

MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

Second Regular Session
beginning January 3, 2018

beginning at Page 1451

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

In Senate Chamber
Thursday
January 11, 2018

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

Prayer by Reverend Larry Cook, Gardiner Church of the
Nazarene.

REVEREND COOK: Thank you. Let us pray together. Gracious and merciful God, we give You thanks for blessing us on another day to serve You and to find creative ways to love and care for the needs of others. I pray for this Chamber where the Senate of Maine gathers. We pause to thank You, Father, for the gift of this great state in which we live, for this great nation which You have blessed. We pray for our Senators who gather here to represent the people of Maine today. Give them wisdom beyond their own to deal with the issues before them. Give them the courage they need to lead, the humility, really, that they need to serve the greatest good for those they represent. I pray for integrity to speak the truth in love, but continue to inspire the people of Maine that, through the challenges of our day, we might be a bright beacon of hope in the lighthouse of liberty and justice alive in our state, in our nation, and, we pray, for the world. Give us a vivid sense of Your presence, that through the diversities that we have we may learn to understand each other, to respect each other, to work in harmony with each other, and to seek the very best for each other. So may all that is accomplished in this day be to Your honor and to Your glory and be in conformance with Your perfect will so that You may bless each one by saying, 'Well done, good and faithful servant.' In Jesus' name we pray. Amen.

Pledge of Allegiance led by Senator Scott W. Cyrway of
Kennebec County.

Reading of the Journal of Tuesday, January 9, 2018.

Doctor of the day, Michael Barnes, M.D. of Cape Elizabeth.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 664

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, January 16, 2018 at 10:00 in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Resolve, Directing the Bureau of Parks and Lands To Transfer
Land in the Town of Pittston

H.P. 1222 L.D. 1773

Comes from the House, **REFERRED** to the Committee on
AGRICULTURE, CONSERVATION AND FORESTRY and
ordered printed.

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

Bill "An Act To Reduce Child Poverty by Leveraging Investments
in Families for Tomorrow"

H.P. 1223 L.D. 1774

Resolve, Regarding Medicaid Reimbursement for Rehabilitation
Hospitals (EMERGENCY)

H.P. 1224 L.D. 1778

Come from the House, **REFERRED** to the Committee on
HEALTH AND HUMAN SERVICES and ordered printed.

On motion by Senator **BRAKEY** of Androscoggin, **REFERRED** to
the Committee on **HEALTH AND HUMAN SERVICES** and
ordered printed, in concurrence.

Bill "An Act To Increase Safety, Ensure Efficient Operation and
Improve Traffic Flow on the Maine Turnpike by Requiring All-
electronic Toll Collection at New and Reconstructed Toll
Facilities" (EMERGENCY)

H.P. 1225 L.D. 1779

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

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

COMMUNICATIONS

The Following Communication: S.C. 737

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

January 9, 2018

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

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Energy, Utilities and Technology has had under consideration the nomination of Albert E. Hodsdon III of Fairfield, for reappointment to the Efficiency Maine Trust Board.

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

YEAS	Senators	1	Woodsome of York
	Representatives	7	Berry of Bowdoinham, Cooper of Yarmouth, Hanley of Pittston, O'Connor of Berwick, Riley of Jay, Sanborn of Portland, Wadsworth of Hiram
NAYS		0	
ABSENT		5	Sen. Cushing of Penobscot, Sen. Dion of Cumberland, Rep. DeChant of Bath, Rep. Harvell of Farmington, Rep. Rykerson of Kittery

Eight members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Albert E. Hodsdon III of Fairfield, for reappointment to the Efficiency Maine Trust Board be confirmed.

Signed,

S/David Woodsome
Senate Chair

S/Seth A. Berry
House Chair

READ and ORDERED PLACED ON FILE.

The Chair noted the absence of the Senator from Aroostook, Senator **JACKSON**, the Senator from Cumberland, Senator **DION**, the Senator from Penobscot, Senator **CUSHING**, the Senator from York, Senator **WOODSOME**, and the Senator from York, Senator **HILL**, and further excused the same Senators from today's Roll Call votes.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** be overridden?"

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#478)

YEAS: Senators: None

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

EXCUSED: Senators: CUSHING, DION, HILL, JACKSON,
WOODSOME

No Senator having voted in the affirmative and 30 Senators having voted in the negative, with 5 Senators being excused, and none being less than two-thirds of the Membership present and voting, it was the vote of the Senate that the Committee's recommendation be **ACCEPTED** and the nomination of **Albert E. Hodsdon III** of Fairfield for reappointment to the Efficiency Maine Trust Board was **CONFIRMED**.

The Secretary will inform the Speaker of the House of Representatives of the Senate's action.

The Following Communication: S.C. 738

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

January 10, 2018

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

Dear Secretary Priest:

Pursuant to my authority under House Rule 201.1 (I) (a), I have rescinded the appointment of Representative Michael D. Perkins of Oakland as a member of the Joint Select Committee on Marijuana Legalization Implementation effective immediately.

Furthermore, pursuant to my authority under House Rule 201.1 (I) (a), I have appointed Representative Jeffery P. Hanley of Pittston as a member of the Joint Select Committee on Marijuana Legalization Implementation.

Should you have any questions regarding this matter, 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. 736

**MIDCOAST REGIONAL REDEVELOPMENT AUTHORITY
BRUNSWICK, MAINE**

January 5, 2018

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

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

Subject: Government Accountability Report (5 *MRSA* §12023)

Dear Mr. President and Ms. Speaker:

In compliance with the requirements of the Government Accountability and Oversight Law for quasi-independent State entities (5 *MRSA* §12023), please consider this letter of transmittal for the required report on behalf of the Board of Trustees of the Midcoast Regional Redeveloped Authority (MRRA) due by February 1, 2018.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Jeffrey K. Jordan
Deputy Director

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

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.

SENATE PAPERS

Bill "An Act To Provide for In-person Visitation of Incarcerated Persons"

S.P. 665 L.D. 1782

Presented by Senator LIBBY of Androscoggin.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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

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

ORDERS

Joint Resolution

On motion by Senator **VOLK** of Cumberland (Cosponsored by Speaker GIDEON of Freeport), the following Joint Resolution:
S.P. 663

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

**JOINT RESOLUTION
RECOGNIZING THE WEEK OF
JANUARY 7, 2018 AS HUMAN TRAFFICKING
AWARENESS WEEK**

WHEREAS, human trafficking is criminal recruiting, harboring, transporting, providing or obtaining a person for compelled labor or commercial sexual exploitation through the use of force, fraud or coercion, including but not limited to involuntary servitude, sex trafficking, debt bondage, domestic servitude and forced child labor, and can, but does not necessarily, include the physical transportation of a victim from one location to another; and **WHEREAS**, human trafficking violates basic human rights, denies victims their personal freedom and knows no geographical boundaries; and **WHEREAS**, traffickers target men, women and children, both United States citizens and foreign nationals, isolate them from society and exploit them for personal and monetary gain; and **WHEREAS**, human trafficking is recognized as the fastest-growing criminal enterprise in the world, and the International Labour Organization estimates annual profits of \$150,000,000,000 from forced labor internationally; and **WHEREAS**, the International Labour Organization estimated in 2012 that 26% of persons trafficked were children, and the National Center for Missing and Exploited Children estimated in 2014 that one out of every 6 endangered runaways in the United States reported to them was likely a child sex-trafficking victim; and **WHEREAS**, victims of human trafficking suffer severe emotional, psychological and physical damage at the hands of their traffickers, who instill fear in their victims in order to keep them enslaved, resulting in complex post-traumatic stress disorder and increased rates of disease, drug addiction and other lifelong effects of trauma, and these experiences may require years of specialized health care and mental health services as part of a victim's recovery; and **WHEREAS**, human trafficking exists in the State, and many state, federal and local agencies and organizations are working to prevent human trafficking, to intervene when human trafficking is discovered and to provide restorative care to victims; and **WHEREAS**, no one person, organization, agency or community can eliminate human trafficking, but we can work together to educate our entire population about how we can all prevent human trafficking and provide support to survivors of human trafficking and to their communities; and **WHEREAS**, the State is committed to protecting the vulnerable and ending human trafficking through prevention, prosecution, education and awareness; now, therefore, be it **RESOLVED**: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize the week of January 7, 2018 as Human Trafficking Awareness Week.

READ.

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

Senator **VOLK:** Thank you, Mr. President. Mr. President and ladies and gentlemen of the Senate, yesterday was Human Trafficking Awareness Day here at the State House and, unfortunately, it was not a session day so there were not a lot of legislators present and, unfortunately, I wasn't, even as the sponsor of the event, able to be here due to travel obligations beyond my control. But we did have a number of survivors who came, a number of organizations who were in attendance, that really want all of you to understand how important this issue is to them, how important this issue is to Maine, and how important this issue is to our country and, in fact, the entire world. While I was away, we were actually down in Central America, in Nicaragua, and it was very interesting to me to see that in one of the hotel rooms I was in, and in a couple of different restaurants, they actually posted information about the exploitation of children and human trafficking, even specifically. One of the cities that we were in is the City of Granada and in that city there's one street that's basically just a strip of restaurants with tables in between. There's no traffic on the street. It's just pedestrians only. Little kids come up to you, and they're really cute, and sometimes they're selling little trinkets, sometimes they're begging for money. But basically what the information that was presented on the back of the menus said was don't encourage them. These children do have food. A lot of times their parents have discovered, or whoever is responsible for them, that children get - can get more money from tourists by begging than the parents can make in a single day. I just thought that was very interesting but, unfortunately, what happens is if they're begging from tourists on the street all day long they're not in school and then it went on to say, it was a full page, and it went on to say that as they get older a lot of times they become sexually exploited because they're no longer, you know, these cute little kids that the tourists feel like, you know, hand a dollar to or whatever and take pity on. So it develops into something even uglier and, you know, in this country, obviously, human trafficking has a very different look, but we do know that forced labor is on the increase and then, of course, sex trafficking continues to be an issue that, as law enforcement in particular are more adept at identifying, appears to be coming more and more to the forefront. This Body has done an excellent job of addressing those issues thus far and we look forward to doing more work.

Just a couple of other points. The International Labour Organization, and this is in your Resolution, and I'd urge you to read that Resolution and reach out to me if you'd like more information. We will be circulating some information from some of the people that were here yesterday, some of the organizations, including Hope Rising, which provides treatment to victims of sex trafficking. But the International Labour Organization estimated in 2012 that 26% of people trafficked were children and the National Center for Missing and Exploited Children estimated in 2014 that 1 out of every 6 endangered runaways in the United States reported to them was likely a child sex trafficking victim. So this is something that is happening, even in our rural communities. Just as I have been in office there have been arrests in my district, which is a suburban district that no one would have ever suspected would see such ugliness. But please be aware. Consider posting something, perhaps even in your newsletter, to reach out to your constituents and help them to understand the role that they can play in keeping an eye out for this and refusing to participate in anything related to unfair labor practices or sexual exploitation. Thank you.

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

Senator **DIAMOND:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I want to thank the Senator from Cumberland, Senator Volk, for putting this Joint Resolution in. Let me say, though, we should not feel good about this. This should be a reminder to all of us, this Joint Resolution, that we haven't done nearly enough on this issue. This should be a burr under our saddle. This should be something that reminds us, makes us feel, like how can we leave today without doing something else. I've been working on this since 2004 with the Criminal Justice Committee, a lot of people have, and we've not made nearly the progress that we should have made. So this is important because it reminds us what we haven't done and what we need to do. We need to tackle this issue. It's nice to have a week of awareness. That's good. That's a step. But we need to materialize that into something. We need to be more bold in our legislation. We need to get together as a joint caucus on this in this Body. We need to give this the priority that it deserves. Everybody has their own image of what trafficking is. You talk to people and they say, 'Oh, yes. I know it's those 15 or 16 year old girls,' and that's tragic and that's correct. It's also 5 and 6 year old kids because they're much more valuable. So I would say to us, ladies and gentlemen of the Senate, let's not just set down and feel good about this Joint Resolution. Let's say we're going to do something really meaningful and let this be our reminder that it's got to be done. Let's not set back another session and let something slip by. Let's commit to something here because it needs to be done. If I have one last wish this session it would be to do something a little more dramatic, and I'm as guilty as anybody, maybe more, because I'm sitting on a committee that should have done more this last year. It doesn't mean we can't do something now. We still have until the middle of April and there are things we can do. So I would plead to you to let's use this Joint Resolution, let's say thank you for bringing it forward, but let's not, for a second, think now we're done something because we haven't. But we can and we should. Thank you, Mr. President.

ADOPTED.

Sent down for concurrence.

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, January 16, 2018 at 10:00 in the morning.