

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
Tuesday
February 27, 2018

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

Prayer by Rabbi Darah R. Lerner, Congregation Beth El in
Bangor.

RABBI LERNER: This morning I offer words originally given by
my colleague and my mentor Rabbi Joseph Black. Our God and
God of all people. God of the rich and God of the poor. God of
the teacher and God of the student. God of the families who wait
in horror. God of the dispatcher who hears screams of terror from
under bloodied desks. God of the first responder who bravely
creeps through ravaged hallways. God of the doctor who treats
the wounded. God of the rabbi, pastor, imam or priest who seeks
words of comfort but comes up empty. God of the young girl who
sees her classmates die in front of her. God of the weeping,
raging, inconsolable father who screams at the sight of his child's
lifeless body. God of the shattered communities torn apart by
senseless violence. God of the legislators paralyzed by fear,
partisanship, money and undue influence. God of the right. God
of the left. God who hears our prayers. God who does not
answer. On this day, when we are all still reeling from the
eighteenth school shooting in our nation less than two months
into this new year, I do not feel like praying. Our prayers have not
stopped the bullets. Our prayers have changed nothing. Once
again a disturbed man with easy access to guns has squinted
through the sight of a weapon, aimed, squeezed a trigger, and
taken out his depraved anger, pain, and frustration on innocents,
pure souls. Students and teachers, brothers and sisters, mothers
and fathers, cut down in an instant by the power of hatred and
technology. We are guilty, O God. We are guilty of inaction. We
are guilty of complacency. We are guilty of allowing ourselves to
be paralyzed by politics. The blood of our children cries out from
the ground. The blood of police officers cut down in the line of
duty flows through our streets. I do no appeal to You, O God, on
this terrible morning to change us. We can only do that
ourselves. Our enemies do not come only from far away places.
The monsters we fear live among us. May those in this room,
who have the power to make a change, find the courage to seek
a pathway to sanity and to hope. May we hold ourselves and our
leaders accountable, and only then will our prayers be worthy of
an answer. Amen.

Pledge of Allegiance led by Senator Everett B. Carson of
Cumberland County.

Reading of the Journal of Thursday, February 22, 2018.

Doctor of the day, Senator Geoffrey M. Gratwick of Penobscot
County.

Off Record Remarks

Out of order and under suspension of the Rules, on motion by
Senator **MASON** of Androscoggin, the following Senate Order:
S.O. 27

Ordered, that a message be sent to the House of Representatives
proposing a Convention of the two branches of the Legislature be
held at 10:45 this morning in the Hall of the House for the purpose
of welcoming the Honorable Leigh Ingalls Saufley, Chief Justice
of the Supreme Judicial Court, the Justices of the Supreme
Judicial Court, and members of the Judiciary, and request the
Chief Justice make such communication as pleases her.

READ and PASSED.

The Chair appointed the Senator from Androscoggin, Senator
MASON, to deliver the message to the House of Representatives.
The Senator was escorted to the House of Representatives.

Subsequently, the Senator from Androscoggin, Senator **MASON**,
reported that he had delivered the message with which he was
charged.

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

The President took a seat on the Floor.

The Senate was called to order by President Pro Tempore
ROGER J. KATZ of Kennebec County.

PAPERS FROM THE HOUSE

Joint Resolution

The following Joint Resolution:

H.P. 1281

**JOINT RESOLUTION
RECOGNIZING FEBRUARY 22, 2018 AS
MULTIPLE SCLEROSIS AWARENESS DAY IN MAINE**

WHEREAS, multiple sclerosis is a neurological disease of
the central nervous system affecting 2,300,000 people worldwide;
and

WHEREAS, the National Multiple Sclerosis Society - Greater New England Chapter reports that in Maine more than 3,000 people are living with multiple sclerosis, that the disease generally strikes people between ages 20 to 50 and that the cause and course of the often debilitating symptoms of multiple sclerosis remain unknown with no cure currently existing; and

WHEREAS, the National Multiple Sclerosis Society has been committed for more than 70 years to a world free of multiple sclerosis, and the society raises public knowledge about and insight into the disease; and

WHEREAS, since 1946 the National Multiple Sclerosis Society has been a driving force in multiple sclerosis research, pursuing prevention, treatments and a cure, and has invested more than \$900,000,000 in groundbreaking research; and

WHEREAS, funds raised through the National Multiple Sclerosis Society include \$42,100,000 in funding for 380 research projects at medical centers, universities and other institutions throughout the United States and abroad, leading to many breakthroughs in the treatment of multiple sclerosis; and

WHEREAS, stopping the progress of multiple sclerosis, restoring what has been lost and ending multiple sclerosis forever is the mission of the National Multiple Sclerosis Society and one that all should support; 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 February 22, 2018 as Multiple Sclerosis Awareness Day, to recognize the importance of finding the cause and cure of multiple sclerosis and to express our appreciation for the dedication that the National Multiple Sclerosis Society - Greater New England Chapter has shown towards creating a world free of multiple sclerosis; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Greater New England Chapter of the National Multiple Sclerosis Society.

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

READ and **ADOPTED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 859

**STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT**

February 23, 2018

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

Dear Secretary Priest:

Pursuant to my authority under Joint Rule 353, H.P. 806, I am pleased to appoint Senator Roger Katz of Augusta to the Maine Bicentennial Commission, effective the date of this letter. Senate Katz will serve as my designee to the Commission.

Sincerely,

S/Michael D. Thibodeau
President of the Senate

READ and **ORDERED PLACED ON FILE**.

The Following Communication: S.C. 860

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

February 14, 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 Insurance and Financial Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1753 An Act To Protect Consumers from Bank
Overdraft Fees by Prohibiting the
Resequencing of Withdrawal Transactions

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**.

The Following Communication: S.C. 861

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

February 20, 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 Transportation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1750 An Act To Allow the Operation of Autocycles on Roads in Maine

This is notification of the Committee's action.

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Andrew J. McLean
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 Provide the State the Right of First Refusal for the Purchase of Certain Land on Which a Subsidy Has Been Paid"
S.P. 698 L.D. 1844

Presented by Senator JACKSON of Aroostook.
Cosponsored by Representative MARTIN of Eagle Lake and Senators: CARPENTER of Aroostook, DAVIS of Piscataquis, DILL of Penobscot, SAVIELLO of Franklin, Representatives: DUNPHY of Old Town, FREDETTE of Newport, GOLDEN of Lewiston, TIMBERLAKE of Turner.
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

Senator **DOW** of Lincoln moved to **REFER** to the Committee on **TAXATION.**

Senate at Ease.

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

Senator **DOW** of Lincoln requested and received leave of the Senate to withdraw his motion to **REFER** to the Committee on **TAXATION.**

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

At this point a message was received from the House of Representatives, borne by Representative GOLDEN of Lewiston, informing the Senate that the House concurred with the proposition for a Convention of the two branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of welcoming the Honorable Leigh Ingalls Saufley, Chief Justice of the Supreme Judicial Court, the Justices of the Supreme Judicial Court, and members of the Judiciary, and request the Chief Justice make such communication as pleases her.

Off Record Remarks

Senate at Ease.

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

Off Record Remarks

Senate at Ease.

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

At this point the Senate retired to the Hall of the House where a Joint Convention was formed.

Following the Joint Convention the Senate was called to order in the Senate Chamber by the President.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **TAXATION** on Bill "An Act To Improve the Effectiveness of the New Markets Capital Investment Credit"
H.P. 1240 L.D. 1796

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

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

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

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

Ought to Pass As Amended

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Implement Recommendations Resulting from a State Government Evaluation Act Review of the Board of Environmental Protection by the Joint Standing Committee on Environment and Natural Resources"
H.P. 1253 L.D. 1807

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-600)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-600)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-600) **READ**.

Senate at Ease.

The Senate was called to order by the President.

Committee Amendment "A" (H-600) **ADOPTED**, in concurrence.

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

The Committee on **TAXATION** on Bill "An Act To Create an Access to Justice Income Tax Credit"
H.P. 1168 L.D. 1680

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-601)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-601)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-601) **READ** and **ADOPTED**, in concurrence.

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

Senate

Ought to Pass

Senator WOODSOME for the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Amend the Charter of the Lisbon Water Department"
S.P. 681 L.D. 1814

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

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

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

Sent down for concurrence.

Senator CYRWAY for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act Regarding the Penalties for Hunting Deer over Bait"
S.P. 684 L.D. 1816

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

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

Bill **READ ONCE**.

ASSIGNED FOR SECOND READING NEXT LEGISLATIVE DAY.

Ought to Pass As Amended

Senator DAVIS for the Committee on **STATE AND LOCAL GOVERNMENT** on Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell, Lease or Convey the Interests of the State in Certain Real Property Located in Augusta, Bangor, Bucksport, Limestone, Brookton Township, Penobscot County Unorganized Territory and Rockwood Strip Township
S.P. 673 L.D. 1804

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-367)**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-367) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers" S.P. 610 L.D. 1653

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-366)**.

Signed:

Senators:

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:

Senator:

HAMPER of Oxford

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-366) **READ** and **ADOPTED**.

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

Sent down for concurrence.

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Support Vulnerable Seniors by Funding Assisted Living Programs

S.P. 641 L.D. 1742

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-364)**.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
MADIGAN of Waterville
McCREIGHT of Harpswell
PARKER of South Berwick
PERRY of Calais

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

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Authorizing the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians To Benefit from the Operation of an Existing Casino"

S.P. 560 L.D. 1590

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

Signed:

Senators:

MASON of Androscoggin
COLLINS of York

Representatives:

LUCHINI of Ellsworth
DILLINGHAM of Oxford
FARRIN of Norridgewock
HANINGTON of Lincoln
SCHNECK of Bangor
WHITE of Washburn

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (S-365)**.

Signed:

Senator:

CARPENTER of Aroostook

Representatives:

CASÁS of Rockport
HICKMAN of Winthrop
LONGSTAFF of Waterville
MONAGHAN of Cape Elizabeth

Reports **READ**.

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

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

Senator **CARPENTER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise to oppose my friend from Androscoggin County, Senator Mason. I will briefly explain why. This bill is a matter of simple fairness, nothing else. I don't believe any of us were here when the original cascade was enacted into law for the Oxford Casino. Now I want to emphasize, this is only to do with the Oxford Casino, and the Oxford Casino does not oppose this bill. The Oxford cascade says 4% of the proceeds go to two Indian tribes, Native American tribes, Penobscot Nation and Passamaquoddy Tribes, 2% to each. This bill simply does one thing. It redistributes that 4%. It doesn't add to the 4%. It simple says all four federally recognized tribes in Maine, and there are four of them, all four of them will get 1%. So the net effect of this will be to take money away from the Penobscot Nation and the Passamaquoddy Tribe. I don't deny

that. But it will give that money that you are taking away to my two tribes, which are every bit as deserving of this money as the other two tribes. I wish it were not so. I wish we had more money that we could give from this cascade. We opted not to open up the cascade, and I think that is the fear of some of the opponents of this bill, that is if you pass this piece of legislation that you will be opening up the cascade. It does not. I will say it again, it does not affect the Hollywood Slots Casino in Bangor because their cascade does not include the same, or any percentage, with the native tribes. This simple takes the existing 4% and redistributes that money to all four tribes. It is a matter of simple fairness. Mr. President, I request the roll be taken, it will be taken with the yeas and the nays.

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

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

Senator **MASON:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, I would like to thank my colleague from Aroostook for stating his points on the bill and why he is opposed, and while he is right on the description of the bill and what that would do and the fact that Oxford Casino does not oppose it, there are two reasons that I stand with my original vote in committee. First of all, when you start to open up the cascade for either casino I think you start to run into a lot of dangers. I think people might start to run to the casino cascade to fund different projects, whatever they may be. The second is that the tribes could not come to an agreement and fluctuated on their responses towards what this bill was all about. So with no agreement among the tribes, I don't know that we should move forward something like this at this time. So I urge the Body to join me on the Ought Not to Pass motion. Thank you.

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

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. 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 (#515)

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

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

EXCUSED: Senators: COLLINS, CUSHING, DESCHAMBAULT, MIRAMANT

17 Senators having voted in the affirmative and 14 Senators having voted in the negative, with 4 Senators being excused, the motion by Senator **MASON** of Androscoggin to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report **PREVAILED**.

Sent down for concurrence.

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

ENACTORS

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

Emergency Measure

An Act To 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
(C "A" H-582)

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 being more than two-thirds of the entire elected Membership of the Senate, was **PASSED TO BE ENACTED** and, having been signed by the President, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapters 126 and 261: Immunization Requirements for School Children, Joint Major Substantive Rules of the Department of Education and the Department of Health and Human Services

H.P. 1148 L.D. 1664

This being an Emergency Measure and having received the affirmative vote of 29 Members of the Senate, with 2 Senators having voted in the negative, and 29 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.

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

Emergency Resolve

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services
H.P. 1245 L.D. 1800

This being an Emergency Measure and having received the affirmative vote of 32 Members of the Senate, with no Senator having voted in the negative, and 32 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 the Laws Affecting the Judicial Branch Regarding Railroad Trespass Civil Violations and Fines for Civil Violations

H.P. 1166 L.D. 1678
(C "A" H-591)

An Act To Ensure Stability for Certain Holders of Liquor Licenses

H.P. 1205 L.D. 1725
(C "A" H-585)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2019

S.P. 662 L.D. 1777
(C "A" S-351)

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

An Act Authorizing the Deorganization of Cary Plantation
H.P. 560 L.D. 780
(C "A" H-592)

Sent down for concurrence.

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

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

An Act To Provide Funding for the Maine Bicentennial Commission

H.P. 1176 L.D. 1696
(C "A" H-586)

Off Record Remarks

Senator **LIBBY** of Androscoggin was granted unanimous consent to address the Senate on the Record.

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

Senator **LIBBY**: Thank you Mr. President. I rise today to speak on behalf of the Senator from Biddeford, Senator Deschambault, who cannot be here today, but she would have liked to have said a few words on behalf of her constituent Deane "Kenny" Stryker, a first year medical student at the University of New England in her district. Ms. Stryker's life was violently cut short this weekend while she was studying in her hometown library in Winchester, Massachusetts. Our hearts go out to Ms. Stryker's classmates, professors, friends, and family, and the entire UNE community. She was a promising student at the College of Osteopathic Medicine. The President of UNE stated that 'she was an advocate for domestic violence and mental health awareness, and an active member of her college community.' We all mourn the loss of her life and what she would have brought to the world. Mr. President, I request that when the Senate adjourns today, it does so in honor and lasting tribute to Deane "Kenny" Stryker.

Resolve

Resolve, To Provide Meals to Homebound Individuals
H.P. 483 L.D. 692
(C "A" H-578)

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

ORDERS OF THE DAY

Unfinished Business

The following matter in the consideration of which the Senate was engaged at the time of Adjournment had preference in the Orders of the Day and continued with such preference until disposed of as provided by Senate Rule 516.

The Chair laid before the Senate the following Tabled and Later Assigned (2/8/18) matter:

Emergency Measure

Bill "An Act To Amend the Laws Governing Expedited Permitting for Wind Energy Development" (EMERGENCY)
H.P. 1255 L.D. 1810

Tabled - February 8, 2018 by Senator **WOODSOME** of York

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.)

On motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in **NON-CONCURRENCE**.

Off Record Remarks

Senator **CARSON** of Cumberland was granted unanimous consent to address the Senate on the Record.

Senator **CARSON**: Thank you, Mr. President. Ladies and gentlemen of the Senate, I rise today to speak in memory of the students and faculty who lost their lives in Parkland, Florida on February 14th, and in honor of those students from the Marjory Stoneman Douglas High School who are carrying the torch for their fallen students and friends for the cause of safer schools and a safer society. Today it was an honor and a privilege for me to lead the pledge here in this Body, standing with you all. I also want you to know that I feel very lucky to be here today because 49 years ago today I was wounded, shot, on a hilltop on the border between Vietnam and Laos while serving in the Marines. I want to come back briefly at the end, and I will do my best to be brief, to speak about the Parkland shooting, but I just want to tell you a little bit about that day. I had trained, as some of you know, in the Marines, having dropped out of college and enlisted. I went to Parris Island. I went Camp Lejeune, and I was trained in Quantico. So it was a full year in training with the Marine Corp before I landed in Vietnam to take command of a platoon of Marine soldiers in Northwest Vietnam where we were fighting directly with the North Vietnamese soldiers. There was a time,

ladies and gentlemen, when I could assemble, disassemble, and then assemble an M-14, an M-16, an M-79 Grenade Launcher, all in utter darkness because that was something we might have to do. All of that training never prepared me for the noise, the chaos, the utter mayhem of combat when I got to Vietnam in October of 1968.

I want to read you briefly from an essay penned by a radiologist, Dr. Heather Sher, from *The Atlantic Monthly* of February 22nd. 'What I saw treating the victims from Parkland should change the debate on guns. As I opened the CT scan last week to read the next case, I was baffled. The history simply read 'gunshot wound.' I have been a radiologist in one of the busiest trauma centers in the United States for 13 years, and have diagnosed thousands of handgun injuries to the brain, lung, liver, spleen, bowel, and other vital organs. In a typical handgun injury, which I diagnose almost daily, a bullet leaves a laceration through an organ such as the liver. To a radiologist it appears as a linear, thin, gray bullet track through the organ. There may be bleeding, and some bullet fragments. I was looking at a CT scan of one of the mass-shooting victims from Marjory Stoneman Douglas High School, who had been brought to the trauma center during my call shift. The organ looked like an overripe melon smashed by a sledgehammer, and was bleeding extensively. How could a gunshot wound have caused this much damage? The reaction in the emergency room was the same. One of the trauma surgeons opened a young victim in the operating room, and found only shreds of an organ that had been hit by a bullet from an AR-15, a semiautomatic rifle that delivers a devastatingly lethal, high velocity bullet to the victim. Nothing was left to repair, and utterly, devastatingly, nothing could be done to fix the problem. The injury was fatal.'

I was hit by a bullet from a similar rifle, or weapon. I never saw the man who shot me. I presume it was an AK-47 in the hands of the North Vietnamese soldier. It was a sickening thud, and then there was blood everywhere, and I didn't realize at first that I was the one who had been hit. A corpsman, Navy Corpsman, to whom I owe my life, materialized out of nowhere, very, very quickly, applied a battle dressing, applied a tourniquet, stopped the bleeding, and I stayed awake. I stayed conscious. He wanted to give me morphine because he was anticipating I would go into shock and perhaps lose consciousness, and I said, 'You can't do that. I have got to get our guys out of here.' It's a longer story, but I was the only seasoned, at that point, combat veteran who could get the squad that had been ambushed back into our perimeter, to some measure of safety. So I called in artillery, something I had been trained to do but I had never actually done before, to walk the artillery right up to where we were, and then have it leap over us. We escaped with some casualties for sure. I got back to the perimeter. That corpsman stayed up with me all night, and he said, 'Lieutenant, you are going back to the world,' and I will confess to you that I was ready. I was ready to go home. I got great care in the hospital ship sanctuary, ten days, another two weeks at the Guam Naval Hospital, and another four months at Bethesda Naval Hospital. Fought little over 5 months for a single gunshot wound from an assault-style weapon, and I am really lucky to be standing here with you all today. I tell you this story because I think it is important that when we deal with the issue of gun violence and school shootings, we try not to do it from a political 'what's right according to this group, what's not right according to that group', but based on some acknowledgement and recognition of that fact that these are guns, these are weapons, that are designed for

military purposes. They are designed not for hunting, but for killing and, in fact, for killing human beings and down the road, I doubt very much it will happen this year, but down the road we need to say, or whoever is standing in this Chamber needs to say, these kinds of weapons have no place in our civilized society. Thank you, Mr. President.

Off Record Remarks

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Thursday, March 1, 2018 at 10:00 in the morning in memory of and lasting tribute to Deane "Kenny" Stryker of Winchester, Massachusetts.