

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 18, 2018

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

Prayer by Reverend Mark Tanner, Skowhegan Federated
Church.

REVEREND TANNER: Let us pray. Gracious God, on this
beautiful day open our eyes to see what is good, open our minds
to know what is true, and our hearts to love what is around us. In
all that we would say and do, refresh our faith, restore our
confidence, and allow us to be guided by a light that shines as a
beacon from this place as good and difficult work is done. We
ask Your blessing on all who are gathered here this day. Amen.

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

Reading of the Journal of Tuesday, January 16, 2018.

Doctor of the day, Rob Hubbs, M.D. of Cape Elizabeth.

Off Record Remarks

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

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 670

Ordered, the House concurring, that when the Senate and House
adjourn, they do so until Tuesday, January 23, 2018 at 10:00 in
the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Papers

Bill "An Act To Amend the Greater Augusta Utility District Charter"
H.P. 1230 L.D. 1785

Comes from the House, **REFERRED** to the Committee on
ENERGY, UTILITIES AND TECHNOLOGY and ordered printed.

On motion by Senator **WOODSOME** of York, **REFERRED** to the
Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and
ordered printed, in concurrence.

Bill "An Act To Update the Laws Governing the Department of
Environmental Protection's Rule-making Authority Concerning
Underground Oil Storage Facilities To Align with Federal
Regulations"

H.P. 1229 L.D. 1784

Comes from the House, **REFERRED** to the Committee on
ENVIRONMENT AND NATURAL RESOURCES and ordered
printed.

On motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the
Committee on **ENVIRONMENT AND NATURAL RESOURCES**
and ordered printed, in concurrence.

Bill "An Act To Enhance Safety for Victims of Sexual Assault and
Stalking and To Amend the Laws Governing Harassment and
Protection from Abuse"

H.P. 1235 L.D. 1788

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

On motion by Senator **KEIM** of Oxford, **REFERRED** to the
Committee on **JUDICIARY** and ordered printed, in concurrence.

Bill "An Act Regarding Maine's Liquor Laws"

H.P. 1231 L.D. 1786

Comes from the House, **REFERRED** to the Committee on
VETERANS AND LEGAL AFFAIRS and ordered printed.

On motion by Senator **MASON** of Androscoggin, **REFERRED** to
the Committee on **VETERANS AND LEGAL AFFAIRS** and
ordered printed, in concurrence.

Joint Order

The following Joint Order:

H.P. 1233

ORDERED, the Senate concurring, that the Joint Rules be amended by adding Joint Rule 205-A to read:

Rule 205-A. Limits on number of bills submitted.

A member of the Senate may submit no more than 10 bills and resolves and a member of the House of Representatives may submit no more than 5 bills and resolves for a first regular session. These limits do not apply to a bill or resolve requested by the Governor or a state department, agency or commission; a bill or resolve introduced by the chair of a joint standing committee or joint select committee at the request of that committee; or a bill or resolve the sole purpose of which is to repeal law.

Comes from the House, **READ** and **REFERRED** to the Joint Select Committee on **JOINT RULES**.

READ and **REFERRED** to the Joint Select Committee on **JOINT RULES**, in concurrence.

Joint Resolutions

The following Joint Resolution:

H.P. 1232

**JOINT RESOLUTION
MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONSTITUTIONAL CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE CONGRESSIONAL TERM LIMITS**

WHEREAS, under the United States Constitution, Article V, the Congress of the United States, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to the United States Constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments that, in either case, shall be valid to all intents and purposes, as part of the United States Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; now, therefore, be it

RESOLVED: That the Legislature of Maine hereby applies to the Congress of the United States, under the provisions of Article V of the United States Constitution, to call a convention of the states limited to proposing an amendment to the United States Constitution to set a limit on the number of terms that a person may be elected to the United States House of Representatives and to set a limit on the number of terms that a person may be elected to the United States Senate; and be it further

RESOLVED: That this application is intended to address the same subject matter as applications from other states under the provisions of Article V of the United States Constitution to call a convention to set a limit on the number of terms that a person may be elected to the United States House of Representatives and the United States Senate; and this application must be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but may not be aggregated with any other applications on any other subject; and be it further

RESOLVED: That this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Senate and presiding officers of both houses of the legislatures of each of the several states in the nation, the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate and each member of the Maine Congressional Delegation.

Comes from the House, **READ** and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

READ and **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, in concurrence.

The following Joint Resolution:

H.P. 1234

**JOINT RESOLUTION
COMMEMORATING MARTIN LUTHER KING, JR. DAY
IN THE YEAR OF THE 50TH ANNIVERSARY OF HIS DEATH**

WHEREAS, January 15, 2018 marks the national and state holiday in honor of Martin Luther King, Jr., commemorating his birth on January 15, 1929; and

WHEREAS, Martin Luther King, Jr., advocated the furtherance of civil and human rights for Americans through nonviolent acts of civil disobedience; and

WHEREAS, this man of powerful voice and spirit showed this country a dream of "an oasis of freedom and justice"; and

WHEREAS, for his tireless work to ensure equality and justice, Dr. King was awarded the Nobel Peace Prize, a high and honorable distinction, in 1964; and

WHEREAS, his eloquence, his perseverance and his faith moved mountains and brought about sweeping changes by appealing to the better instincts and consciences of his fellow human beings; and

WHEREAS, this year marks the 50th anniversary of the Memphis sanitation workers strike, which lasted from February 11, 1968 to April 16, 1968 and which Dr. King declared to be a major part of the Poor People's Campaign, an effort to gain economic justice for poor Americans of diverse backgrounds; and

WHEREAS, during the strike, Dr. King delivered to the strikers his last speech, "I've Been to the Mountaintop," calling for unity, economic actions, boycotts and nonviolent protest while challenging the United States to live up to its ideals; and

WHEREAS, the life of Martin Luther King, Jr., which ended so tragically on April 4, 1968, is a shining example to Americans and citizens of the world at large of uncompromising dedication to democratic values; 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 acknowledge the extraordinary life and works of this teacher, reformer and humanitarian, Dr. Martin Luther King, Jr., and pause in our deliberations to recognize and commemorate the occasion of his birth.

Comes from the House, **READ** and **ADOPTED**.

READ.

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

Senator **BELLOWS:** Thank you, Mr. President. I rise to speak on this Joint Resolution with some words from Dr. Martin Luther King, Jr. He sat in the Birmingham jail, he'd been arrested for protest of a segregated lunch counter, and a group of white clergy who saw themselves as allies had written him a letter sharing their concerns that by breaking the law he was doing the movement harm. They raised concerns that he was an outside agitator who didn't understand Birmingham and they urged patience. He responded with a lengthy letter that has become very widely quoted on our national holiday. He spoke of mutual interdependence, that justice is everyone's business. He wrote, 'Injustice, anywhere is a threat to justice everywhere. We are caught in an inescapable network of neutrality, tied in a single garment of destiny. Whatever effects one directly effects all indirectly.' He spoke of just and unjust laws. He wrote, 'A just law is a manmade code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with moral law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust.' He spoke with confidence about reaching the goal of freedom and justice for all even as he sat in that jail when he wrote, 'We will win our freedom because the sacred heritage of our nation and eternal will of God are embodied in our echoing demands.' When he wrote this letter neither Dr. Martin Luther King, Jr.'s words nor his actions were popular. Public opinion was not on his side in that moment. The truth was difficult for people, even his professed allies, to hear. As we commemorate Dr. Martin Luther King, Jr. in our national holiday with this Resolution today I urge all of us to seek to hear difficult truths from unlikely places, and even from unpopular individuals, and I hope that we will all hear the truth that he wrote that day so clearly. We are mutually interdependent. We do share the same goals of freedom for justice for all and we, together, can reach better lives for our state and our nation. Thank you.

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, I'm happy to stand up and speak about this Resolution commemorating Dr. Martin Luther King, Jr. and as I was watching different folks on television the other day making speeches about Dr. King and the remarkable life that he led on earth I tried to find something that is unique and we all know that, you know, "I Have A Dream" speech and everything else that Dr. King did. Many of us have been to the monument in Washington D.C. But one of the things that struck me was Dr. King was 39 years old when he died. He was very young and he was making change in his thirtieth decade. I think that is something that needs to be remembered alongside of everything else that he did. He was a young man making national and international change. As I look around this Chamber, and the other down the hall, we are very lucky to have Democrats and Republicans and Independents that are very young and are in these Bodies making change and I think that is also something that needs to be recognized as we commemorate Dr. King. He was only 39 years old when he left this world too soon. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I think we are all humbled by the example left for us by Martin Luther King. Someone who stood up in a time when it was hard to stand. Someone who stood up against tremendous pressures that were against him and a community that he was in. I just wanted to share, very briefly, one of my personal favorite quotes from Dr. King. He said, 'Freedom is like life. It cannot be had in installments. Freedom is indivisible. We have it all or we are not free.' Thank you.

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

Senator **LIBBY:** Thank you, Mr. President. Men and women of the Senate, as the third member of the Androscoggin delegation, I rise to also speak in support of this Resolution. I'll just share with you my favorite Martin Luther King, Jr. quote which is, 'We may have all arrived here on different ships but we are all in the same boat now.' Thank you, Mr. President.

ADOPTED, in concurrence.

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

Off Record Remarks

COMMUNICATIONS

The Following Communication: S.C. 753

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

January 16, 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 Inland Fisheries and Wildlife has had under consideration the nomination of Matthew E. Thurston of Gorham, for reappointment to the Inland Fisheries and Wildlife Advisory Council.

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	Cyrway of Kennebec
	Representatives	10	Duchesne of Hudson, Alley of Beals, Harlow of Portland, Lyford of Eddington, Mason of Lisbon, Nadeau of Winslow, Reed of Carmel, Stearns of Guilford, Theriault of China, Wood of Greene

NAYS 0

ABSENT 2 Sen. Carpenter of Aroostook, Sen. Woodsome of York

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Matthew E. Thurston of Gorham, for reappointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Scott W. Cyrway
Senate Chair

S/Robert S. Duchesne
House Chair

READ and ORDERED PLACED ON FILE.

The Chair noted the absence of the Senator from York, Senator **CHENETTE**, and the Senator from Penobscot, Senator **CUSHING**, 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 **INLAND FISHERIES AND WILDLIFE** 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 (#481)

YEAS: Senators: None

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

EXCUSED: Senators: CARSON, CHENETTE, CUSHING, DION, HILL, VITELLI

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 **Matthew E. Thurston** of Gorham for reappointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 754

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

January 16, 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 Inland Fisheries and Wildlife has had under consideration the nomination of Shawn J. Sage of Hollis Center, for appointment to the Inland Fisheries and Wildlife Advisory Council.

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	Cyrway of Kennebec
	Representatives	10	Duchesne of Hudson, Alley of Beals, Harlow of Portland, Lyford of Eddington, Mason of Lisbon, Nadeau of Winslow, Reed of Carmel, Stearns of Guilford, Theriault of China, Wood of Greene
NAYS		0	
ABSENT		2	Sen. Carpenter of Aroostook, Sen. Woodsome of York

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Shawn J. Sage of Hollis Center, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Scott W. Cyrway
Senate Chair

S/Robert S. Duchesne
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** 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 (#482)

YEAS: Senators: None

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

EXCUSED: Senators: CARSON, CHENETTE, CUSHING, DION, HILL, VITELLI

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 **Shawn J. Sage** of Hollis Center for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 755

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

January 16, 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 Inland Fisheries and Wildlife has had under consideration the nomination of Lawrence D. Farrington of Greenville Jct., for reappointment to the Inland Fisheries and Wildlife Advisory Council.

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 Cyrway of Kennebec
 Representatives 9 Duchesne of Hudson, Alley of Beals, Harlow of Portland, Lyford of Eddington, Mason of Lisbon, Nadeau of Winslow, Reed of Carmel, Stearns of Guilford, Wood of Greene
 NAYS 0
 ABSENT 3 Sen. Carpenter of Aroostook, Sen. Woodsome of York, Rep. Theriault of China

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 **Lawrence D. Farrington** of Greenville Jct. for reappointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 756

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Lawrence D. Farrington of Greenville Jct., for reappointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,
 S/Scott W. Cyrway Senate Chair
 S/Robert S. Duchesne House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** 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 (#483)

YEAS: Senators: None
 NAYS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CHIPMAN, COLLINS, CYRWAY, DAVIS, DESCHAMBAULT, DIAMOND, DILL, DOW, GRATWICK, HAMPER, JACKSON, KATZ, KEIM, LANGLEY, LIBBY, MAKER, MASON, MILLETT, MIRAMANT, ROSEN, SAVIELLO, VOLK, WHITTEMORE, WOODSOME, PRESIDENT THIBODEAU
 EXCUSED: Senators: CARSON, CHENETTE, CUSHING, DION, HILL, VITELLI

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

January 16, 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 Inland Fisheries and Wildlife has had under consideration the nomination of Brian D. Smith of East Machias, for appointment to the Inland Fisheries and Wildlife Advisory Council.

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 Cyrway of Kennebec
 Representatives 10 Duchesne of Hudson, Alley of Beals, Harlow of Portland, Lyford of Eddington, Mason of Lisbon, Nadeau of Winslow, Reed of Carmel, Stearns of Guilford, Theriault of China, Wood of Greene
 NAYS 0
 ABSENT 2 Sen. Carpenter of Aroostook, Sen. Woodsome of York

Eleven members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Brian D. Smith of East Machias, for appointment to the Inland Fisheries and Wildlife Advisory Council be confirmed.

Signed,

S/Scott W. Cyrway
Senate Chair

S/Robert S. Duchesne
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **INLAND FISHERIES AND WILDLIFE** 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 (#484)

YEAS: Senators: None

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

EXCUSED: Senators: CARSON, CHENETTE, CUSHING, DION, HILL, VITELLI

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 **Brian D. Smith** of East Machias for appointment to the Inland Fisheries and Wildlife Advisory Council was **CONFIRMED**.

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

The Following Communication: S.C. 757

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

January 16, 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 Judiciary has had under consideration the nomination of Deborah L. Whitworth of Portland, for reappointment to the Maine Human Rights Commission.

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

YEAS	Senators	2	Keim of Oxford, Whittemore of Somerset
	Representatives	10	Moonen of Portland, Babbidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Guerin of Glenburn, Johansen of Monticello, McCreight of Harpswell, Reckitt of South Portland, Sherman of Hodgdon
NAYS		0	
ABSENT		1	Sen. Hill of York

Twelve 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 Deborah L. Whitworth of Portland, for reappointment to the Maine Human Rights Commission be confirmed.

Signed,

S/Lisa Keim
Senate Chair

S/Matthew W. Moonen
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **JUDICIARY** 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 (#485)

YEAS: Senators: None

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

EXCUSED: Senators: CARSON, CHENETTE, CUSHING, DION, HILL, VITELLI

No Senator having voted in the affirmative and 29 Senators having voted in the negative, with 6 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 **Deborah L. Whitworth** of Portland for reappointment to the Maine Human Rights Commission was **CONFIRMED**.

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

The Following Communication: S.C. 749

**STATE OF MAINE
SUPREME JUDICIAL COURT
PORTLAND, ME**

January 11, 2018

The Honorable Michael D. Thibodeau
President of the Senate
3 State House Station
Augusta, Maine 04333-0003

The Honorable Sara Gideon
Speaker of the House
2 State House Station
Augusta, Maine 04333-0002

Dear President Thibodeau and Speaker Gideon:

I am pleased to accept your invitation to address a Joint Convention of the 128th Maine Legislature on Tuesday, February 27, 2018, at 11:00 a.m. I appreciate the courtesy of the Legislative Branch of government in inviting me to address the cause of justice in Maine.

I look forward to seeing you on February 27, 2018.

Sincerely,

S/Leigh I. Sauffley
Chief Justice

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 750

**DEPARTMENT OF DEFENSE, VETERANS
AND EMERGENCY MANAGEMENT
33 STATE HOUSE STATION
CAMP KEYES, AUGUSTA, MAINE**

January 12, 2018

The Honorable Michael D. Thibodeau President of the Senate
3 State House Station
Augusta, Maine 04333-0003

Dear Senator Thibodeau:

As the Commissioner of the Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 128th Maine Legislature on Tuesday, February 20, 2018 at 11:00 a.m.

Sincerely,

S/Major General Douglas A. Farnham
Commissioner and Adjutant General

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 748

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

January 11, 2018

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 Appropriations and Financial Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 953 An Act To Authorize a General Fund Bond Issue To Support the Biomass Industry

This is notification of the Committee's action.

Sincerely,

S/Sen. James M. Hamper
Senate Chair

S/Rep. Drew M. Gattine
House Chair

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

The Following Communication: S.C. 751

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

January 16, 2018

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

Dear President Thibodeau and Speaker Gideon:

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

- L.D. 1515 An Act To Reduce Electric Rates for Maine Businesses by Amending the Laws Governing Spending from the Regional Greenhouse Gas Initiative Trust Fund
- L.D. 1632 An Act To Establish the Manufacturing Jobs Energy Program

This is notification of the Committee's action.

Sincerely,

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

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

The Following Communication: S.C. 752

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

January 16, 2018

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

Dear President Thibodeau and Speaker Gideon:

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

- L.D. 821 An Act To Enact the Revised Uniform Unclaimed Property Act
- L.D. 1355 An Act To Ensure the Timely and Proper Completion of Residential Foreclosures
- L.D. 1658 An Act To Make Criminal History Record Information Maintained in a Database Confidential

This is notification of the Committee's action.

Sincerely,

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

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

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

SENATE PAPERS

Bill "An Act To Ensure Propane Delivery during Emergencies" (EMERGENCY)

S.P. 671 L.D. 1793

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative FAY of Raymond and Senators: President THIBODEAU of Waldo, VOLK of Cumberland, Representatives: BRYANT of Windham, COREY of Windham, MAREAN of Hollis.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

On motion by Senator **KEIM** of Oxford, **REFERRED** to the Committee on **JUDICIARY**.

Ordered sent down forthwith 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.

Off Record Remarks

On motion by Senator **MASON** of Androscoggin, **ADJOURNED**, pursuant to the Joint Order, until Tuesday, January 23, 2018 at 10:00 in the morning.