

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

First Regular Session
beginning December 7, 2016

beginning at Page 1

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

In Senate Chamber
Thursday
July 20, 2017

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

Prayer by Reverend Kathleen Decker Szakas, Highland Avenue
United Methodist Church in Gardiner.

REVEREND SZAKAS: So in preparation for the work of the day
and in the glory of the Maine summer, we're invited to bear
witness and name the glory of all that is divine. So please be with
me in the spirit of prayer. We pray to the one that is divine. We
pray with thanksgiving for the splendor, strength, and spirit that
are abundant in the State of Maine. We pray with awe at the
beauty of Maine's natural world and the divinity it reflects. We
pray with compassion for the troubled, the flawed, the faulty, for
we know we are all imperfect. We pray with hope for the
desolate, the downtrodden, the despairing, for we know there is a
better way. We pray with joy for the holiness of each person and
the creative power of Maine's people. Holy One, in this session
of the Maine State Senate may there be a special allotment of
Your grace, the grace of communication about our common
purpose, the grace of persistence for the common good, the
grace of problem solving, the grace of promises kept or
renegotiated, the grace of community, and for today, for these
public servants, we pray Your blessing, that all who have taken
on the work of government in Maine may recognize the divinity
that resides within each of us and uphold the human dignity that
seek to see and express. May this Body, on this day, use its
authority and power to enact the grace we seek. May the toils of
the day's work bear the fruit of justice and righteousness so that
all in our state may dwell together in goodness and mercy,
enjoying the glory of summer in Maine. Amen and amen.

Pledge of Allegiance led by Senator Shenna L. Bellows of
Kennebec County.

Reading of the Journal of Monday, July 3, 2017.

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.

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 570

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

July 14, 2017

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

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (l) (a), I have
appointed Representative Joyce McCreight of Harpswell to the
Joint Standing Committee on Health and Human Services,
replacing Representative Scott Hamann of South Portland,
effective immediately.

Please do not hesitate to contact me should you have any
questions regarding this appointment.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 571

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

July 14, 2017

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

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (l) (a), I have
appointed Representative Denise Tepler of Topsham to the Joint
Standing Committee on Taxation, replacing Representative Joyce
McCreight of Harpswell, effective immediately.

Please do not hesitate to contact me should you have any questions regarding this appointment.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 569

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

July 14, 2017

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

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have appointed Representative Aaron Frey of Bangor to the Joint Select Committee on Marijuana Legalization Implementation, replacing Representative Scott Hamann of South Portland, effective immediately.

Please do not hesitate to contact me should you have any questions regarding this appointment.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 567

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

July 10, 2017

The Honorable Heather Priest
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the temporary appointment of Representative Michelle Dunphy of Old Town from the Joint Standing Committee on Labor, Commerce, Research and Economic Development and I have reappointed Representative Donna Doore of Augusta to the Joint Standing Committee on Labor, Commerce, Research and Economic Development, effective immediately.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 572

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

July 12, 2017

The Honorable Heather Priest
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have temporarily appointed Representative Jared F. Golden of Lewiston to the Joint Standing Committee on Appropriations and Financial Affairs for the duration of the absence of Representative John L. Martin of Eagle Lake effective immediately.

Please do not hesitate to contact me should you have any questions regarding this temporary appointment.

Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 568

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

July 13, 2017

The Honorable Heather Priest
Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the temporary appointment of Representative Jared Golden of Lewiston from the Joint Standing Committee on Appropriations and Financial Affairs and I have reappointed Representative John Martin of Eagle Lake to the Joint Standing Committee on Appropriations and Financial Affairs, effective immediately.

Should you have any questions, please do not hesitate to contact me. Sincerely,

S/Sara Gideon
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 565

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

13 July 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 1573 "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."

It is with regret that I must veto this bill because I believe in the objectives it seeks to advance. Whenever possible, the state should take affirmative steps to support local businesses, including a close examination of the economic impact in Maine for contracts being awarded and, all things being competitive, awarding contracts to Maine businesses and contractors when it is possible to do so.

I strongly support Maine's forest products economy, and I believe landowners – especially those who receive a tax benefit on the backs of other taxpayers – should use Maine contractors whenever possible. Further, I have been troubled by reports of some specific labor and trade practices, particularly at the northwestern border, and I believe we must support Mainers whose ability to earn a living is impacted by unfair international restrictions.

Unfortunately, this bill contains a provision that appears to violate the Maine Constitution. Article IX, Section 8, Subsection 2 prescribes in specific detail the minimum penalty that shall be imposed upon changing the use of land from a program such as Tree Growth. This bill would create an instance in which some landowners could withdraw their land from the Tree Growth program "without penalty." While this might be a good idea, it is not permissible under the Maine Constitution, and I am not willing to allow a policy that is repugnant to the Constitution to become law. I would, however, support an amendment to the Constitution that would reduce or remove penalties, such as allowing landowners to move their land from the Tree Growth Program to the Open Space program without penalty.

When I was sworn in as Governor, I took an oath as to uphold the Constitution and the laws of this state and country. That oath precludes me from supporting this bill, despite its admirable policy objective. I would be happy to introduce similar legislation that does not violate Maine's Constitution as a Governor's bill in January, 2018.

For this reason, I return LD 1573 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 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

The Chair noted the absence of the Senator from York, Senator **HILL**, the Senator from Penobscot, Senator **CUSHING**, the Senator from Washington, Senator **MAKER**, the Senator from Cumberland, Senator **MILLETT**, and the Senator from Cumberland, Senator **CARSON**, and further excused the same Senators from today's Roll Call votes.

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 (#397)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, JACKSON, LIBBY, MIRAMANT, SAVIELLO, VITELLI

NAYS: Senators: BRAKEY, COLLINS, CYRWAY, DAVIS, DOW, GRATWICK, HAMPER, KATZ, KEIM, LANGLEY, MASON, ROSEN, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senators: CARSON, CUSHING, HILL, MAKER, MILLETT

14 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 5 Senators being excused, and 14 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: S.C. 566

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

10 July 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 1504, "An Act to Modernize Rates for Small-scale Distributed Generation."

This bill is poor policy and as I have noted many times, net energy billing subsidizes the cost of solar panels at the expense of the elderly and poor who can least afford it. We need to move away from this unsustainable practice. Even the Natural Resource Council of Maine has acknowledged that net energy billing "is not a preferred long-term policy." However, rather than moving away from this practice to a more sustainable approach, LD 1504 instead sets net energy billing into statute in perpetuity.

In addition, the bill's language will result in the nonsensical outcome of net energy billing customers having their electricity usage stepped-down over time, rather than just their generation. Therefore, likely due to last-minute drafting of overlapping amendments, LD 1504 will result in the electricity bills of net

energy billing customers being reduced even if they generate no electricity at all.

This bill represents bad policy and contains serious drafting errors that will result in irrational outcomes. For these reasons, I return LD 1504 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 Regarding Solar Power for Farms and Businesses
S.P. 529 L.D. 1504

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

The Following Communication: S.C. 563

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

3 July 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 1567, "An Act To Amend the Archives and Records Management Law."

This bill, which was submitted by the Secretary of State, attempts to modernize the archives and records manage statute and the Archives Advisory Board. For decades the Governor has appointed members of the Archives Advisory Board. The bill eliminates the Governor's discretion to select and appoint board members and allows the Secretary of State to appoint members to the board.

This is simply another attempt to strip away the Governor's appointment power.

For these reasons, I return LD 1567 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 Archives and Records Management Law
S.P. 549 L.D. 1567

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 (#398)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, LIBBY, MASON, MIRAMANT, VITELLI, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: BRAKEY, CYRWAY, DAVIS, KEIM, LANGLEY, ROSEN, SAVIELLO, VOLK, WHITTEMORE

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

22 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 4 Senators being excused, and 22 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.

Senate at Ease.

The Senate was called to order by the President.

Out of order and under suspension of the Rules, on motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Establish the Maine Buy America and Build Maine Act
S.P. 311 L.D. 956
(C "A" S-171; S "A" S-291;
H "A" H-545)

Placed on Special Appropriations Table - June 28, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 27, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-171); SENATE AMENDMENT "A" (S-291) AND HOUSE AMENDMENT "A" (H-545).**)

(In House, June 27, 2017, **PASSED TO BE ENACTED.**)

Senator **COLLINS** of York moved the Bill and accompanying papers be placed on the **SPECIAL HIGHWAY TABLE** pending **ENACTMENT** in concurrence.

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

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

Senator **KATZ:** Thank you, Mr. President. I will defer to my colleague. I thought that the good Senator from Aroostook had asked to speak to his motion and I'd be happy to defer to him first.

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

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, so I have a bill here. It's funny that I think in Washington right now it's Buy America Week. I actually have constituents from Ashland that are down there fighting tooth and nail to be able to have products made here in Maine purchased in-state. So I think it is kind of fitting that here we are debating this bill in the same week, and I'm sure we're debating it because of a note that's come up right, I mean literally almost, on the last day of session that came up and talked about how this is going to cost up to \$200 million in federal funds and it's going to cost eight people to implement it, which is funny because we've had this bill a number of times in the past and it's the first time that it's actually come up that it was going to be a problem for federal funds. And I think the reason why, because it is kind of the exact same bill, you know, and I'm not a lawyer and I don't pretend to be one, but I did get a lot of information from the National Conference of State Legislators about this leading up to the hearing and one of the things that was sent to me was actually from the American Bar Association talking extensively about this. That was part of the things that I provided to the committee when we dealt with it. But, right out of the gate, the federal government actually has a Buy American Act, requiring federal agencies to buy American manufactured and unmanufactured materials unless it's inconsistent with the public interest or the cost is unreasonable. At the same time, right now, while we're debating this issue for the State of Maine, 27 other states have a Buy American - In-State Bidder clause and 31 have

a reciprocity clause in their bills. I thought that it was, you know, quite striking that hearing some of the people that advocated just in the last couple of days about this saying that, you know, it was going to hurt the federal funding. It says that in this case study by the American Bar Association they brought up the U.S. Court of Appeals 3rd Circuit Trojan Technologies v Pennsylvania where it upheld Pennsylvania's Buy American Act, which required state and municipal government agencies to award public work contracts only to contractors who provided products containing - that don't contain foreign steel. The Buy American statute being challenged in this case was the Pennsylvania Steel Products Procurement Act. It therefore appears that the door's been shut on any attempts that curtail state government preference schemes that negatively impede any federal law. They also talk about market - the commerce clause, but the federal government has what they're calling market participation, where they believe that the states can step in and be a market participant, not a market regulator, which I definitely think is the case here in this law. So, while I am kind of surprised and shocked at how this note came up right at the very end, even though it was debated in public hearing, and even though this bill's been debated before, and even though there's 27 states that have a Buy American statute that doesn't seem to have a problem, it seems like out of the blue something showed up that is certainly meant to derail this. So I understand that, you know, it's going to the Highway Table and it will probably stay there, but I just think that it's an important thing, especially in the light of how federal government, this week, is actually having this big to-do about how we should buy American. Here, in the State of Maine, we're not willing to try and do that. So, I'm going to vote not to send it to the Highway Table. I'd rather have an up and down vote again here. People don't want to support it, that's fine, but, you know, let's let people know exactly where we stand on this issue.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, we all want to buy American. We all want to buy things which are produced in the State of Maine. That's kind of a no brainer and anything we can do to encourage that I think 35 of us here want to do. But the issue is, Mr. President, whether passing this bill may have unintended consequences that none of us want to see happen. I've been in the Senate now for seven years. I've dealt with a lot of different cabinet members in the Chief Executive's Administration and I think that the one Commissioner that I have the most trust in, is being an absolute straight shooter 100% of the time, is David Bernhardt, the Commissioner of the Department of Transportation. He's a career civil servant there. He has never been - I don't think he has a political bone in his body and he knows this area of life certainly better than I do and I think better than any of us do, with the possible exception of Senator Collins, who's been on the Transportation Committee for 16 years. As Senator Langley just pointed out, since the Model A. So when Commissioner Bernhardt says to us, and he said to me when I've talked him, that if we pass this bill we will be at significant risk of losing \$175 million in federal highway funds, I certainly take notice and I think we all should take notice, and the provision of - there are four or five provisions of federal law that the Commissioner has pointed our attention to and some of the stuff's real complicated. But some if it's pretty darn simple, too. I'm just going to read this one

section. It says, and this is in federal law, "No requirement shall be imposed and no procedure shall be enforced by any state transportation department in connection with a project which may operate to require the use or provide a price differential in favor of articles or materials produced within the state or otherwise to prohibit, restrict, or discriminate against the use of articles or materials shipped from or prepared, made, or produced in any state, territory, or possession of the United States." I don't know how that could be any more clear. I don't know what the Pennsylvania law says. Maybe they figured out a way around it by the way it was drafted. These other 26 states that have Buy America provisions - we're not focusing here on the Buy America part, we're focusing on the in-state preference part. I don't know what those other 26 states did, but this law that's before us today clearly violates that federal position - provision, and that's how I read it. But, frankly, nobody should care much how I read it, but that's how the Commissioner of Transportation reads it and this ought to go, I think, Mr. President, back to the Highway Table so they can consider this so we don't end up making a huge, huge mistake here. Thank you.

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

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I would agree that Commissioner of Transportation, Commissioner Bernhardt, is a fine man, a great Commissioner. But I would also say that I don't think he's a lawyer and I certainly don't think he's the American Bar Association because in the American Bar Association's brief they said according to the Supreme Court nothing in the provision of purchase in the Commerce Clause prohibits a state, in the absence of Congressional action, from participating in the market and exercising the right to favor its own citizens over others. The Supreme Court.

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

Senator **KATZ:** Thank you, Mr. President. I rise a second time and what the good Senator from Aroostook just read said in the absence of Congressional action that you can't do it. Well, Congress has acted and says we can't do it. I believe that's what the Commissioner is relying upon. Thank you.

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

Senator **COLLINS:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I also had conversations with Commissioner Bernhardt. He was very clear to me in telling me that we, if we vote for this, we put in serious jeopardy \$175 to \$200 million that will be held back by the feds that was supposed to go to our highway budget and some time ago, a few weeks ago, I guess a month ago now, I passed out to the Body two pie charts, one being revenue sources and one being - the other one being expenditures. We get a lot of money from the federal government. That's all part of the process when, for each gallon of gas we purchase, part of that goes to the federal government and most of it goes into State coffers. You know, we put into serious jeopardy those monies that should - they belong to us, but if we violate this provision that's in jeopardy. Why do that? I

mean, there must be a clearer way of doing what the good Senator from Aroostook, Senator Jackson, wants to do without jeopardizing these very important highway funds. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is the motion to send this bill to the Highway Table. If you are in favor of that motion 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 (#399)

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

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

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

17 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **COLLINS** of York to place the Bill and accompanying papers on the **SPECIAL HIGHWAY TABLE** pending **ENACTMENT**, in concurrence, **PREVAILED**.

Ordered sent down forthwith.

Off Record Remarks

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.

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (6/27/17) matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act To Allow a Wrongful Death Cause of Action for the Death of a Viable Fetus"

H.P. 241 L.D. 327

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass** (5 members)

Tabled - June 27, 2017, by Senator **KEIM** of Oxford

Pending - **FURTHER CONSIDERATION**

(In Senate, June 20, 2017, the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in **NON-CONCURRENCE**.)

(In House, that Body **INSISTED** on its former action whereby Majority **OUGHT NOT TO PASS** Report was **READ** and **ACCEPTED**.)

The Senate **INSISTED**.

The Chair laid before the Senate the following Tabled and Later Assigned (7/1/17) matter:

Bill "An Act Regarding Pay Equality"
S.P. 422 L.D. 1259

Tabled - July 1, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, June 20, 2017, **PASSED TO BE ENACTED** in concurrence.)

(In Senate, Veto Communication (S.C. 561) **READ** and **ORDERED PLACED ON FILE**.)

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 (#400)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, JACKSON, KATZ, LIBBY, MIRAMANT, ROSEN, SAVIELLO, VITELLI, WOODSOME

NAYS: Senators: BRAKEY, COLLINS, CYRWAY, DAVIS, HAMPER, KEIM, LANGLEY, MASON, VOLK, WHITTEMORE, PRESIDENT THIBODEAU

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

20 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 4 Senators 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 Chair laid before the Senate the following Tabled and Later Assigned (7/1/17) matter:

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

Tabled - July 1, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, June 19, 2017, **PASSED TO BE ENACTED** in concurrence.)

(In Senate, Veto Communication (S.C. 560) **READ** and **ORDERED PLACED ON FILE.**)

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 (#401)

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

NAYS: Senators: BRAKEY, HAMPER

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

29 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 4 Senators 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.

The Chair laid before the Senate the following Tabled and Later Assigned (7/1/17) matter:

Bill "An Act To Promote Impartiality in the Probate Court" S.P. 345 L.D. 1043

Tabled - July 1, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In Senate, June 20, 2017, **PASSED TO BE ENACTED** in concurrence.)

(In Senate, Veto Communication (S.C. 559) **READ** and **ORDERED PLACED ON FILE.**)

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 (#402)

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

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

18 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 4 Senators being excused, and 18 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.

Senate at Ease.

The Senate was called to order by the President.

The Chair laid before the Senate the following Tabled and Later Assigned (7/1/17) matter:

Bill "An Act To Remove Time and Acreage Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement" H.P. 649 L.D. 921

Tabled - July 1, 2017, by Senator **MASON** of Androscoggin

Pending - **CONSIDERATION**

(In House, June 30, 2017, **VETO OVERRIDDEN**, notwithstanding the objections of the Governor.)

(In Senate, Veto Communication (H.C. 299) **READ** and **ORDERED PLACED ON FILE.**)

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 (#403)

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

NAYS: Senators: BRAKEY, COLLINS, CYRWAY, DAVIS, DOW, HAMPER, KATZ, LANGLEY, MASON, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

16 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 4 Senators being excused, and 16 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.

Expression of Legislative Sentiment recognizing:

Brian Dumoulin, of Biddeford, a professional hockey player and member of the National Hockey League's Pittsburgh Penguins, winners of the 2017 Stanley Cup. This is the team's, and Mr. Dumoulin's, second straight Stanley Cup victory. We extend to Mr. Dumoulin our congratulations and best wishes; SLS 470

READ.

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

Senator **DESCHAMBAULT:** Thank you, Senate President and ladies and gentlemen of the Senate. A couple of weeks ago, the day after the Pittsburgh Penguins won the Stanley Cup, I stood and spoke off the record and I asked if I could speak on the record this time. After I spoke and gave you almost a play-by-play of the whole hockey game that night, I was approached by some of you who said I made it sound so interesting. They never knew that hockey could be so interesting. And so that led me to think that some of you don't know what it takes to get to that caliber and, not that I know, but I had a nephew - I have a nephew who's now in his 40's but was with him since age 5 until he still plays hockey. So I know what it takes and I went to those early games, those early 5 a.m. practices because that's the only time you can do it, or to some very cold outdoor skating rinks. So I want you to know what it takes to be a champ.

You know, if you want to have a good laugh, go to any ice hockey rink or arena and watch the 6 year olds put on their skates and their helmets and you would think they had bobble heads out there. They're just skating on their ankles. Then you see them progress and they take a chair and they're trying to stand up, and then you've got a team of about 10 kids and they're out there and they're all going for the puck and they all want to put it in the net and you go, 'Oh my God, and I'm paying money for this' and you just wonder what will ever happen to them. And then they continue and those who really love the game stay with it and then when they're in their early teens you've got to pay for lessons called Power Skating Lessons. Then you get to really love that game because it does take power and stamina. And then when you reach high school you're competing with teams like in my hometown of Biddeford that to be an all-star guy you've got to play football. But no, you love hockey, so you stay in hockey.

And so I'm talking about a native son, not only of Maine but proudly the state that he comes from, Biddeford. I grew up in the time that Lewiston was the big hockey team and we were not and so he was fun to watch. In high school he skated on a team that won back-to-back State Championships. In college, at Boston College, he skated on a National Championship. Is it any wonder then that he was drafted in the National Hockey League? At age 25 this young man, Brian Dumoulin, has won back-to-back - has been on the team that has won back-to-back National

Championships and, if you watch the series, they were exciting times.

One thing I want to mention, the person who gets all the accolades is the guy who puts the puck in the net. The guy who gave him the puck is a defenseman, most probably, and what it takes to be a defenseman is, first of all, you don't get all that glory, but you're out there because your job is to take the puck away from the guy, the opposing guy, with the stick. So you have to be aggressive enough and really sure on your skates to go get that puck and then have the presence of mind to look for someone who's open to pass the puck. What's great about that sport of hockey is not only do you hear the announcer say, 'Goal by so-and-so', and then quietly say, 'Assisted by'. Well, that name in Pittsburgh Penguins was usually followed by, 'Assisted by Brian Dumoulin.' He is a defenseman and he scores just as many points as if he put that puck in there himself. So I just wanted to describe to you that young 25 year old man, what his parents, what the community, has created and it is unbelievable that he is the first and still the only Maine native son, and you would think we're big hockey in here, to be a member of the Stanley Cup, a much revered accolade for any sport. So, what he represents is perseverance, commitment, talent, skill, everything that would make a great Senator, wouldn't it. I truly believe this young man is destined for much more to come and we can all learn from him. So I thank you for letting me speak today.

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

Senator **JACKSON:** Thank you, Mr. President. Men and women of the Senate, I don't think - well I know for a fact, I couldn't do nearly as good a job as Senator Deschambault just did recognizing Brian. I, too, am very impressed by the young man. I don't watch hockey during the regular season as much, but I certainly watch it during the playoffs. It's an exciting, hard hitting sport that, you know, just really makes you want to be there in person, and one day I hope to. But I think, you know, for Brian, we have something that is not nearly as impressive a win as a Stanley Cup, but we do have our own cup here in this Body, our Bass Cup. For this session, we are the Pittsburgh Penguins of the Maine State Legislature. The House is the Ottawa Senators. So we're very proud of that also. I would say that many of us certainly would, after session, love to have a picture taken with you and maybe we could have our Bass Cup just step in for the moment, that you can hold and drink from like you do the Stanley Cup. But seriously, much congratulations. It is a proud moment for all of us that someone, a native-born from Maine, to go all the way to become a Stanley Cup champion. That is really something impressive and I'm glad to be here today recognizing you for it.

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, you know, we sit around here and probably one of the biggest phrases that we hear in the Legislature is 'I'm not a lawyer,' but we have a lot of them here; or 'I'm not a restaurant owner,' or whatever. We hear a lot of those things, but many of you can't say 'I'm not a hockey executive.' I was one. So I get to speak about my sport a little bit today. Before I came to the Legislature I spent a lot of time in hockey

and I worked for the Lewiston Maniacs, traveled all over North America recruiting hockey players. I wanted to back Senator Deschambault's comments up a little bit on the management side. I have watched hundreds of kids try to be the next great hockey player and it takes a lot more than just skill. It takes a good attitude and it takes a lot of perseverance and it takes a good strong family behind you to be able to excel in a sport like hockey. I have no doubt in my mind that Mr. Dumoulin comes from that kind of family and that's definitely on display here with his family with him today. It takes a lot of work to be a professional hockey player and it definitely, not to steal an old phrase, but it definitely takes a village. So congratulations, it's quite an accomplishment.

Off Record Remarks

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber today Brian Dumoulin; his parents, Pete and Debbie Dumoulin. Would they please rise and accept the greetings of the State Senate.

Off Record Remarks

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

RECESSED until the sound of the bell.

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

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals

H.P. 138 L.D. 182
(C "A" H-215)

Placed on Special Appropriations Table - June 9, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 7, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215)**, in concurrence.)

(In House, June 8, 2017, **PASSED TO BE ENACTED.**)

On motion by Senator **SAVIELLO** of Franklin, the Senate **SUSPENDED THE RULES.**

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-215), in concurrence.

On further motion by same Senator, Senate Amendment "B" (S-338) to Committee Amendment "A" (H-215) **READ.**

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

Senator **SAVIELLO:** Thank you, Mr. President. Ladies and gentlemen of the Senate, very briefly. This is a policy decision that I brought from our committee. There were three reasons when I brought it here that I made it very clear. Number one, the project needs to be fully funded so that there are no reasons for DEP not to complete the tasks as assigned. Secondly, some of you don't know, is that in the Appropriations note that - fiscal note that was originally added to it called for an ES2 part-time, half-time, versus the DEP's request for an ES3 full-time the first year. An ES2 is simply someone who's come out of college and has no experience, going into their first job, and an ES3 is someone who has a technical background, which is the kind of person we want to have reviewing these chemicals and, as I just indicated, the original fiscal note of the \$54,000 called for a half-time individual and we need a full-time individual the first year and after that drops to half-time. That's why I urge - change - offer this amendment. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. You know, I completely - I completely understand and actually agree with much of what Senator Saviello is trying to accomplish with this amendment in terms of increasing the fiscal note to fully fund what is required there. My objection, however, is not fully funding this but the place in which we are going to take these funds. As this is currently proposed, not just in the amendment but in the - well, as this is currently proposed these funds would come out of the Maine Medical Marijuana Program Fund, which is a fund that is paid for by individuals in the medical marijuana industry, patients, caregivers, dispensaries, for the purpose of supporting programs for the medical marijuana program. Under State law - yes, there is a surplus there right now of about \$3 million, but under State law when we get to a surplus of \$400,000 we're supposed to, as a State government, reevaluate the level of the fees that we're putting on this program and we're supposed to lower fees on people, not use this fund as a piggy bank for unrelated projects that may have many merits but have nothing to do with the Maine Medical Marijuana Program. I'm sure that in this Body if there was surplus in the Fund for the Wild Blueberry

Commission we wouldn't say, 'Oh, well let's just take funds from the Wild Blueberry Commission and use it to fund unrelated bills and unrelated projects.' This bill may have a lot of merit, but this is not the way to fund it. There are other ways we could fund this. There are other sources of revenue - there are other bills that even were before the Appropriations Committee that would have saved money that were not recommended out that would have more than covered the cost of this program. We could have looked at things like that. But this is not the proper way to fund this. This is an inappropriate use of the Maine Medical Marijuana Fund.

On motion by Senator **SAVIELLO** of Franklin, Senate Amendment "B" (S-338) to Committee Amendment "A" (H-215) **ADOPTED.**

Committee Amendment "A" (H-215) as Amended by Senate Amendment "B" (S-338) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215) AS AMENDED BY SENATE AMENDMENT "B" (S-338) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

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

Placed on Special Appropriations Table - May 30, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-91).**)

(In House, May 25, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-91).**

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" (S-91).

On further motion by same Senator, Senate Amendment "A" (S-321) to Committee Amendment "A" (S-91) **READ** and **ADOPTED**.

Committee Amendment "A" (S-91) as Amended by Senate Amendment "A" (S-321) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-91) AS AMENDED BY SENATE AMENDMENT "A" (S-321) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Amend the Laws Governing Certain Sexual Offenses
S.P. 216 L.D. 654
(C "A" S-113)

Placed on Special Appropriations Table - June 8, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 24, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-113)**.)

(In House, June 7, 2017, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-113)**.

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" (S-113).

On further motion by same Senator, Senate Amendment "A" (S-320) to Committee Amendment "A" (S-113) **READ** and **ADOPTED**.

Committee Amendment "A" (S-113) as Amended by Senate Amendment "A" (S-320) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-113) AS AMENDED BY SENATE AMENDMENT "A" (S-320) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Ensure Access to Opiate Addiction Treatment in Maine
S.P. 307 L.D. 952
(C "A" S-106)

Placed on Special Appropriations Table - May 31, 2017, by Senator **KATZ** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, May 23, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-106)**.)

(In House, May 30, 2017, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-106)**.

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" (S-106).

On further motion by same Senator, Senate Amendment "A" (S-331) to Committee Amendment "A" (S-106) **READ** and **ADOPTED**.

Committee Amendment "A" (S-106) as Amended by Senate Amendment "A" (S-331) thereto, **ADOPTED**, in **NON-CONCURRENCE**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-106) AS AMENDED BY SENATE AMENDMENT "A" (S-331) thereto, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To End Homelessness by Expanding Housing Support Services
H.P. 683 L.D. 970
(C "A" H-209)

Placed on Special Appropriations Table - May 31, 2017, by Senator **KATZ** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, May 25, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-209)**, in concurrence.)

(In House, May 30, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-209)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-209), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-330) to Committee Amendment "A" (H-209) **READ** and **ADOPTED.**

Committee Amendment "A" (H-209) as Amended by Senate Amendment "A" (S-330) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-209) AS AMENDED BY SENATE AMENDMENT "A" (S-330) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Restore Public Health Nursing Services
S.P. 362 L.D. 1108
(C "A" S-155)

Placed on Special Appropriations Table - June 12, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 7, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155).**)

(In House, June 9, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155).**

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" (S-155).

On further motion by same Senator, Senate Amendment "A" (S-329) to Committee Amendment "A" (S-155) **READ.**

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

Senator **CARSON:** Thank you, Mr. President. I would like to speak to the amendment adopted by the Appropriations Committee very briefly. Ladies and gentlemen of the Senate, at the Appropriations Committee we asked that the fiscal note which had been attached to this bill be removed. That fiscal note was related to actually adding additional public health nursing positions to the 48 that are currently funded in the 2017 - 2019 biennial budget. The committee did that, so there is no fiscal note in this bill. Additionally, there is language in the amendment, which I would ask for your support on, which says two things: one, the Department of Health and Human Services shall hire public health nurses, qualified nurses, for the positions that are vacant and funded and, secondly, that the funding appropriated by the Legislature for public health nursing shall not be diverted or repurposed for any other reason. Thank you, Mr. President.

On motion by Senator **HAMPER** of Oxford, Senate Amendment "A" (S-329) to Committee Amendment "A" (S-155) **ADOPTED.**

Committee Amendment "A" (S-155) as Amended by Senate Amendment "A" (S-329) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155) AS AMENDED BY SENATE AMENDMENT "A" (S-329) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine
H.P. 806 L.D. 1143
(C "A" H-453)

Placed on Special Appropriations Table - June 13, 2017, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, June 9, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-453)**, in concurrence.)

(In House, June 12, 2017, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-453)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-453), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-323) to Committee Amendment "A" (H-453) **READ** and **ADOPTED.**

Committee Amendment "A" (H-453) as Amended by Senate Amendment "A" (S-323) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-453) AS AMENDED BY SENATE AMENDMENT "A" (S-323) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Reduce Youth Access to Tobacco Products
S.P. 391 L.D. 1170
(S "B" S-306 to C "A" S-146)

Placed on Special Appropriations Table - June 27, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 22, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-146) AS AMENDED BY SENATE AMENDMENT "B" (S-306)** thereto.)

(In House, June 27, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-146) AS AMENDED BY SENATE AMENDMENT "B" (S-306)** thereto.

On further motion by same Senator, Senate Amendment "A" (S-325) **READ** and **ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-146) AS AMENDED BY SENATE AMENDMENT "B" (S-306) thereto **AND SENATE AMENDMENT "A" (S-325)**, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, to Increase the Affordability of Safe Drinking Water for Maine Families

S.P. 426 L.D. 1263
(C "A" S-109)

Placed on Special Appropriations Table - May 31, 2017, by Senator **KATZ** of Kennebec

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, May 23, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-109).**)

(In House, May 30, 2017, **FINALLY PASSED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Resolve was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-109).**

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" (S-109).

On further motion by same Senator, Senate Amendment "A" (S-327) to Committee Amendment "A" (S-109) **READ** and **ADOPTED.**

Committee Amendment "A" (S-109) as Amended by Senate Amendment "A" (S-327) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-109) AS AMENDED BY SENATE AMENDMENT "A" (S-327) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding MaineCare Coverage for Telehealth Services
S.P. 515 L.D. 1485
(C "A" S-205)

Placed on Special Appropriations Table - June 12, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 7, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-205).**)

(In House, June 9, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-205).**

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" (S-205).

On further motion by same Senator, Senate Amendment "A" (S-328) to Committee Amendment "A" (S-205) **READ** and **ADOPTED.**

Committee Amendment "A" (S-205) as Amended by Senate Amendment "A" (S-328) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-205) AS AMENDED BY SENATE AMENDMENT "A" (S-328) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Create an Aquaculture License
H.P. 1044 L.D. 1520
(C "A" H-288)

Placed on Special Appropriations Table - June 6, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 31, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288)**, in concurrence.)

(In House, June 5, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288)**, in concurrence.

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby it **ADOPTED** Committee Amendment "A" (H-288), in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-324) to Committee Amendment "A" (H-288) **READ** and **ADOPTED.**

Committee Amendment "A" (H-288) as Amended by Senate Amendment "A" (S-324) thereto, **ADOPTED**, in **NON-CONCURRENCE.**

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-288) AS AMENDED BY SENATE AMENDMENT "A" (S-324) thereto, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities

H.P. 1132 L.D. 1641

Placed on Special Appropriations Table - June 27, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 21, 2017, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, June 23, 2017, **PASSED TO BE ENACTED.**)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-326) **READ AND ADOPTED.**

PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-326), in NON-CONCURRENCE

Ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District

H.P. 32 L.D. 31
(C "A" H-503)

Placed on Special Appropriations Table - June 19, 2017, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, June 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-503)**, in concurrence.)

(In House, June 16, 2017, **FINALLY PASSED.**)

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 19 Members of the Senate, with 12 Senators having voted in the negative, and 19 being less than two-thirds of the Members present and voting, **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE.**

On motion by Senator **MASON** of Androscoggin, the Senate **RECONSIDERED** whereby the Bill **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE.**

On further motion by same Senator, **TABLED** until Later in Today's Session, pending **FINAL PASSAGE**, in concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General

H.P. 68 L.D. 100
(C "A" H-174)

Placed on Special Appropriations Table - May 24, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 18, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-174)**, in concurrence.)

(In House, May 23, 2017, **PASSED TO BE ENACTED.**)

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 (#404)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, CYRWAY, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, LIBBY, MIRAMANT, VITELLI

NAYS: Senators: BRAKEY, COLLINS, DAVIS, DOW, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, MASON, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

15 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 4 Senators being excused, **FAILED ENACTMENT**, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Improve Care Provided to Forensic Patients
H.P. 120 L.D. 162
(C "A" H-482)

Placed on Special Appropriations Table - June 27, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 22, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-482)**, in concurrence.)

(In House, June 23, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone

H.P. 159 L.D. 203
(C "A" H-76)

Placed on Special Appropriations Table - June 6, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 4, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-76)**, in **NON-CONCURRENCE.**)

(In House, May 11, 2017, **PASSED TO BE ENACTED.**)

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 (#405)

YEAS: Senators: BELLOWS, BRAKEY, KEIM, LANGLEY, MASON, MIRAMANT

NAYS: Senators: BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, LIBBY, ROSEN, SAVIELLO, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

6 Senators having voted in the affirmative and 25 Senators having voted in the negative, with 4 Senators being excused, **FAILED ENACTMENT**, in **NON-CONCURRENCE.**

Ordered sent down forthwith for concurrence.

Off Record Remarks

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State

H.P. 462 L.D. 648

Placed on Special Appropriations Table - May 9, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 2, 2017, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, May 4, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Mandate the Reporting of a Planned Act of Terrorism by a Person with Knowledge of That Plan

S.P. 238 L.D. 721
(C "A" S-114)

Placed on Special Appropriations Table - May 31, 2017, by Senator **KATZ** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, May 23, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-114).**)

(In House, May 30, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Reduce Volatility in State Pension Funding Requirements Caused by the Financial Markets
S.P. 240 L.D. 723
(C "A" S-148)

Placed on Special Appropriations Table - June 6, 2017, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, May 30, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-148).**)
(In House, June 5, 2017, **FINALLY PASSED.**)

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 31 Members of the Senate, with no Senator having voted in the negative, and 31 being more than two-thirds of the Members present and voting, was **FINALLY PASSED** and, having been signed by the President, was presented by the Secretary to the Secretary of State.

Ordered sent down forthwith.

Senate at Ease.

The Senate was called to order by the President.

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

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding the Taxation of Flavored Malt Beverages
H.P. 574 L.D. 794
(C "A" H-472)

Placed on Special Appropriations Table - June 19, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 13, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-472)**, in concurrence.)

(In House, June 15, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Restore Community Support Services for Adults with Mental Illness

S.P. 253 L.D. 808
(S "A" S-270 to C "A" S-241)

Placed on Special Appropriations Table - June 19, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 15, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-241) AS AMENDED BY SENATE AMENDMENT "A" (S-270)** thereto.)

(In House, June 16, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Mandate

An Act To Support Law Enforcement Officers and First Responders Diagnosed with Post-traumatic Stress Disorder
H.P. 597 L.D. 848
(C "A" H-448)

Placed on Special Appropriations Table - June 15, 2017, by Senator **KATZ** of Kennebec

Pending - **ENACTMENT**, in concurrence

(In Senate, June 9, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-448)**, in concurrence.)

(In House, June 13, 2017, **PASSED TO BE ENACTED.**)

This being a Mandate, in accordance with the provisions of Section 21 of Article IX of the Constitution, and having received the affirmative vote of 31 Members of the Senate, with no Senator having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Support the Professional Development of Principals in Maine Schools

S.P. 291 L.D. 891
(C "A" S-237)

Placed on Special Appropriations Table - June 19, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 15, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-237).**)

(In House, June 16, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Establish the Summer Success Program Fund
H.P. 647 L.D. 919
(C "A" H-113)

Placed on Special Appropriations Table - May 23, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-113)**, in concurrence.)

(In House, May 18, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act Regarding Telehealth

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

Placed on Special Appropriations Table - June 8, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 5, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-187).**)

(In House, June 7, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Amend the Laws Governing Eligibility for Disability Retirement Benefits

S.P. 346 L.D. 1044
(C "A" S-89)

Placed on Special Appropriations Table - May 24, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, May 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-89).**)

(In House, May 23, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

Resolve, To Alleviate Hunger in Rural Maine in Areas of High Unemployment

S.P. 352 L.D. 1070
(C "A" S-107)

Placed on Special Appropriations Table - May 31, 2017, by Senator **KATZ** of Kennebec **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, May 25, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-107).**)

(In House, May 30, 2017, **FINALLY PASSED.**)

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

Senator **BRAKEY:** Thank you, Mr. President. I'll be very quick. I just want to say this bill repeals some of the most effective welfare reforms that we put in place in the last few years, requiring able bodied adults without dependents to work, volunteer, be enrolled in job training for a minimum number of hours a week. Some will say, 'Well, this is only in certain parts of the state, particularly in rural areas.' Ironically, those areas are where we see some of the highest compliance rates with this reform. So I hope that we reject this bill today. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Final Enactment of L.D. 1070. If you are in favor of Final Enactment 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 (#406)

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

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

EXCUSED: Senators: CUSHING, HILL, MAKER, MILLETT

15 Senators having voted in the affirmative and 16 Senators having voted in the negative, with 4 Senators being excused, **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**. Ordered sent down forthwith for concurrence.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

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

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

Placed on Special Appropriations Table - June 21, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-272).**)

(In House, June 21, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Resolve

Resolve, To Assess the Need for Mental Health Care Services for Veterans in Maine and To Establish a Pilot Program To Provide Case Management Services to Veterans for Mental Health Care

H.P. 853 L.D. 1231
(H "A" H-553 to C "A" H-407)

Placed on Special Appropriations Table - June 28, 2017, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, June 27, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-407) AS AMENDED BY HOUSE AMENDMENT "A" (H-553)** thereto, in concurrence.)

(In House, June 27, 2017, **FINALLY PASSED.**)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senator having voted in the negative, and 31 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.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Regulate Fantasy Sports Contests
S.P. 449 L.D. 1320
(C "A" S-314)

Placed on Special Appropriations Table - June 30, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 29, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-314).**)

(In House, June 29, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators
H.P. 970 L.D. 1396
(C "A" H-522)

Placed on Special Appropriations Table - June 22, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 21, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-522)**, in concurrence.)

(In House, June 22, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Authorizing the Legislature, or Electors through Direct Initiative, To Enact Legislation To Determine the Winner of Elections for the Offices of State Senator, State Representative and Governor

S.P. 577 L.D. 1624
(C "A" S-300)

Placed on Special Appropriations Table - June 27, 2017, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in **NON-CONCURRENCE**

(In Senate, June 21, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-300).**)

(In House, June 23, 2017, **FAILED FINAL PASSAGE.**)

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 16 Members of the Senate, with 15 Senators having voted in the negative, and 16 being less than two-thirds of the Members present and voting, **FAILED FINAL PASSAGE**, in concurrence.

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

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Resolve

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)

Placed on Special Appropriations Table - June 21, 2017, by Senator **HAMPER** of Oxford

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, June 20, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-524)**, in concurrence.)

(In House, June 21, 2017, **FINALLY PASSED.**)

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

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

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
(C "A" S-294)

Placed on Special Appropriations Table - June 27, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 21, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-294).**)

(In House, June 23, 2017, **PASSED TO BE ENACTED.**)

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

Ordered sent down forthwith.

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

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act To Provide Funding to the Loring Development Authority of Maine for Implementation Grants

H.P. 1134 L.D. 1643

Placed on Special Appropriations Table - June 28, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 27, 2017, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, June 27, 2017, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senator having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

On motion by Senator **HAMPER** of Oxford, the Senate removed from the **SPECIAL APPROPRIATIONS TABLE** the following:

Emergency Measure

An Act To Fund the Agreement with Executive Branch Employees
H.P. 1135 L.D. 1644

Placed on Special Appropriations Table - June 29, 2017, by Senator **HAMPER** of Oxford

Pending - **ENACTMENT**, in concurrence

(In Senate, June 28, 2017, **PASSED TO BE ENGROSSED**, in concurrence.)

(In House, June 29, 2017, **PASSED TO BE ENACTED.**)

This being an Emergency Measure and having received the affirmative vote of 31 Members of the Senate, with no Senator having voted in the negative, and 31 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

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

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled matter:

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require That Signatures on a Direct Initiative of Legislation Come from Each Congressional District

H.P. 32 L.D. 31
(C "A" H-503)

Tabled - July 20, 2017, by Senator **MASON** of Androscoggin

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, June 16, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-503)**, in concurrence.)

(In House, June 16, 2017, **FINALLY PASSED**.)

(In Senate, **REMOVED** from the Special Appropriations Table. **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**. On motion by Senator **MASON** of Androscoggin, **RECONSIDERED**.)

This being a Constitutional Amendment, in accordance with the provisions of Section 4 of Article X of the Constitution, having received the affirmative vote of 19 Members of the Senate, with 11 Senators having voted in the negative, and 19 being less than two-thirds of the Members present and voting, **FAILED FINAL PASSAGE**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

Senate

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize Multiple General Fund Bond Issues To Improve Highways, Bridges and Multimodal Facilities"

S.P. 543 L.D. 1552

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-333)**.

Signed:

Senators:

HAMPER of Oxford
BREEN of Cumberland
KATZ of Kennebec

Representatives:

GATTINE of Westbrook

FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
SEAVEY of Kennebunkport
TEPLER of Topsham
TIMBERLAKE of Turner
WINSOR of Norway

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (S-334)**.

Signed:

Representative:

SIROCKI of Scarborough

Reports **READ**.

On motion by Senator **HAMPER** of Oxford, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-333)** Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-333) **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-333)**.

Sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Assist in the Commercialization of Maine Products and Services"

S.P. 568 L.D. 1613

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-335)**.

Signed:

Senators:

HAMPER of Oxford
BREEN of Cumberland
KATZ of Kennebec

Representatives:

GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
TEPLER of Topsham

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

Signed:

Representatives:

SEAVEY of Kennebunkport
SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-335) **READ**.

On motion by Senator **KATZ** of Kennebec, Senate Amendment "A" (S-339) to Committee Amendment "A" (S-335) **READ**.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, this amendment is the last portion of this bond bill and it relates to the last \$5 million which is mentioned for the purpose of a competitive grant to a non-profit research institution engaged in tissue repair and regeneration efforts. The purpose for the amendment, Mr. President, is to make it clear that this is a competitive bid, that more than one organization is going to be able to bid on this and that the Maine Technology Institute, which is set up in part specifically for this purpose of vetting various bids and sorting out which is the best, will have an opportunity to select from, potentially, a number of bidders for this important work. Thank you.

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

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

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, first off, we have not been able to find the amendment. Heard it was possibly coming but, myself, the bond package that was voted on in Appropriations, taken up in the hearing. People were, you know, quite comfortable and it was consistent with the way that the bond package was done in 2014 and voters approved. I think that, you know, this amendment is not as much in the spirit as what was put forward, so I'm asking for people to vote against it, again stay with the wishes of the Appropriations Committee. I feel, like I said, it was consistent with what was passed in 2014, that the voters approved, and it should be good again for this time.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, let me tell you just a little bit more, if I could, about the genesis of this amendment and why I believe it's appropriate. First of all, this is no surprise to anybody on the Appropriations Committee, since we discussed the fact that I was going to be bringing this floor amendment today. But the original bill, the bond bill, said that the voters were going to be asked to approve \$5 million specifically for the Mount Desert Biological Laboratory. A number of us, including myself, don't think that that's good government, that we shouldn't be in the business of making a direct sum of money available to one particular company just because they have the political savvy and can hire the right lobbyist to get something through this Legislature. That, in many folks' view, is just not good government and so I asked the people that were involved to redraft it, to make it clear that it was going to be a competitive bid situation that they would be entitled to compete for. What I received back, Mr. President, was a second draft that no longer mentioned the particular organization but set out a number of criteria that a bidder would have to reach that, by the way, only one organization in the State of Maine could possibly have met. I asked - suggested that that be changed and received back another draft which, although slightly better, clearly was skewed to favor one particular company.

Maine Technology Institute is set up to - we give them money, and they receive money from other sources, to review these kinds of applications. They have a specific biotechnology committee. It's made up of 15 or 17 people, experts in the field, who can sort through applications and say, 'You know what, of all the competing ones, which are good ones, this one makes the most sense.' That, I would suggest, is the right way to go about things, to take politics out of the discussion. This particular project here is a perfect candidate to go through MTI and if it's going to go through MTI let's not kid ourselves. Let's not just have it designed so that only one company can possibly win. So that's the reason for the amendment. If it hasn't been done that way in the past, then shame on us for not doing it that way in the past because these are the public taxpayer dollars we're talking about and these things ought to be decided on the basis of not political merit but scientific merit. Thank you, Mr. President.

THE PRESIDENT: Ladies and gentlemen, if you're looking for the amendment, I've been assured that it is both on line and, if you requested at the beginning of session any amendments to come to your desk, then I've been told that you should find them in your books currently. The Chair recognizes the Senator from Aroostook, Senator Jackson.

Senator **JACKSON:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I find it kind of striking that the idea that politics doesn't get into some of the things that happen, especially in the Appropriations Committee, but I certainly do take offense to the fact that the people with the most political will. Like I said, this company is a small company that has worked very hard to get people throughout this country to come to Maine and it is not designed only for them, but it certainly is designed for smaller companies that don't get gobbled up by much bigger ones that get all the bond money all the time. And so, again, the only thing that happened with this bond was it was put in exactly the same way that it was drafted in 2014 and whenever it was amended in committee it took out the name of the company. I think, again, it's really appropriate to make sure that smaller companies that are doing everything they can to revitalize the State of Maine, create

a bio-sector technology in this state, might have an opportunity to compete against giants that, again, take all of the money that is put forward in Maine's bond packages. So that's why I'm asking you to not support the current motion. Again, it's not something that hasn't been done in the past and I certainly think that other small companies can compete for this one too. So I don't think it's a one-size-fits-all.

THE PRESIDENT: The pending question before the Senate is Acceptance of - Adoption of Senate Amendment "A" to Committee Amendment "A". A roll call is in order. If you are in favor that 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 (#407)

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

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

EXCUSED: Senators: CUSHING, DILL, HILL, MAKER, MILLETT

19 Senators having voted in the affirmative and 11 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **KATZ** of Kennebec to **ADOPT** Senate Amendment "A" (S-339) to Committee Amendment "A" (S-335) **PREVAILED**.

Committee Amendment "A" (S-335) as Amended by Senate Amendment "A" (S-339) thereto, **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-335) AS AMENDED BY SENATE AMENDMENT "A" (S-339)** thereto.

Sent down forthwith for concurrence.

Divided Report

Seven members of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Provide Funding for a Program of Student Debt Cancellation and Refinancing"

S.P. 384 L.D. 1163

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-336)**.

Signed:

Senator:
BREEN of Cumberland

Representatives:
GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
TEPLER of Topsham

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

Signed:

Senator:
HAMPER of Oxford

Representatives:
SEAVEY of Kennebunkport
SIROCKI of Scarborough
TIMBERLAKE of Turner
WINSOR of Norway

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-337)**.

Signed:

Senator:
KATZ of Kennebec

Reports **READ**.

Senator **HAMPER** of Oxford moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-336)**.

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 PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Libby.

Senator **LIBBY:** Thank you, Mr. President. I'd like to make remarks on the substance of the report. Is now the appropriate time?

THE PRESIDENT: The Senator may proceed.

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, I rise in support of the pending motion, as the sponsor of this legislation. Just about every time that I speak with Mainers across this state I hear stories about people's student loan burdens. We're not just hearing it from students and recent graduates. We're hearing it from parents and grandparents. Student loan debt is an enormous burden on an entire generation

of Maine working people. It's unlike any financial burden that we've seen in the modern era here in the United States. When my Skowhegan High School classmates and I were looking at college we didn't get great advice on student debt, and how much we should take out in loans, and what interest rates would mean for us compounded over 10 or 15 years, and how earning potential, if it wasn't high enough, would mean that you would be saddled with debt for 20 or 25 or 30 years. It's no wonder then that in Maine we have the 14th highest rate of student debt in the nation. The average held by Mainers is about \$30,000. Thirty thousand dollars is the average amount of student debt held by Maine working people. More than 10% of those borrowers are defaulting on those loans. Of the borrowers that are staying on track to pay their loans, many are doing so at the expense of not fully participating in the Maine economy. There's an entire generation of folks saddled with student debt who are not making decisions to purchase cars, to purchase homes, to start businesses, even to start families. We have Maine people who are putting off starting families because of the burden of student debt.

Thankfully, in recent years Maine high schools, Maine colleges, and Maine universities have gotten a lot better about financial counseling for incoming and current students and making sure that Mainers know what they're getting into when they sign up for student loans. But there're still too many graduates who didn't benefit from that advice that we have just started, recently, getting much better at, who are, today, saddled with burdensome amounts of student debt. At the same time that these young people are being saddled by student debt, our state is rapidly aging. We are the oldest state in the nation. We continue to get older. Our workforce is retiring. Jobs that are open today are not being filled. This is the biggest crisis our state faces, our demographic challenges.

So when you combine the economic issues associated with student debt and the burden that it places on the Maine economy, and you combine that with our serious demographic challenges, it seems to me it's time for something big and something bold, and that's what the report before you is all about. This will be a first in the nation program to help Mainers who have student debt, who are working, lower their monthly debt payments. It's not uncommon to find people with \$700, \$800, or \$900 a month student debt payments. Can you imagine what cutting those payments in half would do for a working family? Consider, as well, sending a message to the other 49 states that Maine is a place where young people, young families, can come and settle, set up residence and work and contribute and be productive members of society and the State of Maine will help them pay some of their student debt. Can you think of a better incentive to attract young people from the other 49 states to set up residence here in Maine?

So what does this bill do? The proposal before us is a \$40 million bond issue to be offered to Maine voters in June of 2018. The goal is to encourage individuals to live and work in Maine and to help employers attract and retain employees with student debt relief. FAME would administer the fund and there'd be two ways for Mainers to participate: either on an individual basis or FAME would make partial debt payments on behalf of the debtor or through the Mainer's employer. The employer, as a benefit to attract the best and brightest workers, can offer to make payments on the debtor's debt and have FAME reimburse them for it. Individuals benefiting from this program must remain a resident of the state or be active duty as a service member or be

employed on a sea vessel with Maine residence and they must be employed for 5 years from the date of the first loan payment made on their behalf. What we're saying here is, and again we want to attract folks from outside of Maine to come set up residence, if you come and work in Maine, you commit to living here for 5 years, we're going to help you with your student debt. If you leave before your 5 years is up you need to repay the benefit you received to FAME in full. Debt relief benefit will not be subject to an individual's Maine State Income Tax. That's an important consideration here as well. Folks that participate in this program would not be eligible for Opportunity Maine tax credit and would not be eligible for other programs that we have in the state to help folks with their debt. This is a serious initiative worked, I think, in a deliberate manner in conjunction with the folks at FAME and the folks on the second floor. It's time to do something big and bold to help address one serious burden on the Maine economy. I ask you to vote for the pending motion. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of Report "A" Ought to Pass as Amended. A roll call is in order. 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 (#408)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DION, GRATWICK, JACKSON, LANGLEY, LIBBY, MIRAMANT, VITELLI, VOLK

NAYS: Senators: BRAKEY, COLLINS, CYRWAY, DAVIS, DOW, HAMPER, KATZ, KEIM, MASON, ROSEN, SAVIELLO, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

EXCUSED: Senators: CUSHING, DILL, HILL, MAKER, MILLETT

16 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 5 Senators being excused, the motion by Senator **HAMPER** of Oxford to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (S-336) PREVAILED.**

Bill **READ ONCE.**

Committee Amendment "A" (S-336) **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-366).**

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

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. 304

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

June 30, 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 1147, "An Act to Modernize the Renewable Portfolio Standard."

Under Title 35-A, M.R.S. §3210(3-A), Maine's Renewable Portfolio Standard (RPS) has included a requirement for electricity customers to purchase increasing amounts of electricity from qualified "new renewable capacity resources" (Class I resources), starting in 2008 as a 1% requirement and ending in 2017 as a 10% requirement. LD 1147 would extend the 10% requirement through 2022.

The RPS in Maine is a subsidy paid to renewable generators that is hidden in the bills of all electric customers. I have long opposed such subsidies—especially hiding them in Maine's electric bills. In addition, this subsidy is not even meeting its intended purpose, which is to encourage new renewable electricity generation. Over the five-year period between 2011 and 2015, the Class I RPS cost ratepayers nearly \$70 million in above-market costs. Yet, over this same period, the amount of renewable generation produced in Maine decreased by approximately 8%. Therefore, Mainers spent \$70 million and received no increase in the amount of renewable generation produced in Maine.

A subsidy that costs Maine ratepayers \$70 million over five years, but fails to meet its intended purpose, is a subsidy that needs to end.

For these reasons, I return LD 1147 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 Modernize the Renewable Portfolio Standard
H.P. 810 L.D. 1147

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 (#409)

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

NAYS: Senators: BRAKEY, MASON

EXCUSED: Senators: CUSHING, DILL, HILL, MAKER, MILLETT

28 Senators having voted in the affirmative and 2 Senators having voted in the negative, with 5 Senators being excused, and 28 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. 308

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

July 5, 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 481, "An Act To Promote Workforce Participation."

This bill would have provided a \$400 bonus to welfare recipients for maintaining a job for just 4 months, rewarding them for something they really should be doing anyway. I understand the desire to motivate people to stay in a job, but at some point government needs to step back and let people figure it out on their own. Why do we feel compelled to have government step in and reward people for doing what they are already supposed to do?

We cannot continue to treat low-income Mainers like children, always trying to coax them to do right things. A steady job with a steady paycheck is a reward in itself that increasingly pushes a person toward greater self-reliance and self-sufficiency. I believe Mainers are capable of success without constant intrusion and prodding by State government.

For these reasons, I return LD 481 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 Promote Workforce Participation (EMERGENCY)
H.P. 344 L.D. 481

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 (#410)

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

NAYS: Senators: None

EXCUSED: Senators: CUSHING, DILL, HILL, MAKER, MILLETT

30 Senators having voted in the affirmative and no Senator having voted in the negative, with 5 Senators being excused, and 30 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. 309

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

July 5, 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 1512, "An Act To Protect the Health and Safety of First Responders."

I want to make very clear that I think we should make laws that protect those who put their lives on the line to protect the safety of the public. That is why I was a proponent of this bill as it was introduced by the Department of Public Safety. There have been several bills introduced this session to protect first responders or victims of horrible crimes. These bills have either failed to get the required votes to reach my desk or they have been watered down to the point that they do absolutely nothing—which was the unfortunate fate of this bill. I sincerely hope that in the future, first responders find the support they deserve in the State House.

Because this bill has been amended to the point that it does nothing to protect the safety of first responders, I cannot support it.

For these reasons, I return LD 1512 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 the Health and Safety of First Responders
H.P. 1036 L.D. 1512

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 (#411)

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

NAYS: Senator: BRAKEY

EXCUSED: Senators: CUSHING, DILL, HILL, MAKER, MILLETT

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

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Reduce the Rate of Tax Imposed on the Rental of Living Quarters"

H.P. 1136 L.D. 1645

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

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

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

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

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

REPORTS OF COMMITTEES

House

Pursuant to Joint Rule 309

From the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Allow Slot Machines or a Casino in York County"
I.B. 1 L.D. 719

Received by the Clerk of the House on July 20, 2017, pursuant to Joint Rule 309.

Comes from the House, Bill and accompanying Papers **INDEFINITELY POSTPONED**.

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

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

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

On motion by Senator **MASON** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Measure

Resolve, To Establish the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services
H.P. 456 L.D. 642
(C "A" H-106)

Placed on the Special Study Table - May 25, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence.

(In Senate, May 11, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-106)**, in concurrence.)

(In House, May 24, 2017, **FINALLY PASSED**.)

The Chair noted the absence of the Senator from Hancock, Senator **LANGLEY**, and the Senator from Cumberland, Senator **CHIPMAN**, and further excused the same Senators from today's Roll Call votes.

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senator having voted in the negative, and 27 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.

On motion by Senator **MASON** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Emergency Measure

HOUSE REPORT - from the Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, To Establish the Commission To Streamline Veterans' Licensing and Certification (EMERGENCY)
H.P. 170 L.D. 214
(C "A" H-187)

Placed on the Special Study Table - May 30, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, May 18, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-187)**, in concurrence.)

(In House, May 25, 2017, **FINALLY PASSED**.)

This being an Emergency Measure and having received the affirmative vote of 27 Members of the Senate, with no Senator having voted in the negative, and 27 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.

On motion by Senator **MASON** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

Resolve, To Establish the Committee To Study the State's Response to the Commercial Sexual Exploitation of Youth
S.P. 173 L.D. 512
(C "A" S-131)

Placed on the Special Study Table - May 31, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, May 23, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-131)**.)

(In House, May 30, 2017, **FINALLY PASSED**.)

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

Ordered sent down forthwith

On motion by Senator **MASON** of Androscoggin, the Senate removed from the **SPECIAL STUDY TABLE** the following:

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)

Placed on the Special Study Table - June 21, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**, in concurrence

(In Senate, June 19, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-231) AS AMENDED BY SENATE AMENDMENT "A" (S-287)** thereto.)

(In House, June 21, 2017, **FINALLY PASSED**.)

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

Ordered sent down forthwith.

On motion by Senator **COLLINS** of York, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of Investigations within the Department of the Secretary of State, Bureau of Motor Vehicles

H.P. 67 L.D. 99
(C "A" H-249)

Placed on the Special Highway Table - May 31, 2017, by Senator **COLLINS** of York

Pending - **ENACTMENT**, in concurrence

(In Senate, May 25, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-249)**, in concurrence.)

(In House, May 30, 2017, **PASSED TO BE ENACTED**.)

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

Ordered sent down forthwith.

On motion by Senator **COLLINS** of York, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act To Create the Emergency Medical Services Registration Plate

H.P. 872 L.D. 1249
(C "A" H-160)

Placed on the Special Highway Table - May 24, 2017, by Senator **COLLINS** of York

Pending - **ENACTMENT**, in concurrence

(In Senate, May 18, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-160)**, in concurrence.)

(In House, May 23, 2017, **PASSED TO BE ENACTED**.)

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

Ordered sent down forthwith.

On motion by Senator **COLLINS** of York, the Senate removed from the **SPECIAL HIGHWAY TABLE** the following:

An Act To Align State Relocation Assistance with That of the Federal Government

H.P. 915 L.D. 1318
(C "A" H-112)

Placed on the Special Highway Table - May 17, 2017, by Senator **COLLINS** of York

Pending - **ENACTMENT**, in concurrence

(In Senate, May 11, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-112)**, in concurrence.)

(In House, May 16, 2017, **PASSED TO BE ENACTED**.)

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

On further motion by same Senator, the Senate **RECONSIDERED** whereby the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-112)**, in concurrence.

On further motion by same Senator, Senate Amendment "A" (S-319) **READ** and **ADOPTED**.

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-112) AND SENATE AMENDMENT "A" (S-319), in **NON-CONCURRENCE**.

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

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

In Senate, July 22, 2017, **PASSED**.

Comes from the House, **PASSED** as amended by House Amendment "A" (H-564), in **NON-CONCURRENCE**.

On motion by Senator **MASON** of Androscoggin, 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:

COMMUNICATIONS

The Following Communication: H.C. 316

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

July 20, 2017

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

Dear Secretary Priest:

Senate Paper 549, Legislative Document 1567, "An Act To Amend the Archives and Records Management Law," 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?"

77 voted in favor and 60 against, with 1 being excused, and accordingly it was the vote of the House that the Bill not become a law and the veto was sustained.

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

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

COMMUNICATIONS

The Following Communication: S.C. 573

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

July 20, 2017

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 1274 An Act To Promote Universal Health Care,
Including Dental, Vision and Hearing Care

This is notification of the Committee's action.

Sincerely,

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

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

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

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

ORDERS

Joint Order

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

S.P. 600

Ordered, the House concurring, that when the Senate and House adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively, when there is a need to conduct business or consider objections of the Governor.

READ and **PASSED**.

Ordered sent down forthwith for concurrence.

Off Record Remarks

REPORTS OF COMMITTEES

Senate

Divided Report

Seven members of the Committee on **TAXATION** on Bill "An Act To Support Lower Property Taxes by Restoring State-Municipal Revenue Sharing"

S.P. 52 L.D. 133

Reported in Report "**A**" that the same **Ought to Pass as Amended by Committee Amendment "A" (S-317)**.

Signed:

Senator:
CHENETTE of York

Representatives:
TIPPING of Orono
COOPER of Yarmouth
GRANT of Gardiner
McCREIGHT of Harpswell
STANLEY of Medway
TERRY of Gorham

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

Signed:

Senator:
CUSHING of Penobscot

Representatives:
BICKFORD of Auburn
HILLIARD of Belgrade
POULIOT of Augusta
WARD of Dedham

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-318)**.

Signed:

Senator:
DOW of Lincoln

Reports **READ**.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **ACCEPTANCE OF ANY REPORT**.

Off Record Remarks

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

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

An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General
H.P. 68 L.D. 100
(C "A" H-174)

In Senate, July 20, 2017, **FAILED ENACTMENT** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENACTED**.

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

Non-Concurrent Matter

An Act To Opt Out of Federal Daylight Saving Time and To Ask the United States Secretary of Transportation To Place the State in the Atlantic Time Zone
H.P. 159 L.D. 203
(C "A" H-76)

In Senate, July 20, 2017, **FAILED ENACTMENT** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Bill was **PASSED TO BE ENACTED**.

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

Non-Concurrent Matter

Resolve, To Alleviate Hunger in Rural Maine in Areas of High Unemployment

S.P. 352 L.D. 1070
(C "A" S-107)

In Senate, July 20, 2017, **FAILED FINAL PASSAGE** in **NON-CONCURRENCE**.

Comes from the House, that Body having **INSISTED** on its former action whereby the Resolve was **FINALLY PASSED**.

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

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:

ENACTORS

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

Emergency Measure

An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities

H.P. 1132 L.D. 1641
(S "A" S-326)

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

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senator having voted in the negative, and 24 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine
H.P. 806 L.D. 1143
(S "A" S-323 to C "A" H-453)

This being an Emergency Measure and having received the affirmative vote of 24 Members of the Senate, with no Senator having voted in the negative, and 24 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 Amend Principles of Reimbursement for Residential Care Facilities

S.P. 178 L.D. 517
(S "A" S-321 to C "A" S-91)

An Act To Amend the Laws Governing Certain Sexual Offenses
S.P. 216 L.D. 654
(S "A" S-320 to C "A" S-113)

An Act To Ensure Access to Opiate Addiction Treatment in Maine
S.P. 307 L.D. 952
(S "A" S-331 to C "A" S-106)

An Act To End Homelessness by Expanding Housing Support Services
H.P. 683 L.D. 970
(S "A" S-330 to C "A" H-209)

An Act To Restore Public Health Nursing Services
S.P. 362 L.D. 1108
(S "A" S-329 to C "A" S-155)

An Act To Reduce Youth Access to Tobacco Products
S.P. 391 L.D. 1170
(S "B" S-306 to C "A" S-146;
S "A" S-325)

An Act Regarding MaineCare Coverage for Telehealth Services
S.P. 515 L.D. 1485
(S "A" S-328 to C "A" S-205)

An Act To Create an Aquaculture License
H.P. 1044 L.D. 1520
(S "A" S-324 to C "A" H-288)

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 Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals

H.P. 138 L.D. 182
(S "B" S-338 to C "A" H-215)

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

Resolve

Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families

S.P. 426 L.D. 1263
(S "A" S-327 to C "A" S-109)

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

Senate at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled matter:

An Act To Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals

H.P. 138 L.D. 182
(S "B" S-338 to C "A" H-215)

Tabled - July 20, 2017, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT**, in concurrence

(In Senate, July 20, 2017, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-215) AS AMENDED BY SENATE AMENDMENT "B" (S-338).**)

(In House, July 20, 2017, **PASSED TO BE ENACTED.**)

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 (#412)

YEAS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, COLLINS, CYRWAY, DAVIS, DESCHAMBAULT, DION, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LIBBY, MASON, MIRAMANT, ROSEN, VITELLI, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU

NAYS: Senators: None

EXCUSED: Senators: BRAKEY, CUSHING, DIAMOND, DILL, HILL, LANGLEY, MAKER, MILLETT, SAVIELLO

26 Senators having voted in the affirmative and No Senator having voted in the negative, with 9 Senators being excused, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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:

ENACTORS

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

Bond Issue

An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities and Upgrade Municipal Culverts

S.P. 543 L.D. 1552
(C "A" S-333)

This being a Bond Authorization Act, in accordance with the provisions of Section 14 of Article IX of the Constitution, having received the affirmative vote of 26 Members of the Senate, with no Senator having voted in the negative, and 26 being more than two-thirds of the Members present and voting, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

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

Act

An Act To Align State Relocation Assistance with That of the Federal Government and Make Technical Changes to Recently Enacted Laws

H.P. 915 L.D. 1318
(C "A" H-112; S "A" S-319)

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

Ordered sent down forthwith.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until the call of the President of the Senate.