the congratulations and thanks of the Senate.

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

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

The Senate was called to order by the President.

Expressions of Legislative Sentiment recognizing:

Nicholas R. Burgess, of Kennebunkport, a member of Boy Scout Troop No. 304, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, Nicholas built several agility structures for the Kennebunk Dog Park. We extend our congratulations to Nicholas on this achievement;

SLS 501

Sponsored by Senator DESCHAMBAULT of York.
Cosponsored by Representative: SEAVEY of Kennebunkport.

Timothy R. Burgess, of Kennebunkport, a member of Boy Scout Troop No. 304, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, Timothy built a display case for the Kennebunkport Fire Department to use for recruiting volunteer members. We extend our congratulations to Timothy on this achievement;

SLS 502

Sponsored by Senator DESCHAMBAULT of York.
Cosponsored by Representative: SEAVEY of Kennebunkport.

READ.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Deschambault.

Senator **DESCHAMBAULT:** Thank you, Mr. President. I am presenting a legislative sentiment to two young men, twins, brothers, of Dr. Donald Burgess. Dr. Donald Burgess, I came across - I met him when my son was about 5 years old and he took over for the pediatrician we had and he - I liked him then and I was glad to see that his sons are now Eagle Scouts. I will read to you what we have. Both he and his sons are not here today. He's at Maine Medical with a heart attack that he suffered a couple of days ago.

So, on April 26, 2017, Nicholas Burgess received Scouting's highest rank of Eagle Scout at his board of review. Nicholas is a 15 year old high school student at Kennebunk High and started his Scouting career as a Tiger Cub at the age of 6 years. He's been active in several leadership positions in the troop, including patrol leader, assistant senior patrol leader, and instructor. Nick is a member of the Boy Scout National Camping Honor Society and the Order of the Arrow. His Eagle project was the construction of several agility structures for the Kennebunk dog park. Anybody who has dogs appreciates that. Nick noted that there were few structures in the dog park for dogs to play and climb and wanted to provide something the dogs would enjoy.

Nick is also active in sports and plays baseball and is on the high school golf team. He joins his twin brother, Tim, who received his Eagle Scout rank on the same day.

Also Tim Burgess, again 15 years old, received Scouting's highest honor of Eagle Scout at the board of review. He is a student at Kennebunk High and started his Scouting career as a Tiger Cub, again at age 6. He's been active in several leadership positions in the troop, including patrol leader, assistant senior patrol leader, and troop guide. He also is a member of the National Camping Honor Society and the Order of the Arrow. His Eagle project was the construction of the display case for the Kennebunkport Fire Department to use for recruiting volunteers and members. Tim noted that the Fire Department had difficulty recruiting new members from the local community to serve and wanted to help advertise the department in the schools and in the community. He also was active in sports, participates in the track team, is on the high school golf team. He joins his brother, twin brother Nick, as an Eagle Scout and Dad has been a Boy Scout troop leader throughout their whole career and continues to be so. I wanted to say this today. Hopefully they'll see this on video and I wish Dr. Burgess well. Thank you.

PASSED.

Sent down for concurrence.

REPORTS OF COMMITTEES

House

Divided Report

Seven members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators"

H.P. 970 L.D. 1396

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-522).**

Signed:

Senator:

MILLETT of Cumberland

Representatives:

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

Four members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (H-523).**

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington

Representatives:

GINZLER of Bridgton
STEWART of Presque Isle

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

Signed:

Representatives:

SAMPSON of Alfred
TURNER of Burlington

Comes from the House with Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-522) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-522)**.

Reports **READ**.

Senator **MASON** of Androscoggin moved the Senate **ACCEPT** Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-523)**, in **NON-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 PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise in opposition to the pending motion. This was a complex bill before the Education Committee and we worked very hard on it and we were able to find common ground on most of the issues that were presented in that bill. But there was one issue where we were not. The report before us would require retired teachers who come back to teaching in the classroom to pay into the retirement system even though they would not accrue any benefits from those very contributions. We know the challenges that our districts are facing in finding teachers, especially in rural, central, and northern Maine, and requiring those teachers to put their salaries into a system and not receive any benefits as a result is ill-advised and also grossly unfair. So I would urge everyone to oppose the pending motion so that we can vote another approach that would take a more equitable approach.

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

Senator **LANGLEY:** Thank you, Mr. President. I rise in support of this really because of fairness and it's really in fairness to future retirees that are working in the system, paying into the system. We do have a crisis. You'll notice both of these reports are Ought to Pass, so what separates myself and my good colleague from

Cumberland is not a whole lot, but it is something to take note of. So what this bill would do, if they were in a position where they really needed to have a teacher and they were coming back to work after they'd retired. So we've got that out of the way. They are looking, but they've decided to come back and help out. The school system would be required to pay into the retirement system and also the employee would make their contribution. So the big picture is someone who's retired, they're getting a monthly check for their retirement. They've come back into the school system and getting a salary as well. The cost of the retirement that they would pay each month or bi-weekly is not enough, I would think, to deter them from coming back, they're going to be coming back to help. But what it really does is keep the Maine Retirement System, Maine PERS, whole because if people come back and they don't pay into that they are taking a spot of which - one they could fill it with another employee who would be paying in and the school system would be paying in. So what this does is recognize that there's an actual emergency and they need somebody to come in and fill that spot for a year or two. Remember, they've retired. But it keeps Maine PERS whole and I think in the bigger picture that's not too much of a price to ask. I certainly would not balk at that, as a retired teacher, come back in. I'm getting my monthly check for being retired and if I came in to help and was drawing a salary as well I would be to the benefit. I would be to the good, a fair amount. But that's not the reason why they do it. They're coming in to help. But we do have to look forward to keeping the Maine retirement system, Maine PERS, whole. So, again, the difference between the two reports is that the report that I'm on would have both parties contribute and the other report is just the school system. Thank you for your consideration.

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

Senator **MILLETT:** Thank you, Mr. President. I rise just for two brief comments. First of all, currently teachers are not required to pay - returning retired teachers are not required to currently pay into the system and the bill allows them to only work for one year contracts so that if there are other candidates who would like to work in that school the school districts are certainly able to quickly make that position available. Thank you, Mr. President.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, my experience with retirement plans, and I'm sure this one being as well run as it is and giving credit for the man that we just celebrated for having a hand in that, is that when you project out the career of the teacher, or any other employee, as part of the system, you take the money that they pay in, you estimate the number of years that they have to work, and you plan for paying the amount of the retirement they're expected to receive at retirement. They've already paid in. The system has been set up to earn that amount to pay them and they don't need to keep paying it in. They're done working and it should be in line with what they're doing. They're now returning, per our rules, to fill a job and they're working it 100% of the job or nobody would give them the job. So they deserve 100% pay there. Their retirement's already earned and so, unless our system works differently than every other one I've been involved in, I think it

would be inappropriate to require them to pay for something they've already paid for.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "B" Ought to Pass as Amended. If you are in favor of accepting that report you will be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#352)

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

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

EXCUSED: Senators: CARPENTER, HILL

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **MASON** of Androscoggin to **ACCEPT** Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-523)**, in **NON-CONCURRENCE**, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "B" (H-523) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-523)**, in **NON-CONCURRENCE**.

Sent down for 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 (6/15/17) matter:

JOINT ORDER - Expression of Legislative Sentiment Recognizing Oliver T. Higgins of Bangor, a senior at Bangor High School, who is a recipient of a 2017 Principal's Award for outstanding academic achievement and citizenship, sponsored by the Maine Principals' Association. We extend our congratulations to Oliver on his receiving this award;

SLS 475

Tabled - June 15, 2017, by Senator **LIBBY** of Androscoggin

Pending - **PASSAGE**

READ.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, indeed it's my pleasure to welcome Oliver here and his father, Tim Higgins, to the Senate to receive this wonderful award. Oliver is the student we all want to have down the street from us. Oliver does actually live down the street from me. He has this extraordinary Principals' Association Award. He was president of his class at Bangor High School. He has been exemplary in terms of citizenship and he is both an athlete and a scholar. He has received the prestigious Tramuto Scholarship Award to go to Maine Maritime Academy next year, which is a very good scholarship to have for there, and he's a member of the Higgins clan and the Higgins clan in Bangor is related to virtually everybody in Bangor. So it's a great pleasure to have him here. Thank you, Mr. President.

PASSED.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the Chamber with us today Oliver Higgins and his guests. Would they please rise and accept the greetings of the State Senate.

Off Record Remarks

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

COMMUNICATIONS

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Land Management and Planning Z239

Initiative: Provides an allocation for STA-CAP costs.

OTHER SPECIAL REVENUE FUNDS 2017-18

All Other \$3,250 – Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides an allocation for STA-CAP costs.

OTHER SPECIAL REVENUE FUNDS 2017-18

OTHER SPECIAL REVENUE FUNDS TOTAL \$3,250 – Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides an allocation to develop infrastructure projects to comply with the federal Americans with Disabilities Act of 1990 for the State's public reserved lands.

OTHER SPECIAL REVENUE FUNDS 2017-18

All Other \$50,000– Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides an allocation to develop infrastructure projects to comply with the federal Americans with Disabilities Act of 1990 for the State's public reserved lands.

OTHER SPECIAL REVENUE FUNDS 2017-18

OTHER SPECIAL REVENUE FUNDS TOTAL \$50,000– Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides an allocation to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands.

OTHER SPECIAL REVENUE FUNDS 2018-19

All Other \$65,000– Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides an allocation to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands.

OTHER SPECIAL REVENUE FUNDS 2018-19

OTHER SPECIAL REVENUE FUNDS TOTAL \$65,000–
Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides allocations for educational grants to programs related to logging or forestry at public secondary or public postsecondary educational institutions or career and technical education centers.

OTHER SPECIAL REVENUE FUNDS 2017-18

All Other \$150,000– Changed to \$0

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

The Chair ordered a Division. 32 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF**

Land Management and Planning Z239

Initiative: Provides allocations for educational grants to programs related to logging or forestry at public secondary or public postsecondary educational institutions or career and technical education centers.

OTHER SPECIAL REVENUE FUNDS 2017-18

OTHER SPECIAL REVENUE FUNDS TOTAL \$150,000–
Changed to \$0

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

The Chair ordered a Division. 31 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)
S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF
Land Management and Planning Z239**

Initiative: Provides allocations for educational grants to programs related to logging or forestry at public secondary or public postsecondary educational institutions or career and technical education centers.

OTHER SPECIAL REVENUE FUNDS 2018-19
All Other \$150,000– Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)
S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF
Land Management and Planning Z239**

Initiative: Provides allocations for educational grants to programs related to logging or forestry at public secondary or public postsecondary educational institutions or career and technical education centers.

OTHER SPECIAL REVENUE FUNDS 2018-19
OTHER SPECIAL REVENUE FUNDS TOTAL \$150,000–
Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)
S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF
DEPARTMENT TOTALS**

OTHER SPECIAL REVENUE FUNDS 2017-18
\$203,250– Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF
DEPARTMENT TOTALS**

DEPARTMENT TOTAL – ALL FUNDS 2017-18
\$203,250– Changed to \$0

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

The Chair ordered a Division. 32 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF
DEPARTMENT TOTALS**

OTHER SPECIAL REVENUE FUNDS 2018-19
\$215,000– Changed to \$0

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

The Chair ordered a Division. 31 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

Pursuant to Article IV, Part Third, Section 2-A, the accompanying line item veto on Bill "An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund" (EMERGENCY)

S.P. 201 L.D. 586

**AGRICULTURE, CONSERVATION AND FORESTRY,
DEPARTMENT OF
DEPARTMENT TOTALS**

DEPARTMENT TOTAL – ALL FUNDS 2018-19
\$215,000– Changed to \$0

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

The Chair ordered a Division. 33 Senators having voted in the affirmative and no Senator having voted in the negative, it was the vote of the Senate that the line item veto of the Governor be **OVERRIDDEN**.

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

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

REPORTS OF COMMITTEES

Senate

Ought to Pass As Amended

Senator DOW for the Committee on **TAXATION** on Bill "An Act To Promote Major Business Headquarters Expansions in Maine, Promote the Commercialization of Research and Development in Maine and Create Jobs"

S.P. 591 L.D. 1639

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-294)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-294) **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 were ordered sent down forthwith for concurrence.

Off Record Remarks

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/5/17) matter:

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act Regarding Possession of a Firearm on School Property"

S.P. 327 L.D. 988

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-174)** (4 members)

Tabled - June 5, 2017, by Senator **LANGLEY** of Hancock

Pending - **ACCEPTANCE OF EITHER REPORT**

On motion by Senator **LANGLEY** of Hancock, Bill and accompanying papers **COMMITTED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent down for concurrence.

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

SENATE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve the Quality of Teachers"

S.P. 263 L.D. 818

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-203)** (7 members)

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

Tabled - June 7, 2017, by Senator **LANGLEY** of Hancock

Pending - motion by same Senator to **ACCEPT** the Minority **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 PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Millett.

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise in opposition to the pending motion. The bill before you recognizes the complexities addressing the challenges facing our educator profession and takes a comprehensive approach. It increases the required in-classroom experience for teacher prep students, raises the minimum grade point average for teacher prep classes, and provides provisional teachers with baseline observation feedback opportunities during their probationary periods. We need to strengthen student teaching experience and academic achievement requirements for a provisional teacher certificate. In addition, we need to increase the number of hours of practicum and clarify the in-classroom experiences begin in a meaningful timeframe to allow students optimal space to reflect on their suitability for the classroom. It also increases the GPA requirement for teacher prep programs and strengthens the support systems required to provide assistance for teachers that are in their first year and improves incentives to teachers to assume the role of mentor and take on the significant extra workload required.

This approach is an attempt to bring to Maine a degree of the internationally recognized Finnish approach. Finland's education system is widely recognized as one of the world's best. One of the keys to Finland's high levels of educational achievement is its approach to selecting, preparing teachers. Only 10% of those who apply to teacher training programs in Finland are admitted - think about that, 10% of all those who apply - and they are paid for their three year educational program, along with a living stipend. Candidates are judged on their literacy, communication, and math skills, and willingness to learn and the motivation to teach. Their teacher preparation includes extensive course-work on how to teach and at least a full year of clinical experience guided by professors and master teachers. These model schools are intended to provide innovated practices as well as to foster research on learning and teaching. In addition to the course-work in their content area, prospective teachers are well trained in both research and curriculum development, psychology, classroom management, assessment models, and how to teach students in different ways. So I hope you will join me in opposing the pending motion so that we can then move on to the Majority Report and put Maine in a stronger position to better support and strengthen our teaching profession. Thank you, Mr. President.

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

Senator **LANGLEY:** Thank you, Mr. President. I rise to support the motion that's on the Floor. We've seen this bill. The last time it was here it was L.D. 1370. I still have the same objections today as I did back then. First, this bill introduces a new section in law that requires institutions of higher ed to maintain a 3.0 average for all of its students completing the teacher education program and receiving a recommendation from that institution. It doesn't address what happens to those students if the average is not met. Are they are dismissed from the program? Does it lose approval from the State Board of Education? There are a lot of questions that arise in this. I've had the pleasure of going and meeting with all of the heads of all the teacher prep programs as they meet in Orono, the last time that I went, and I can tell you from working with all of the heads of the teacher prep program, they are very much involved with trying to turn out the very best

teacher that they possibly can. This is a lot of management from the top down, dictating, and a lot of extra work for the department to track students who either make a 3.0 or don't make a 3.0. This bill also requires that the State pick up the cost for our local support systems. I served on a support system for over 20 years in my district, Chaired it at the very end. I know, for example, in my town, in my district, the annual cost of running that system was \$30,000 the last time that I was there and so this section 27, page 4, would require that the State pick up those costs, which must be equal to the teacher's per diem salary rate multiplied by the number of days the teacher's involved in the operation of approved support system. So there's quite a large cost to the State in that. So with that, folks, I would ask you to support the motion on the Floor. Thank you.

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

Senator **MILLETT:** Mr. President, I just rise very briefly to share with the Chamber that I had the great privilege of working with the University of Maine System Teaching Preparation Program leaders and took all of their advice and that is what is reflected in the bill. Thank you, Mr. President.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#353)

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

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

EXCUSED: Senators: CARPENTER, HILL

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/14/17) matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect Law Enforcement Officers by Creating the Crime of Aggravated Assault on an Officer"

S.P. 329 L.D. 990

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (S-265)** (7 members)

Report "**B**" - **Ought Not to Pass** (4 members)

Report "**C**" - **Ought to Pass as Amended by Committee Amendment "B" (S-266)** (2 members)

Tabled - June 14, 2017, by Senator **LIBBY** of Androscoggin

Pending - motion by Senator **ROSEN** of Hancock to **ACCEPT** Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-265)** (Roll Call Ordered)

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and gentlemen of the Senate, just to clarify, make sure that you understand what this does, basically assault on a police officer is already existing. The only thing it does, it actually takes off reckless part on this and intentionally and knowingly for assault. So nothing changes other than the reckless was taken off, and on the Class Aggravated piece it is when it's serious bodily injury. Brings it up another class to Class B, which we would expect to have a higher level. Then the other piece is a Class B if they are targeted or somebody chooses to pick out an officer to do harm to them. So this is the other piece, and this has been happening throughout the country and so we're trying to protect our officers, and would you please follow my light for helping these police officers. Thank you.

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

Senator **MIRAMANT:** Thank you, Mr. President. Men and women of the Senate, could you just clarify that that was the amendment that was moved and that the good Senator is speaking about? I might have them mixed up and I'm sorry if I do. But could someone clear that up, that that is accurate?

THE PRESIDENT: Again, on June 14, 2017, Senator Libby of Androscoggin tabled this bill pending a motion by Senator **ROSEN** of Hancock to accept Report "A" Ought to Pass as Amended by Committee Amendment "A". We have a roll call that has been ordered. Is the Senate ready for the question? The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Mr. President. There seems to be some confusion about the amendment. Is it possible to have the actual amendment read before we vote?

At the request of Senator **CHIPMAN** of Cumberland, Amendment **READ**.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending the motion by Senator **ROSEN** of Hancock to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-265)**. (Roll Call Ordered)

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

COMMUNICATIONS

The Following Communication: S.C. 542

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

20 June 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1384, "An Act To Amend the Election Laws."

This bill would allow municipalities to charge political parties rental and cleaning fees if the parties hold caucuses in public buildings. The bill provides no limit to the amounts municipalities would be able to charge. I firmly believe that caucuses are vital to our political process, and they should not be subject to local fees.

What this bill really proposes is a tax on the political process to be levied by municipal officials. In a landmark Supreme Court case in which it was held that a state cannot tax instruments of the federal government, Chief Justice Marshall wrote that the power to tax is the power to destroy. I think the same principle applies to this bill. Localities should not be given the authority to hinder the political process that is so central to our system of government. Public buildings should be open to the public generally, and they should definitely not be used as a way for municipalities to tax the political process.

For this reason, I return LD 1384 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Amend the Election Laws
S.P. 471 L.D. 1384

The President laid before the Senate the following: "Shall this Bill become law notwithstanding the objections of the Governor?"

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

The Following Communication: S.C. 543

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

20 June 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature,

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1405, "An Act To Require Remote Sellers To Collect and Remit Sales and Use Tax on Sales into Maine."

It has long been my view that Maine retailers can compete and win against even the very best out-of-state companies, provided they are competing on an equal playing field.

In 2013, I signed into law LD 346, "An Act Concerning the Collection of Sales Tax by Any Businesses Making Sales to Persons in Maine." This law requires companies that have affiliate programs to register and collect Maine sales tax on sales to Maine customers. In response to its passage, a number of retailers deliberately ended their affiliate programs with Maine residents and businesses to avoid collecting our sales tax. I am concerned that allowing LD 1405 to go into law will similarly cause small online retailers to cease selling their products to residents of the State of Maine.

Additionally, this legislation positions Maine in conflict with the U.S. Supreme Court's ruling in *Quill Corp. v. North Dakota*, 504 U.S. 298 (1992), which prohibits states from imposing a sales tax collection duty on retailers who have no physical presence within their borders. While I believe this decision should be overturned, I consider it unwise for Maine to become a national outlier and needlessly expose the state to litigation.

The establishment of nexus for the purpose of sales tax collection is a complex issue that requires a comprehensive approach. That is why I have supported the federal Marketplace Fairness Act and urged Maine's congressional delegation to support its passage. This legislation would enable state governments to collect sales taxes and use taxes from remote retailers with no physical presence in their state.

For these reasons, I return LD 1405 unsigned and vetoed. I encourage the Legislature to join me in calling for a federal solution to this national problem and urge you to sustain my veto.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Require Remote Sellers To Collect and Remit Sales and Use Tax on Sales into Maine and To Provide Retailers a Collection Allowance

S.P. 483 L.D. 1405

The President 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 (#354)

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

NAYS: Senators: BRAKEY, DAVIS

EXCUSED: Senators: CARPENTER, HILL

31 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 2 Senators being excused, and 31 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.

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

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

Off Record Remarks

RECESSED until the sound of the bell.

After Recess the Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Improve General Assistance Reimbursements"

S.P. 363 L.D. 1109

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-273)** (7 members)

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

In Senate, June 20, 2017, **INSISTED** on its former action whereby the Minority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Comes from the House, Bill **COMMITTED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORT - from the Committee on **JUDICIARY** on Bill "An Act Concerning Private Personal Information of Public Employees and Licensed Individuals"

H.P. 1126 L.D. 1633

Report – **REFER** to the Committee on **JUDICIARY**, pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

In Senate, June 20, 2017, Bill and accompanying papers **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill and accompanying papers were **INDEFINITELY POSTPONED**.

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Restrict Cash Access for Electronic Benefit Transfer Cards"

H.P. 201 L.D. 268

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-479)** (6 members)

In Senate, June 19, 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" (H-479)** 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**.

Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.

On further motion by same Senator, 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 (#355)

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

NAYS: Senators: CHIPMAN, KATZ, MIRAMANT

EXCUSED: Senator: HILL

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **INSIST PREVAILED**.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Facilitate Substance Abuse Treatment for Certain Applicants for and Recipients of Temporary Assistance for Needy Families Benefits"
H.P. 1111 L.D. 1615

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-476)** (6 members)

In Senate, June 19, 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" (H-476)** 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**.

Senator **BRAKEY** of Androscoggin moved the Senate **INSIST**.

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

Senator **CHIPMAN** of Cumberland moved the Senate **RECEDE** and **CONCUR**.

On motion by Senator **MASON** 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 (#356)

YEAS: Senators: BELLOWS, CARSON, CHENETTE, CHIPMAN, DION, KATZ, MIRAMANT, VOLK

NAYS: Senators: BRAKEY, BREEN, CARPENTER, COLLINS, CUSHING, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, GRATWICK, HAMPER, JACKSON, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, ROSEN, SAVIELLO, VITELLI, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senator: HILL

8 Senators having voted in the affirmative and 26 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CHIPMAN** of Cumberland to **RECEDE** and **CONCUR FAILED**.

The motion before the Senate is the motion by Senator **BRAKEY** of Androscoggin to **INSIST**.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#357)

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

NAYS: Senators: CHIPMAN, KATZ

EXCUSED: Senator: HILL

32 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **INSIST** **PREVAILED**.

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

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

COMMUNICATIONS

The Following Communication: H.C. 263

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 20, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing L.D. 256 "An Act to Ensure Continued Availability of High-Speed Broadband Internet at Maine's Schools and Libraries."

This bill modifies the funding mechanism for the Maine Telecommunications Education Access Fund (MTEAF) used to support the Maine School and Library Network (MSLN). Currently, this program is funded through a fixed percentage assessment applied to voice-related communication service revenues. Because data-related communication revenues are replacing voice-related communication revenues, the funding available under the existing structure is decreasing. The proposed bill seeks to prop up the funding by changing to a per-line funding structure. While I support the concept of schools and libraries being joined together to achieve bulk-purchasing power to decrease the cost of providing broadband internet solutions, I cannot support the funding mechanism advanced in this bill.

The MSLN was originally developed in the mid-1990s as a result of a Public Utilities Commission rate case decision against Bell Atlantic (Maine's largest local telephone company at the time). The Commission required Bell Atlantic to provide \$20 million toward the deployment of internet services to all Maine schools and libraries. A few years later, in 1999, the legislature created the MTEAF to continue the funding and further promote internet services at Maine's schools and libraries. However, the internet is no longer a fledgling enterprise. The original purpose of the MSLN has been served – 99% of Maine's schools have internet service at a speed of at least 100 kilobytes per student. The internet is now a mature industry and should be funded in the same manner that all of the other normal costs of schools and libraries are funded.

I have long opposed fees that hide true cost of services and pass along the burden to ratepayers who have no say in paying an increased fee that funds an initiative unrelated to the service they are purchasing. While I also disfavor the existing statutory funding structure, at least it will allow a gradual transition to more

local responsibility for the costs, thereby incentivizing our schools and libraries to explore services and funding based on the individual needs and characteristics of the communities they serve.

For these reasons, I return L.D. 256 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

An Act To Ensure Continued Availability of High-speed
Broadband Internet at Maine's Schools and Libraries
H.P. 189 L.D. 256

Comes from the House with the **VETO OVERRIDDEN**,
notwithstanding the objections of the Governor.

The President 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 (#358)

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, MASON, MILLETT,
MIRAMANT, ROSEN, SAVIELLO,
VITELLI, VOLK, WHITTEMORE,
WOODSOME, PRESIDENT THIBODEAU

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, and 33 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.

The Following Communication: H.C. 264

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 20, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 633, "An Act To Amend Teacher Evaluation Requirement."

I do not agree that measures of teacher effectiveness do not need to include student growth. While other measures of teacher effectiveness are certainly important, whether students grew and learned seems fundamental.

During the 127th Legislature, the Education and Cultural Affairs Committee made a firm commitment not to change the rules in the middle of the game. This bill does that. It seems that this bill would require every district in the state to revisit and revise their teacher evaluation plans, many of which are just ending their pilot phase.

This bill requires new rulemaking—without providing funding to the Department to write those rules—and it will require districts to collect data on student growth. This not only triggers privacy concerns, but it also promotes a system for collecting inconsistent measures across school districts that cannot be compared to determine whether an individual teacher, school or district is performing effectively.

The fact that this bill does nothing to alleviate administrative burden (and may actually increase administrative time and expense) only adds insult to injury.

In sum, this bill raises questions about the legislature's commitment to ensuring that every Maine student has access to a high quality educator. For these reasons, I return LD 633 to you unsigned and vetoed. I urge you to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

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

Comes from the House with the **VETO OVERRIDDEN**,
notwithstanding the objections of the Governor.

The President 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 (#359)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, JACKSON, KATZ, LIBBY, MAKER, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, PRESIDENT THIBODEAU

NAYS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KEIM, LANGLEY, MASON, VOLK, WHITTEMORE, WOODSOME

EXCUSED: Senator: HILL

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, and 21 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: H.C. 267

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 20, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1540, "An Act To Protect Consumers' Freedom of Choice in Auto Collision Repairs."

LD 1540 appears to be a solution in search of a problem. If auto insurance companies were truly steering business toward specific collision repair businesses, this may be a discussion worth

having. But over the course of the last nine years, Maine's insurance bureau has only received six consumer complaints regarding this issue; two of those complaints were that insurers did not direct insureds to shops participating in the insurer's networks.

Additionally, the Superintendent of Insurance conducted a study of the seven largest auto insurance carriers in Maine and did not identify any instances of steering.

This bill micromanages Maine businesses and creates more unnecessary regulations for Maine's auto insurance industry.

For this reason, I return LD 1540 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

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

H.P. 1061 L.D. 1540

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President 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 (#360)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CYRWAY, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, LIBBY, MILLETT, MIRAMANT, VITELLI

NAYS: Senators: BRAKEY, COLLINS, CUSHING, DAVIS, KEIM, LANGLEY, MAKER, MASON, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senator: HILL

20 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 1 Senator being excused, and 20 being less than two-thirds of the members present and voting, it was the vote of the Senate that the veto of the Governor be **SUSTAINED**.

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

The Following Communication: H.C. 269

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

June 20, 2017

The 128th Legislature of the State of Maine
State House
Augusta, Maine

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1619, "An Act To Report Limited Information to the Controlled Substances Prescription Monitoring Program Concerning Methadone."

I appreciate the thought behind this bill and would encourage the Legislature to continue to think about ways they can create transparency and increase the quality of Methadone treatment. Unfortunately, this bill is useless. We can already seek consent of the participants in a methadone treatment program to share their information with the Prescription Monitoring Program.

If we are truly serious about addressing the shortfalls of our methadone treatment program, we need to identify ways to ensure the program is integrated into a person's overall health and to make sure they are receiving the comprehensive counseling they need. We also need to continue to appeal to the Federal government to roll back their antiquated and overly restrictive regulations to allow us to manage our program.

Including transportation costs, we pay approximately \$12 million a year for Methadone treatment in Medicaid. This is a significant cost. I agree we need to continue to make improvements to the program, but this bill does not hit the mark.

For this reason, I return LD 1619 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Bill:

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

H.P. 1118 L.D. 1619

Comes from the House with the **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.

The President 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 (#361)

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, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

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.

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Prohibit the Mining of Massive Sulfide Ore Deposits on State Lands" H.P. 117 L.D. 159

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

Signed:

Senators:

DAVIS of Piscataquis
DILL of Penobscot
SAVIELLO of Franklin

Representatives:

DUNPHY of Old Town
BLACK of Wilton
CHAPMAN of Brooksville
HIGGINS of Dover-Foxcroft
KINNEY of Knox
MARTIN of Sinclair
McELWEE of Caribou
O'NEIL of Saco
SKOLFIELD of Weld

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-528).**

Signed:

Representative:

ACKLEY of Monmouth

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

Reports **READ.**

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

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Amend the Laws on the Conduct of Elections and To Establish a Nonpartisan Primary Election System for State and Federal Candidates" H.P. 764 L.D. 1086

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-527).**

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 **MASON** of Androscoggin, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands

H.P. 1128 L.D. 1635

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-521).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-521).**

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

Resolve **READ ONCE.**

Committee Amendment "A" (H-521) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Resolve **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in 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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Protect Taxpayers in the Privatization of State Services"

S.P. 407 L.D. 1213

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-289)** (7 members)

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

In Senate, June 19, 2017, on motion by Senator **DAVIS** of Piscataquis, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-289)** in **NON-CONCURRENCE**.

Senator **DAVIS** of Piscataquis moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

Senate at Ease.

The Senate was called to order by the President.

The motion by Senator **DAVIS** of Piscataquis to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report was **OUT OF ORDER**.

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

Sent down for concurrence.

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

ENACTORS

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

Emergency Resolve

Resolve, To Allow the Issuance of Open Burn Permits through Private Online Services

S.P. 590 L.D. 1640

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

Senator **BELLOWS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise briefly just to say there's so much that we do in this Body that is truly bi-partisan, that is people coming together to work towards a solutions, and I'm thrilled to support this bill, having heard from no less than five of my eleven Fire Chiefs in a very short time, and I want to commend Gary Hickey, of Warden's Report, from West Gardiner for his work. I think passage of this bill will improve efficiency and help our towns.

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

Ordered sent down forthwith.

Acts

An Act To Modernize the Renewable Portfolio Standard
H.P. 810 L.D. 1147
(S "A" S-290 to C "A" H-272)

An Act To Provide a Definition of "Primary Residence" for Purposes of Property Tax Abatements Based on Hardship or Poverty

S.P. 401 L.D. 1180
(S "A" S-282)

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

Ordered sent down forthwith.

An Act To Prohibit the Use of Handheld Phones and Devices While Driving

S.P. 360 L.D. 1089
(C "A" S-272)

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

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

COMMUNICATIONS

The Following Communication: H.C. 270

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

June 21, 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

- Minority Ought Not to Pass Report of the Committee on Judiciary on Bill "An Act To Allow Attorneys Employed by the State To Perform Volunteer Legal Services" (S.P. 225) (L.D. 663);
- the Majority Ought Not to Pass Report of the Committee on Health and Human Services on Bill "An Act To Require That Maine Welfare Benefits Be Used in Maine" (S.P. 286) (L.D. 886).

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: H.C. 271

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

June 21, 2017

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

Dear Secretary Priest:

Senate Paper 508, Legislative Document 1462, "Resolve, To Establish a Pilot Project To Facilitate the Acquisition of Basic Emergency Medical Training in Rural Communities in the State," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

89 voted in favor and 53 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Senate Paper 254, Legislative Document 809, "An Act To Address Student Hunger with a "Breakfast after the Bell" Program," 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?"

90 voted in favor and 55 against, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

House Paper 517, Legislative Document 737, "An Act To Allow Public Schools To Reserve Funds Designated for Operating Costs," having been returned by the Governor, together with objections to the same, pursuant to Article IV, Part Third, Section 2 of the Constitution of the State of Maine, after reconsideration, the House proceeded to vote on the question: "Shall this Bill become a law notwithstanding the objections of the Governor?"

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

House Paper 957, Legislative Document 1378, "Resolve, Directing the State Workforce Investment Board To Create the Maine Family First Employer Program," 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?"

76 voted in favor and 67 against, 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.

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

COMMUNICATIONS

The Following Communication: S.C. 545

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

June 21, 2017

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Environment and Natural Resources has had under consideration the nomination of Eric P. Ward of Greenville Jct., for appointment to the Outdoor Heritage Fund Board.

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

YEAS	Senators	2	Saviello of Franklin, Gratwick of Penobscot
	Representatives	8	Tucker of Brunswick, Duchesne of Hudson, Fay of Raymond, Kinney of Limington, Martin of Eagle Lake, Pierce of Dresden, Strom of Pittsfield, Zeigler of Montville
NAYS		0	
ABSENT		3	Sen. Volk of Cumberland, Rep. Campbell of Orrington, Rep. Harlow of Portland

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 Eric P. Ward of Greenville Jct., for appointment to the Outdoor Heritage Fund Board be confirmed.

Signed,

S/Thomas B. Saviello
Senate Chair

S/Ralph L. Tucker
House Chair

READ and ORDERED PLACED ON FILE.

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

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#362)

YEAS: Senators: None

NAYS: 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, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senator: HILL

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Eric P. Ward** of Greenville Jct. for appointment to the Outdoor Heritage Fund Board was **CONFIRMED**.

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

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later Assigned (6/13/17) matter:

JOINT ORDER - Joint Study Order, To Establish the Task Force on Health Care Coverage for All of Maine
S.P. 592

Tabled - June 13, 2017, by Senator **WHITTEMORE** of Somerset

Pending - **PASSAGE**

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

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, this is a Resolve to have a Legislative Task Force to evaluate options for our healthcare systems in the future. The real question behind it is: how is our healthcare system working now? Is it efficient, as efficient as it could be? Where do we want to go? What should the future hold for us? As you well know, this is a kind of major change in healthcare. Washington is certainly working on this a great deal. I think it's a concern to all of our constituents. The most important thing about this Task Force is the membership. This has to be bi-partisan. It will be bi-partisan. Eight legislators and eight citizens. They should be experts in one sense or another, represent different parts of our very complex healthcare system, and they have to represent all the different points of view. It's not permissible that this should be one point of view, one narrow group that's looking at it. I think this Task Force and the membership is specified here. It will be determined by the President and by the Speaker. It has to have everybody from ALEC and the Heritage Foundation all the way over on to the left and everything in between because that's where we need to have this conversation to begin to bring us together over this very important topic.

I think we've all been around here long enough to know that an important topic like this is not to be solved by people having one narrow bill and hoping that that will sway people. This has to be very broadly based. The goal is really to prepare at least three different options that can be brought back to this Body so we can have something to choose from that has good research behind them. We need to take time. We need to have this be very open and it has to be very - an over-used word - transparent and I think we have to do exactly the opposite of what they're doing in Washington, where it's getting pushed through rather rapidly. This has to be a carefully thought out process. As you know, changes are coming from Washington. Are we going to have Medicaid block grants? What does that imply? How are we going to get low income people? How are we going to get rural people? How are we going to get elderly people with good healthcare and hopefully we can begin to have consensus around some of the answers here.

This, hopefully, - not hopefully, this must save money. I think we're all aware if this comes back with a big fiscal note it's going to die. We need to figure out ways that we can make our healthcare system more efficient. Everybody is aware that we have the most expensive healthcare system in the world in the United States, spending 18% of GDP on healthcare. In Maine, we're nearly 20%. We simply can't afford this. There's a great deal of waste in this healthcare system and if we can decrease

that it's going to be very good for business, it's going to be good for health. It's going to be good for everybody.

This committee, this Resolve came out of the IFS Committee unanimously and I have to thank Senator Whittemore and then Representative Foley and the statements there was they wanted this to look 'at all options' and they should be on the table. I think that's very, very important. All options are on the table. They will go to the Legislative Council. It has an option for outside funding on this. I think that's where it's going to have to go. I recommend very strongly that you follow my light. Thank you very much, Mr. President.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I wouldn't ordinarily get up on this particular type of legislation, but I do want you to know that I have a lot of friends in the insurance industry, as I do in the medical profession, family even, and it's really high time that we gave this a bi-partisan look. I'm very uncomfortable when we get one party over the other that comes in with a proposal and tries to maybe move it forward, but I think if we can look at this in a bi-partisan way, which this Resolve will do, I would encourage us to give that a chance and I thank the good Senator from Somerset, Senator Whittemore, and the good Senator from Penobscot, Senator Gratwick, for getting us to this point. I would ask for your consideration. Thank you.

On motion by Senator **CUSHING** of Penobscot, **TABLED** until Later in Today's Session, pending **PASSAGE**. (Roll Call Ordered)

The Chair laid before the Senate the following Tabled matter:

SENATE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Protect Law Enforcement Officers by Creating the Crime of Aggravated Assault on an Officer"

S.P. 329 L.D. 990

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (S-265)** (7 members)

Report "**B**" - **Ought Not to Pass** (4 members)

Report "**C**" - **Ought to Pass as Amended by Committee Amendment "B" (S-266)** (2 members)

Tabled - June 21, 2017, by Senator **MASON** of Androscoggin

Pending - motion by Senator **ROSEN** of Hancock to **ACCEPT Report "A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-265)** (Roll Call Ordered)

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

Senator **BELLOWS:** Thank you, Mr. President. Question through the Chair?

HOUSE REPORTS - from the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Prohibit Female Genital Mutilation"

H.P. 525 L.D. 745
(C "A" H-483)

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (H-483)** (7 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (H-484)** (3 members)

Report "C" - **Ought Not to Pass** (2 members)

Report "D" - **Ought to Pass as Amended by Committee Amendment "C" (H-485)** (1 member)

Tabled - June 20, 2017, by Senator **ROSEN** of Hancock

Pending - **FURTHER CONSIDERATION**

(In Senate, June 16, 2017, Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483)** READ and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483)** in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-484)** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-484)**.)

Senator **MAKER** of Washington moved the Senate **RECEDE**.

Senator **BELLOWS** of Kennebec moved the Senate **RECEDE** and **CONCUR**.

THE PRESIDENT: The Chair would advise the Senator from Kennebec, Senator Bellows, that the Recede and Concur motion is out of order because the Recede motion is the higher motion.

The Chair **RULED** the motion to **RECEDE** and **CONCUR** was **OUT OF ORDER**.

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

Senator **BELLOWS:** When will the motion to Recede and Concur, when would that be in order?

THE PRESIDENT: The higher motion is the Recede motion. Therefore the Recede and Concur motion won't be in order at any point here. The Recede motion takes precedence over the Recede and Concur motion.

On motion by Senator **MAKER** of Washington, the Senate **SUSPENDED THE RULES**.

THE PRESIDENT: Sure.

Senator **BELLOWS:** Is there an amendment pending to comport this amendment with what Senator Cyrway explained and remove the word 'recklessly'?

THE PRESIDENT: The answer, I believe, to the question is that we're accepting Report "A" as Amended by Committee Amendment "A". It's the Majority Report. Is it now the pleasure of the Senate to Accept Report "A" as Amended by Committee Amendment "A"? There is a roll call in order. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#363)

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

NAYS: Senators: BELLOWS, BRAKEY, CHIPMAN, MIRAMANT

EXCUSED: Senator: HILL

30 Senators having voted in the affirmative and 4 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **ROSEN** of Hancock to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-265)** PREVAILED.

Bill **READ ONCE**.

Committee Amendment "A" (S-265) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-265)**.

Sent down for concurrence.

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

The Chair laid before the Senate the following Tabled and Later Assigned (6/20/17) matter:

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483)**, in **NON-CONCURRENCE**.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-483).

Same Senator presented Senate Amendment "B" (S-298) to Committee Amendment "A" (H-483).

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 (#364)

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

NAYS: Senators: BELLOWS, BREEN, CHIPMAN, JACKSON, LIBBY, VITELLI

EXCUSED: Senator: HILL

28 Senators having voted in the affirmative and 6 Senators having voted in the negative, with 1 Senator being excused, the Reading of Senate Amendment "B" (S-298) to Committee Amendment "A" (H-483) was dispensed with.

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

Senator **BELLOWS:** Thank you, Mr. President. I rise in support of this amendment because I do believe education is extraordinarily important and that is why I would have moved Recede and Concur because education is a way to make sure that this abusive and problematic barbaric practice is ended.

THE PRESIDENT: A roll call has been ordered. Is the Senate ready for the question? If you are in favor of Adopting Senate Amendment "B" to Committee Amendment "A" you will be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#365)

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, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

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, on motion by Senator **MAKER** of Washington, Senate Amendment "B" (S-298) to Committee Amendment "A" (H-483) **ADOPTED**.

Committee Amendment "A" (H-483) as Amended by Senate Amendment "B" (S-298) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483) AS AMENDED BY SENATE AMENDMENT "B" (S-298)** thereto, in **NON-CONCURRENCE**.

Sent down for concurrence.

Off Record Remarks

RECESSED until the sound of the bell.

After Recess the Senate was called to order by the President.

Off Record Remarks

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

REPORTS OF COMMITTEES

Senate

Divided Report

Six members of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting
S.P. 577 L.D. 1624

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-300)**.

Signed:

Senator:
CARPENTER of Aroostook

Representatives:
LUCHINI of Ellsworth
CASÁS of Rockport
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

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

Signed:

Senators:
MASON of Androscoggin
COLLINS of York

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

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-301)**.

Signed:

Representative:
HICKMAN of Winthrop

Reports **READ**.

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

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

Senator **MASON:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, before you is this Constitutional Resolution that has to do with Question 5 that was

on the ballot in November of this past year. We have had a lot of debates in the populous over many different items. We've seen an uptick in how many people's referendums and vetoes have come up over the years and while I have always looked at the general election campaign on issues like that as public hearings. They are public hearings to learn about the bill and educate the populous. The campaign to implement Ranked-Choice Voting did win, however I think there was some faulty information out there during the campaign. The campaign alleged, and on their website still even today submits that this referendum is constitutional. The campaign alleged that Ranked-Choice Voting could be the law of the land without any hindrances from the Constitution while, Mr. President, today we know that that quite simply isn't true. After a 7 - 0 report from the court, after a solemn occasion sent from this Body, we learned that it does, indeed, violate the Maine State Constitution. I believe that the Ought Not to Pass Report is the only way to go. I believe if we did it any other way it would result in confusion at the ballot box. I also believe in the process. The way that the Constitution is amended does not start at the ballot box. It does not start with the people. It starts here, in these Bodies, in the Senate and in the House of Representatives. I believe that that's the way that it should start. This is fixing a problem that exists now and I think that we need to vote Ought Not to Pass on this Constitutional Resolution. Thank you, Mr. President.

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

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I agree with some of what my friend from Androscoggin has to say, but when we came here this last winter - it seems like years ago - we were confronted with a challenge to the initiative, Question 5, as the good Senator from Androscoggin has said, and that was resolved, I think fortunately, by the court, and the court implicitly told us what we had to do, and that was we had to amend the Constitution to make it right. The good Senator from Cumberland, Senator Breen, then brought forward this Constitutional Resolution, and this is what we have to do. We also have, on the next supplement, a companion bill. So this is just step one, but I do think that we need to move forward with rejecting the current motion and move forward with the Report "A", which will move this Constitutional Resolution down the road and, ultimately, put it back in the hands of the people. If the people want this, then they will have a chance to vote for it. If they choose to reject it, that's the end of the discussion. But we went through a lot of time and trouble earlier this session to have the Maine Supreme Judicial Court rule on the constitutionality of Ranked-Choice Voting and they did, and by that ruling they have directed us to this point on this day. Therefore, Mr. President and ladies and gentlemen of the Senate, I would request that you vote against the pending motion and then I would move the Ought to Pass. Mr. President, I request when the vote be taken it be taken with the yeas and nays.

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

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

Senator **BREEN**: Thank you, Mr. President. Mr. President, men and women of the Senate, I want to thank the members of the Veterans and Legal Affairs Committee for their quick and efficient action on the two bills regarding Ranked-Choice Voting, L.D. 1624, the one that I sponsored. They gave careful, bi-partisan review of Question 5, the referendum that supported Ranked-Choice Voting in Maine. I rise to speak against the pending motion because I think the impulse behind Ranked-Choice Voting comes from a genuine hunger by Maine people to diminish the hyper-partisanship that we've seen in State Houses, not only in Maine but around the country. I think it's an urge for more moderation. I think it's an urge for more civility and I think that's a good thing for Maine. So I would hope that, in that spirit, we could defeat the current motion and move on to a report that leaves Ranked-Choice Voting partially in place and honors the very important advisory ruling that was issued by the Supreme Court. Thank you, Mr. President.

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

Senator **CUSHING**: Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise today in support of the current motion. Mr. President, there is a book published regarding the Executive Mansion across the street. I read the foreword to that, and if you'll grant me the privilege of digressing for a moment here you'll understand where I'm going. The opening of this book says; 'The rifleman in the cupola atop the Maine State House dome glared down at the man in black strolling on the lawn of the spacious mansion across the street. The latter was a striking figure; tall and well built, with an opposing head. His hair and beard were nearly white. Expressive dark eyes flanked a fleshy nose and a face of almost olive complexion. Behind him loomed his imposing home, a Federal period hip roof structure with more recent Victorian embellishments. The rifleman drew a bead on the white bearded man, but a watchman stopped him before he could pull the trigger. The series of events would propel James G. Blaine into the sights of a would-be assassin's rifle constituted the most serious political crisis in Maine's history. A three party fight; Republican, Democrat, and Greenback in the 1879 fall election had prevented any gubernatorial candidate from winning the majority. Selection of a Chief Executive devolved upon the incoming Legislature.' Mr. President, I recently finished watching a series on Netflix called *House of Cards* which also ends, sorry to ruin this for some of you, with a hung election that takes several months. I don't want that to be revisited in our State. I believe if we were to accept the premise that has been presented to us, first through the citizen referendum process and now with an amended - an amendment to our Constitution, we could very likely plunge Maine back into a situation which would not allow us to know with certainty who our elected official would be, our Chief Executive or many of our other important offices. It would impede the ability for State government to function in an appropriate manner and, while some of us may not think we're as smooth as could be, I don't think visiting this upon us would be helpful. Mr. President, I request that members consider this as we vote and follow my light. Thank you, Mr. President.

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

Senator **BRAKEY**: Thank you, Mr. President. I rise in opposition to the motion before us and I just want to speak very briefly as to why. You know, it's no secret, as someone with somewhat of a more libertarian perspective on some things, I don't always fit very squarely in the box of either of the two major parties. Coming from that perspective, I really don't see - I don't see the problem with having more choices. I don't see - I think we could actually benefit from additional choices on the ballot. So I have, and consistently, as folks have asked me, supported Ranked-Choice Voting as a policy. That said, I could not vote this past election for the referendum and on other measures that might - could come before us. I would not be able to vote to implement this policy so long as it remains clearly in conflict with our Constitution because we all take an oath, we all swear an oath when we take office, to uphold the Constitution of the State of Maine and that oath comes before any personal policy preferences we might have. I agree with my - the comments made by my colleague from Androscoggin County that, yes, the constitutional - the process to amend the Constitution starts here. It starts in the Legislature. We should not be simply taking referendums as a straw-poll to decide whether or not we should be initiating changes to the Constitution. But if we do think that this is a sound policy and good policy for the people of Maine, if we do think it would improve our election process, I do think we have a responsibility to vote to advance such an amendment to the Constitution. So I'll be doing that today. I would encourage the Body here to do so as well. Thank you very much, Mr. President, for the time.

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

Senator **MILLETT**: Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I rise in opposition to the pending motion. For me, this matter is very simple. It's about respecting our democratic process. This past fall a majority of Maine voters turned out in favor of the Ranked-Choice Voting system. Whether we agree with it or not, that was the democratic result. This Body had concerns about constitutionality and requested the solemn occasion. Came back that there was, indeed, concerns that were valid and before us is the opportunity to put back to those voters whether they want to change our amendment to keep the original vote in place. Democracy at work. I don't know what we are afraid of. Let the people speak. Thank you, Mr. President.

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

Senator **CYRWAY**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I'm a kind of common sense kind of guy and I like math and I kind of thought about the Presidential election, and if you think back when you went to go vote for the Presidency, you probably would not have picked a second choice. You probably would not have put a second or a third choice. I'm thinking if you had ten people voting for someone and you had one group - 3 people voted for 1, 3 people voted the other, and 4 people voted for the other - and out of that ten only one person decided to vote second and third. That - the one that got four votes might have lost because of the way that first and second choice went. So, to me, one vote - one person makes sense to me. Common sense. Thank you.

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

Senator **CARPENTER:** Thank you, Mr. President. I find myself rising to support the views of the good Senator from Androscoggin, Senator Brakey, and I was struck by Senator Cyrway's comments about common sense. Probably there's no member of this Chamber who would readily admit that the voters of their Senate district last November made a mistake. Probably nobody here thinks that their voters made a mistake. So why do we - why do go against the will of almost 400,000 - 400,000 of our fellow citizens who made a choice and now we're not, and that choice had flaws and this is the way to fix those flaws. We're not even going to give them the right? Thank you.

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

Senator **LANGLEY:** Thank you, Mr. President. Men and women of the Senate, this is an important matter and this is the longest day of the year, so we're going to prove it, I think, with debates. I've done a little homework, a little digging, and research from San Francisco State University System Professor of Political Science, Jason McDaniel, published in the *Journal of Urban Affairs* talked about Ranked-Choice Voting. His analysis revealed a significant relationship between Ranked-Choice Voting and decreased turnout among Black and White voters, younger voters, and voters who lacked a high school education. Ranked-Choice Voting did not have a significant impact on more experienced voters who had the highest levels of education and interest in the political process. 'The more complicated ballots required by Ranked-Choice Voting process might have caused voter confusion and ballot error,' McDaniel said, 'and in addition the process of candidate evaluation required to rank order of multiple candidates is also more difficult for some voters to understand and may be more challenging than choosing one preferred candidate, and they call these information costs and these information costs associated with the Ranked-Choice Voting ballots makes voting accurately more difficult for some. For example, cues that voters typically look for, such as party affiliation, are no longer printed on the ballots as result of electoral reform initiatives in this study. Studies have shown that Ranked-Choice ballots tend to increase incorrectly marked ballots, called over-votes, but decreased incompletely marked ballots, called under-votes, and they also have found that high rates of disqualified ballots due to voter errors,' and the study goes on, men and women. This is the kind of think that I worry about. Disenfranchised voters who aren't as politically savvy, who aren't junkies like we are and stay up on all of the candidates, and then that there will be information costs associated with this. Thank you very much.

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

Senator **MASON:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, the Senator from Aroostook, Senator Carpenter, did not pose a question directly to the Body, but I would like to attempt to answer it. You know, if you were to have told me seven years ago, Mr. President, that I would be debating in the Senate Chamber against a former Attorney

General I would have told you that you were crazy, but it's fun none-the-less. The Senator from Aroostook, Senator Carpenter, said why - this should be easy, it's just about the people voted and we need to respect the will of the people. I would submit to you that that's in a different bill. But what we have in front of us is a Constitutional Amendment. The reason that I don't think it's that easy is because I hear a lot about democracy in our public debate today. But the fact of the matter is, Mr. President, as much as it's a buzz word, and as much as people like to say it, that is not the place where we live. We live in a Constitutional Republic. Each - every single one of us in this Chamber held up our right hand and some of us put our hand on a Bible and said that we would uphold the Constitution of the United States and also the Constitution of this State. The Constitution of this State dictates a process whereby we start a Constitutional Resolution here, in this Body. We don't send out a straw poll. We don't put unconstitutional laws in front of the voters and then change the Constitution to accommodate them. No, Mr. President, we start the process here. Yes, the people of the State of Maine did vote in mass for this bill. A lot of them also voted against it. In fact, Mr. President, as the Senator from Senate District 22, covering Androscoggin and Kennebec Counties, the people in my district said no, we don't want this. So I look at this as my chance to represent them, Mr. President, and the people of Senate District 22 say no. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Report "B" Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question? If you are in favor of accepting Report "B" Ought Not to Pass you will be voting yes. If you are opposed you will be voting no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#366)

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

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

EXCUSED: Senator: HILL

17 Senators having voted in the affirmative and 17 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **MASON** of Androscoggin to **ACCEPT** Report "**B**" **OUGHT NOT TO PASS FAILED.**

Senator **MASON** of Androscoggin moved the Senate **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-301).**

Senator **BREEN** of Cumberland moved to **TABLE** until Later in Today's Session, pending the motion by Senator **MASON** of Androscoggin to **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-301)**.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **BREEN** of Cumberland, **TABLED** until Later in Today's Session, pending the motion by Senator **MASON** of Androscoggin to **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-301)**.

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

ENACTORS

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

Resolves

Resolve, To Establish the Commission To Create a Plan To Enhance the Efficiency and Effectiveness of the Probate Court System

S.P. 423 L.D. 1260
(S "A" S-287 to C "A" S-231)

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

Resolve, Authorizing the Department of Inland Fisheries and Wildlife To Assume Ownership of the Forest City Project
H.P. 1121 L.D. 1626
(C "A" H-524)

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

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

COMMUNICATIONS

The Following Communication: S.C. 546

**STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA, MAINE**

21 June 2017

The 128th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 128th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 957, "Resolve, To Update Maine's Liquor Laws."

When a bill requires significant work to be performed by a department of the Executive Branch but does not provide funding, it is an unfunded mandate—plain and simple. This bill will require significant work for the Department of Administrative and Financial Services and the Bureau of Alcoholic Beverages and Lottery Operations, whose staff already is already concentrating on essential work in front of them.

I have not been presented with a compelling case for why the recodification of this chapter is necessary, and I do not consent to directing the Department to invest significant time and energy on this unfunded exercise.

For these reasons, I return LD 957 unsigned and vetoed. I urge the legislature to sustain it.

Sincerely,

S/Paul R. LePage
Governor

READ and ORDERED PLACED ON FILE.

The accompanying Resolve:

Resolve, To Update Maine's Liquor Laws
S.P. 313 L.D. 957

The President laid before the Senate the following: "Shall this Resolve 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 (#367)

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, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

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 Resolve become law notwithstanding the objections of the Governor.

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

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

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Provide for a Statewide Contract for School Teachers"

H.P. 613 L.D. 864

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

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-496)** (6 members)

In Senate, June 20, 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" (H-496)** 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**.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Restore the Tip Credit to Maine's Minimum Wage Law
S.P. 235 L.D. 673

In Senate, June 19, 2017, **FAILED ENACTMENT** in **NON-CONCURRENCE**.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-209) AS AMENDED BY HOUSE AMENDMENT "A" (H-518)** thereto in **NON-CONCURRENCE**.

On motion by Senator **VOLK** of Cumberland, the Senate **RECEDED** and **CONCURRED**.

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled matter:

An Act To Amend the Election Laws
S.P. 471 L.D. 1384

Tabled - June 21, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, June 8, 2017, **PASSED TO BE ENACTED**, in concurrence.)

(In Senate, Veto Communication (S.C. 542) **READ** and **ORDERED PLACED ON FILE**.)

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, I would urge members to join me in opposing the Override on this bill. I have a few issues with this bill, but I guess the biggest issue is that it would allow municipalities to charge local political party committees for the use of space, not just janitorial services but rental fees on the use of space, and the reason why I think that's an issue is because State law requires political parties to hold a municipal caucus in every county every two years in order to keep their party status. So they are being required under State law to hold these caucuses, but now we're allowing them to be charged for the use of space to hold these caucuses and, to me, it amounts to something along the lines of a poll tax. I think it's wrong to have a requirement in place. If we're

going to allow them to be charged for space then maybe repeal the requirement that they hold these meetings. But as long as they are required to hold these meetings under State law, we should not be allowing them to be charged for the space to do that. So I'm going to be voting to Sustain the veto and I hope you'll join me.

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

Senator **MASON:** Thank you, Mr. President. Mr. President, this came out of Veterans and Legal Affairs as a unanimous committee report. There was no Senate or House roll calls on this bill and the Secretary of State's on to this bill. The committee worked hard and I would ask that the Senate vote with me and vote to Override this veto. Thank you.

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

Senator **CARPENTER:** Mr. President, as always, I'm always glad to support my friend, the Senator from Androscoggin, who requests that you vote to Override.

The President 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 (#368)

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

NAYS: Senators: BELLOWS, CHENETTE, CHIPMAN, DOW, MILLETT

EXCUSED: Senator: HILL

29 Senators having voted in the affirmative and 5 Senators having voted in the negative, with 1 Senator being excused, and 29 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.

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

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 Improve the Quality of Teachers"

S.P. 263 L.D. 818

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-203)** (7 members)

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

In Senate, June 21, 2017, the Minority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Comes from the House, the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-203)** in **NON-CONCURRENCE**.

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

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

On motion by Senator **MASON** of Androscoggin, the Chair laid before the Senate the following Tabled matter:

SENATE REPORTS - from the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting
S.P. 577 L.D. 1624

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (S-300)** (6 members)

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

Report "**C**" - **Ought to Pass as Amended by Committee Amendment "B" (S-301)** (1 member)

Tabled - June 21, 2017, by Senator **BREEN** of Cumberland

Pending - motion by Senator **MASON** of Androscoggin to **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-301)**

(In Senate, Reports **READ**. Motion by Senator **MASON** of Androscoggin to **ACCEPT** Report "**B**" **OUGHT NOT TO PASS FAILED**.)

Senator **MASON** of Androscoggin requested and received leave of the Senate to withdraw his motion to **ACCEPT** Report "**C**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (S-301)**.

On further motion by same Senator, Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-300) ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "**A**" (S-300) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-300)**.

Ordered sent down forthwith for concurrence.

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

HOUSE REPORTS - from the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators"

H.P. 970 L.D. 1396
(C "B" H-523)

Report "**A**" - **Ought to Pass as Amended by Committee Amendment "A" (H-522)** (7 members)

Report "**B**" - **Ought to Pass as Amended by Committee Amendment "B" (H-523)** (4 members)

Report "**C**" - **Ought Not to Pass** (2 members)

In Senate, June 21, 2017, on motion by Senator **MASON** of Androscoggin, Report "**B**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-523) READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-523)** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby Report "**A**" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-522)** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-522)**.

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

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

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

An Act To Address Severe and Ongoing Shortfalls in the Funding of Direct Care Workers in Long-term Care Settings and To Establish the Commission To Study Long-term Care Workforce Issues

S.P. 512 L.D. 1466

In Senate, June 16, 2017, **RECEDED AND CONCURED WITH PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-186) AS AMENDED BY HOUSE AMENDMENT "A" (H-514)** thereto in concurrence.

Comes from the House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-186) AS AMENDED BY HOUSE AMENDMENT "B" (H-529)** thereto in **NON-CONCURRENCE**.

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

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

COMMUNICATIONS

The Following Communication: H.C. 274

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

June 21, 2017

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

Dear Secretary Priest:

The House voted today to insist on its former action whereby Bill "An Act To Amend the Charter of the Rumford Water District" (S.P. 38) (L.D. 90) was Passed to be Engrossed as Amended by Committee Amendment "A" (S-54)

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

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

Senate at Ease.

The Senate was called to order by the President.

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

REPORTS OF COMMITTEES

Senate

Divided Report

Six members of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Repeal the Ranked-choice Voting Law"

S.P. 578 L.D. 1625

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-302).**

Signed:

Senators:
MASON of Androscoggin
COLLINS of York

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

Six members of the same Committee on the same subject reported in Report "B" that the same **Ought to Pass as Amended by Committee Amendment "B" (S-303).**

Signed:

Senator:
CARPENTER of Aroostook

Representatives:
CASAS of Rockport
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth
SCHNECK of Bangor

One member of the same Committee on the same subject reported in Report "C" that the same **Ought to Pass as Amended by Committee Amendment "C" (S-304).**

Signed:

Representative:
LUCHINI of Ellsworth

Reports **READ.**

Senator **MASON** of Androscoggin moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-302).**

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-302).**

Off Record Remarks

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

REPORTS OF COMMITTEES

House

Ought to Pass Pursuant to Joint Order

The Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION** on Bill "An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities" (EMERGENCY)

H.P. 1132 L.D. 1641

Reported that the same **Ought to Pass**, pursuant to Joint Order, H.P. 96.

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.

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

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Thursday, June 22, 2017 at 10:00 in the morning.