

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
March 1, 2018

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

Prayer by Pastor Brian Casey, North Windsor Baptist Church.

PASTOR CASEY: Would you please join me in prayer, and those who would prefer not to would you please observe a moment of silence as we pray. Dear Heavenly Father, God, Almighty God, we thank You for this opportunity that we have here this morning to stand here in Your presence, to take care of the business that needs to be taken care of in this great State of Maine, a state, a part of the United States of America represented by our great Constitution. And, Lord, we just pray that as we pass the laws and do the things that need to be done here, that You will lead, guide, and direct in every step that we take. We thank You so much, Lord, for the representation of the citizenship here because we are all citizens. Young and old, we pray that they will learn something new today because they were here. We pray these things in Your holy name. Amen.

Pledge of Allegiance led by Senator Joyce A. Maker of
Washington County.

Reading of the Journal of Tuesday, February 27, 2018.

Doctor of the day, Cathleen London, M.D. of Milbridge.

Off Record Remarks

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

Out of order and under suspension of the Rules, on motion by Senator **MASON** of Androscoggin, the following Joint Order:
S.P. 699

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, March 6, 2018 at 10:00 in in the morning.

READ and PASSED.

Ordered sent down forthwith for concurrence.

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Provide Incentives To Attract Trained Firefighters to Maine and To Retain Trained Firefighters by Expanding the Provision of Live Fire Service Training"
H.P. 1282 L.D. 1845

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

On motion by Senator **LANGLEY** of Hancock, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 867

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH, AND
ECONOMIC DEVELOPMENT**

February 22, 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 Labor, Commerce, Research and Economic Development has had under consideration the nomination of Bruce E. Wagner of Cumberland Foreside, for reappointment as the Chief Executive Officer, Finance Authority of Maine.

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 Bellows of Kennebec

 Representatives 10 Fecteau of Biddeford, Austin of Gray, Bates of Westbrook, Doore of Augusta, Handy of Lewiston, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Sylvester of Portland, Vachon of Scarborough

NAYS 0

ABSENT 2 Sen. Volk of Cumberland,
 Sen. Langley of Hancock

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 Bruce E. Wagner of Cumberland Foreside, for reappointment as the Chief Executive Officer, Finance Authority of Maine be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 (#516)

YEAS: Senators: None

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

EXCUSED: Senators: DESCHAMBAULT, HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 **Bruce E. Wagner** of Cumberland Foreside for reappointment as the Chief Executive Officer, Finance Authority of Maine was **CONFIRMED**.

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

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Bruce E. Wagner of Cumberland. Would he please rise and accept the congratulations of the Senate.

The Following Communication: S.C. 864

STATE OF MAINE ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE COMMITTEE ON LABOR, COMMERCE, RESEARCH, AND ECONOMIC DEVELOPMENT

February 22, 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 Labor, Commerce, Research and Economic Development has had under consideration the nomination of Renee E. Gray of Addison, for appointment to the Washington County Development Authority.

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 Bellows of Kennebec

 Representatives 9 Fecteau of Biddeford, Austin of Gray, Bates of Westbrook, Doore of Augusta, Handy of Lewiston, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Vachon of Scarborough

NAYS 0

ABSENT 3 Sen. Volk of Cumberland,
 Sen. Langley of Hancock,
 Rep. Sylvester of Portland

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Renee E. Gray of Addison, for appointment to the Washington County Development Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 (#517)

YEAS: Senators: None

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

EXCUSED: Senators: DESCHAMBAULT, HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 **Renee E. Gray** of Addison for appointment to the Washington County Development Authority was **CONFIRMED**.

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

The Following Communication: S.C. 865

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH, AND
ECONOMIC DEVELOPMENT**

February 22, 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 Labor, Commerce, Research and Economic Development has had under consideration the nomination of Julie A. Jordan of Baileyville, for appointment to the Washington County Development Authority.

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	Bellows of Kennebec
	Representatives	9	Fecteau of Biddeford, Austin of Gray, Bates of Westbrook, Doore of Augusta, Handy of Lewiston, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Vachon of Scarborough
NAYS		0	
ABSENT		3	Sen. Volk of Cumberland, Sen. Langley of Hancock, Rep. Sylvester of Portland

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Julie A. Jordan of Baileyville, for appointment to the Washington County Development Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 (#518)

YEAS Senators 1 Bellows of Kennebec

Representatives 9 Fecteau of Biddeford, Austin of Gray, Bates of Westbrook, Doore of Augusta, Handy of Lewiston, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Vachon of Scarborough

NAYS 0

ABSENT 3 Sen. Volk of Cumberland, Sen. Langley of Hancock, Rep. Sylvester of Portland

YEAS: Senators: None

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

EXCUSED: Senators: DESCHAMBAULT, HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 **Julie A. Jordan** of Baileyville for appointment to the Washington County Development Authority was **CONFIRMED**.

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

The Following Communication: S.C. 866

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH, AND
ECONOMIC DEVELOPMENT**

February 22, 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 Labor, Commerce, Research and Economic Development has had under consideration the nomination of Lewis M. Pinkham of Steuben, for reappointment to the Washington County Development Authority.

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:

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 Lewis M. Pinkham of Steuben, for reappointment to the Washington County Development Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 (#519)

YEAS: Senators: None

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

EXCUSED: Senators: DESCHAMBAULT, HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 **Lewis M. Pinkham** of Steuben for reappointment to the Washington County Development Authority was **CONFIRMED**.

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

The Following Communication: S.C. 868

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON LABOR, COMMERCE, RESEARCH, AND
ECONOMIC DEVELOPMENT**

February 22, 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 Labor, Commerce, Research and Economic Development has had under consideration the nomination of Ronald A. McAlpine of Crawford, for appointment to the Washington County Development Authority.

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	Bellows of Kennebec
	Representatives	9	Fecteau of Biddeford, Austin of Gray, Bates of Westbrook, Doore of Augusta, Handy of Lewiston, Lockman of Amherst, Mastraccio of Sanford, Stetkis of Canaan, Vachon of Scarborough
NAYS		0	
ABSENT		3	Sen. Volk of Cumberland, Sen. Langley of Hancock, Rep. Sylvester of Portland

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Ronald A. McAlpine of Crawford, for appointment to the Washington County Development Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

The President laid before the Senate the following: "Shall the recommendation of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** 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 (#520)

YEAS: Senators: None

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

EXCUSED: Senators: DESCHAMBAULT, HILL

No Senator having voted in the affirmative and 33 Senators having voted in the negative, with 2 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 **Ronald A. McAlpine** of Crawford for appointment to the Washington County Development Authority was **CONFIRMED**.

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

The Following Communication: S.C. 862

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

February 22, 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 Education and Cultural Affairs has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 334 An Act To Clarify the Uses of the Fund To Advance Public Kindergarten to Grade 12 Education

This is notification of the Committee's action.

Sincerely,

S/Sen. Brian D. Langley S/Rep. Tori P. Kornfield
Senate Chair House Chair

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

The Following Communication: S.C. 863

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

February 22, 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. 140 An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic Immigration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund

L.D. 1176 An Act To Ensure the Safety of Low-income Persons Who Are Deaf and Who Use Video and Captioned Phones by Providing Equitable Access to the Internet

L.D. 1373 An Act To Protect and Expand Access to Solar Power in Maine

L.D. 1686 An Act To Amend the Laws Regarding Distributed Energy Generation and To Eliminate Gross Metering (EMERGENCY)

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. 869

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

February 21, 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. 1793 An Act To Ensure Propane Delivery during Emergencies (EMERGENCY)

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 at Ease.

The Senate was called to order by the President.

ORDERS OF THE DAY

Out of order and under suspension of the Rules, the Chair laid before the Senate the following Tabled and Later Assigned (1/30/18) matter:

JOINT ORDER - Expression of Legislative Sentiment Recognizing Norman Elvin, of Palermo, who has received the Peter G. Thompson Lifetime Achievement Award from the Kennebec Valley Chamber of Commerce. We extend to Mr. Elvin our congratulations and best wishes;

SLS 674

Tabled - January 30, 2018 by Senator **KATZ** of Kennebec

Pending - **PASSAGE**

The Joint Order was **READ**.

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

Senator **KATZ:** Thank you, Mr. President. Men and women of the Senate, it's my honor to rise to recognize Norm Elvin and I thank you for your indulgence in this. Norm just got that Lifetime Achievement Award from the Kennebec Valley Chamber. Norm's a guy who grew up with not a lot and has been very fortunate, through his own hard work, that he's done very well in life. You may be familiar with G&E Roofing, which is one of the larger roofing companies in the state that Norm co-founded over 40 years ago. More of you may know the China Dine-ah out in China, Maine that Norm started in his retirement, if you will, from G&E Roofing. But he's a working man and we all know people who have been very successful in business and we know people who have been humble enough to use that for the benefit of others. I can't think of anybody who has done that more than Norm Elvin. Not only giving of his finances, but also spending most of his time, it seems to me as an outsider, raising money for many causes. The Augusta Food Bank, renovation of the Colonial Theater, the new Cony High School wouldn't look nearly the way it looks without Norm, Maine General Hospital, the YMCA in Augusta right down the street. People said we couldn't raise more than \$5 million and with Norm Elvin that campaign raised \$11 million to get that built. United Way Hospice, has donated beds for use for hospice patients. I don't know how old Norman is. I don't think he's old enough to get a Lifetime Achievement Award, but he's done a lifetime of work in a fairly short time. Norm and Theresa, my former neighbors, and we all make mistakes in life, Mr. President, and Norm Elvin is no exception. His one lapse in judgment was moving out of Augusta into Waldo County. But we will forgive him for that one indiscretion. He will always be an honorary citizen of Augusta, as will his wife and kids. So I'm proud to have this opportunity to congratulate my friend and neighbor, Norm Elvin. Thank you, Mr. President.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the Chamber today with us Norman and Theresa Elvin of the great County of Waldo. Would they please rise and accept the greetings of the Senate.

SENATE PAPERS

Bill "An Act To Ensure the Safe and Consistent Regulation of Pesticides throughout the State by Providing Exemptions to Municipal Ordinances That Regulate Pesticides"

S.P. 700 L.D. 1853

Presented by Senator SAVIELLO of Franklin. (GOVERNOR'S BILL)

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent down for concurrence.

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

REPORTS OF COMMITTEES

House

Pursuant to Statute

The Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Extend Arrearage Management Programs" H.P. 1285 L.D. 1848

Reported that the same be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, pursuant to the Maine Revised Statutes, Title 35-A, section 3214, subsection 2-A.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

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

Bill and accompanying papers **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, in concurrence.

Pursuant to Statute

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Amend the State's Electronic Waste Laws"

H.P. 1284 L.D. 1847

Reported that the same be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, pursuant to the Maine Revised Statutes, Title 38, section 1772, subsection 5.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**.

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

Bill and accompanying papers **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES**, in concurrence.

Pursuant to Statute

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Eliminate Inactive Boards and Commissions"

H.P. 1286 L.D. 1849

Reported that the same be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

Bill and accompanying papers **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, 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 Department of Environmental Protection by the Joint Standing Committee on Environment and Natural Resources"

H.P. 1254 L.D. 1808

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-608)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-608)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-608) **READ** and **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 **HEALTH AND HUMAN SERVICES** on Bill "An Act To Maintain Mental Health Staffing at the Dorothea Dix Psychiatric Center and Support Statewide Forensic Services"

H.P. 1150 L.D. 1665

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-602)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-602)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-602) **READ** and **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 **JUDICIARY** on Bill "An Act To Protect Persons Who Provide Assistance to Law Enforcement Dogs, Search and Rescue Dogs and Service Dogs"

H.P. 1196 L.D. 1716

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-579)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-579) AND HOUSE AMENDMENT "A" (H-612)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-579) **READ** and **ADOPTED**, in concurrence.

House Amendment "A" (H-612) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, Bill **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-579) AND HOUSE AMENDMENT "A" (H-612)**, in concurrence.

The Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Provide Alternative Repayment Methods to Employees Overcompensated through an Employer Error" H.P. 935 L.D. 1345

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-610).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-610).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-610) **READ** and **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 **STATE AND LOCAL GOVERNMENT** on Bill "An Act Authorizing the Deorganization of Codyville Plantation" H.P. 1160 L.D. 1673

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-609).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-609).**

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

Bill **READ ONCE.**

Committee Amendment "A" (H-609) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

The Majority of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Facilitate Wireless Broadband Deployment in Maine and Modify the Process for Issuing Utility Facility Location Permits" H.P. 1170 L.D. 1690

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

Signed:

Senator:
DION of Cumberland

Representatives:

BERRY of Bowdoinham
COOPER of Yarmouth
DeCHANT of Bath
HANLEY of Pittston
HARVELL of Farmington
O'CONNOR of Berwick
RILEY of Jay
RYKERSON of Kittery
SANBORN of Portland

The Minority of the same Committee on the same subject reported that the same **Ought To Pass.**

Signed:

Senator:
WOODSOME of York

Representative:
WADSWORTH of Hiram

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

Reports **READ.**

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

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Allow Tobacco Retail Establishments To Serve Alcohol" H.P. 923 L.D. 1329

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

Signed:

Senator:
CHIPMAN of Cumberland

Representatives:

HYMANSON of York
CHACE of Durham
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 To Pass as Amended by Committee Amendment "A" (H-603).**

Signed:

Senators:

BRAKEY of Androscoggin
HAMPER of Oxford

Representatives:

HEAD of Bethel
MALABY of Hancock
SANDERSON of Chelsea

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

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT**
the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-**
CONCURRENCE.

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

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women
of the Senate, if this bill sounds familiar that's because it is almost
identical to a bill that we defeated last year. This bill would allow
alcohol, which is something a lot of people like, to be paired
together with tobacco and be consumed in tobacco
establishments, smoking lounges, and it just takes the State in
the wrong direction. By allowing alcohol to be paired with
tobacco, in my mind, it makes tobacco more attractive and I don't
think that's what we want to do. It really just takes us in the
wrong direction. As I said, we did defeat this bill last year. I
believe the vote was 25-7 and I hope you will join me in defeating
it again this time. Thank you.

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

Senator **BRAKEY:** Thank you, Mr. President. I won't spend too
much time because, as the Senator from Cumberland points out,
this is similar to legislation that we've heard before and we've
been through this exercise before. I'll just say this, you know, this
really comes down to whether or not you believe that private
businesses should be able to set their own policies or you don't.
It comes down to whether or not you believe that adults over the
age of 21 should be able to make their own choices in regards to
tobacco and alcohol or you don't. I believe in a free society.
Private businesses have the right to make their own choices and
adult people have the right to make their own choices, even if I
don't always agree with those choices. So I'll be supporting the
motion. I invite anyone who believes in the right of private
businesses to make their own choices and for adult citizens to
make their own choices to join me. Thank you.

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

Senator **CYRWAY:** Thank you, Mr. President. Ladies and
gentlemen of the Senate, I'll make it brief as well. I just want to
let you know that this could also open the door for smoking
marijuana in those lounges and I certainly think that this is
heading in the wrong direction for our kids and our families and I
think that this is not the way to go. Thank you.

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

Senator **BRAKEY:** I'll just say to the concern expressed by my
good colleague from Kennebec County that was never brought up
as a concern in any of this. If there is a technical error with the
language that could be read that way, I'm certain we could
remedy that if this Body did pass this motion.

THE PRESIDENT: Just for clarity sake, everybody is aware that
we are on item 5-10 in your printed calendar. It's L.D. 1329. The
pending question before the Senate is Acceptance of Committee
Amendment "A", which is the only report the Secretary wants
folks to know. Is the Senate ready for the question? A roll call
has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#521)

YEAS: Senators: BRAKEY, CUSHING, HAMPER, MASON,
MIRAMANT

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

EXCUSED: Senators: DESCHAMBAULT, HILL

5 Senators having voted in the affirmative and 28 Senators
having voted in the negative, with 2 Senators being excused, the
motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the
Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-**
CONCURRENCE, FAILED.

The Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in
concurrence.

Divided Report

The Majority of the Committee on **HEALTH AND HUMAN**
SERVICES on Bill "An Act To Reduce the Cost of Care Resulting
from Blood-borne Infectious Diseases" (EMERGENCY)
H.P. 1187 L.D. 1707

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-604)**.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HYMANSON of York
DENNO of Cumberland
HEAD of Bethel
MADIGAN of Waterville
MALABY of Hancock
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
SANDERSON of Chelsea

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-604)**.

Reports **READ**.

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

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

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, as we all know, we are in the middle of a huge crisis right now with opioids in this state and this bill will go a long ways towards helping address that. This bill was recommended by the Opioid Task Force as a way to reduce blood borne infectious diseases. According to the CDC, Maine has the highest - fifth highest rate of Hepatitis C in the United States, which is four times the national average. And, as we all know, the saying goes an ounce of prevention helps avoid a pound of pain and in this case the pain is the \$18 to \$24 million the State of Maine has spent treating Hepatitis C since 2015, according to the Director of MaineCare. So I urge you to please join me in

opposing this motion so we can pass this bill and take some action on this issue. Thank you.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen of the Senate, I rise just briefly on this topic. This issue has been around in the medical circles since the 1970s. There's really very little written about it since the late 1980s. The issue has been decided. This saves lives and it saves money. The issue here, for me, is the moral one. Are we going to continue to blame people who have substance abuse disorder for ever and ever for that bad decision? Admittedly, it was a bad decision, the first one or two times you've used opioids. Are we going to continue to blame them for the rest of their life given the fact their brains are different? I think we've all heard this many times now, once you're addicted to opioids your brain is not the same. It is a different brain. You are a different person. You need help in a different way. The medical establishments feels very strongly that this is a way to save money, not just with Hepatitis C treatment which costs anywhere from \$50,000 to \$80,000 per year per patient up to \$500,000 to \$600,000 for a liver transplant. That is big money and we're talking much more amounts of money here. Hepatitis is one problem. One thing that I've seen a significant amount earlier in my career, endocarditis. That is heart infections from contaminated needles. Endocarditis - 4 to 6 weeks in the hospital or with intravenous antibiotics. Very expensive. I think this is an issue where we want to talk about being pragmatic and trying to help these people get back on their feet and save society large amounts of money as well. Thank you, Mr. President.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in support of the motion before us and I just want to start with a comment made by my colleague from Cumberland County. He said that the Opioid Task Force recommended this and I think he's in error. Perhaps someone from the Opioid Task Force could speak to that better. But as I recall, the Opioid Task Force discussed this issue but made no formal recommendation on the issue of needle exchanges. So I just want to start with that. But let me, as a second point, I'll say exactly what my personal belief is when it comes to needle exchanges. My personal belief is that - it's probably much in line with the personal belief of my good colleagues, the Senators who have already spoken. My personal belief is that needle exchanges do, in fact, play a valuable public health and harm reduction service by preventing disease and connecting those suffering from addiction with treatment when they're ready to seek out treatment. I agree with all of that and if I was being asked to write a personal check from my own personal checkbook to support some of these organizations I would do so. In fact, I have an offer out right now. I'm still waiting for them to tell me where to send the check. When they tell me where to send it I'll send one. But I agree with the Senator from Penobscot County that this is a moral issue. That's my moral belief. That's what I believe about this. But I also recognize that we're not talking about spending my money or our money. We're talking about spending the money of the Maine taxpayers and I personally know many Maine taxpayers who do not agree and

have deep moral qualms with the idea of their money that they have worked hard to earn going towards needle exchanges and I do not feel right taking their money that they have worked hard to earn and putting it towards a cause that they find morally objectionable. I think that that is disrespectful to those who have earned it. So it should be noted that needle exchanges in the state - there are needle exchanges that exist. They are voluntarily funded through people making voluntary donations and they can continue to be done so in that way. So I would suggest, you know, any member of this Body, or any person listening in, who believes in these organizations pull out your personal checkbook and let's write some checks to support them. But we do not - I do not believe that we have the right to take the money from those who have earned it who have moral objections to these programs. Thank you.

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

Senator **CUSHING:** Thank you, Mr. President. Mr. President, I rise in support of this motion. As the co-chair of the Task Force addressing the opioid crisis, I would like to confirm that we did address this subject in discussion but we did not make it a recommendation of the Task Force. I concur with the Chair of Health and Human Services, the good Senator from Androscoggin, that this is an important factor when appropriately applied and when funded through the appropriate measures. To use State funds in this manner without assuring that there are the collaborative services in place to give people the support that they need to overcome any substance use or addiction issues is critical as we address this crisis and I would urge my colleagues to reflect on that and support the pending motion. Thank you, Mr. Chairman.

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

Senator **CHIPMAN:** Thank you, Mr. President. Men and women of the Senate, I'd just like to clarify that while the Task Force may not have formally voted to recommend this, it was discussed at length and was supported by several of the members on the Task Force and, to my good friend from Androscoggin's point of view, the taxpayer and the cost to the taxpayer, this is a significant cost to the taxpayer in terms of treating Hepatitis C, as I mentioned, \$18 to \$24 million a year spent treating Hepatitis C. This bill asks for \$75,000, which will go for a long way towards avoiding the spread of Hepatitis C and other diseases. So it's, again, it's that whole argument of an ounce of prevention avoiding a pound of pain. I urge you to please join me in defeating this motion. Thank you.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Ought Not to Pass, the Minority 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 (#522)

YEAS: Senators: BRAKEY, COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, KEIM, MASON, ROSEN, SAVIELLO, WHITEMORE, PRESIDENT THIBODEAU

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DIAMOND, DILL, DION, GRATWICK, JACKSON, KATZ, LANGLEY, LIBBY, MAKER, MILLETT, MIRAMANT, VITELLI, VOLK, WOODSOME

EXCUSED: Senators: DESCHAMBAULT, HILL

13 Senators having voted in the affirmative and 20 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE, FAILED**.

The Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Senator **BREEN** of Cumberland requested and received leave of the Senate that members and staff be allowed to remove their jackets for the remainder of this Legislative Day.

Committee Amendment "A" (H-604) **READ** and **ADOPTED**, in concurrence.

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

Divided Report

Nine members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Allow Veterans Free Admission to the Maine State Museum"
H.P. 1141 L.D. 1656

Reported in Report "A" that the same **Ought to Pass as Amended by Committee Amendment "A" (H-606)**.

Signed:

Senators:
LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

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

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

Signed:

Representatives:

GINZLER of Bridgton
SAMPSON of Alfred
TURNER of Burlington

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" (H-607)**.

Signed:

Representative:

STEWART of Presque Isle

Comes from the House with Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-606) READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-606)**.

Reports **READ**.

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

Senate

Ought to Pass As Amended

Senator CYRWAY for the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Increase Safety on a Youth Hunting Day for Hunting Bear by Allowing an Accompanying Adult To Possess a Firearm"

S.P. 669 L.D. 1790

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-369)**.

Report **READ**.

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

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Clarify and Protect Certain Public Service Retirement Benefits"

S.P. 212 L.D. 650

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-370)**.

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-370) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Attract, Educate and Retain New Mainers To Strengthen the Workforce"

S.P. 521 L.D. 1492

Reported that the same **Ought to Pass as Amended by Committee Amendment "B" (S-368)**.

Signed:

Senators:

LANGLEY of Hancock
MAKER of Washington
MILLETT of Cumberland

Representatives:

KORNFELD of Bangor
DAUGHTRY of Brunswick
FARNSWORTH of Portland
FULLER of Lewiston
GINZLER of Bridgton
McCREA of Fort Fairfield
PIERCE of Falmouth

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

Signed:

Representatives:

SAMPSON of Alfred
STEWART of Presque Isle
TURNER of Burlington

Reports **READ**.

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

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

SECOND READERS

The Committee on **Bills in the Second Reading** reported the following:

Senate

Bill "An Act Regarding the Penalties for Hunting Deer over Bait"
S.P. 684 L.D. 1816

READ A SECOND TIME and **PASSED TO BE ENGROSSED**.

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 Regarding the Registry of Deeds in Oxford County
H.P. 1167 L.D. 1679
(C "A" H-598)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senator having voted in the negative, and 33 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 Measure

An Act To Correct a Technical Error Pertaining to the Dairy Improvement Fund
S.P. 617 L.D. 1681
(C "A" S-356)

This being an Emergency Measure and having received the affirmative vote of 33 Members of the Senate, with no Senator having voted in the negative, and 33 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.

Acts

An Act To Require Health Insurance Coverage for Covered Services Provided by Naturopathic Doctors
S.P. 337 L.D. 1030
(C "A" S-363)

An Act To Ensure Continued Coverage for Essential Health Care
H.P. 1015 L.D. 1476
(C "A" H-595)

An Act To Revise the Grandparents Visitation Act
H.P. 1157 L.D. 1670
(C "A" H-597)

An Act To Clarify the Authority of the Chief Medical Examiner To Properly Dispose of Abandoned Human Remains
H.P. 1197 L.D. 1717
(C "A" H-596)

An Act To Amend Maine Criminal Code Sentencing Provisions
Relating To Increased Sentencing Class Based on Multiple Prior
Convictions for Certain Violent or Sexual Crimes

S.P. 627 L.D. 1728
(C "A" S-355)

An Act To Permit the Sale and Consumption of Alcohol in an Area
That Is Not Contiguous to Licensed Premises

S.P. 637 L.D. 1738
(C "A" S-354)

An Act To Establish Requirements for Civil Deputies

S.P. 661 L.D. 1776
(C "A" S-361)

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.

Off Record Remarks

ORDERS OF THE DAY

The Chair laid before the Senate the following Tabled and Later
Assigned (2/15/18) matter:

Bill "An Act To Authorize a General Fund Bond Issue To Provide
for Student Loan Debt Relief"

H.P. 1276 L.D. 1834

Tabled - February 15, 2018 by Senator **MASON** of Androscoggin

Pending - motion by Senator **HAMPER** of Oxford to **REFER** to
the Committee on **APPROPRIATIONS AND FINANCIAL
AFFAIRS**

(In House, **REFERRED** to the Committee on **APPROPRIATIONS
AND FINANCIAL AFFAIRS** and ordered printed.)

REFERRED to the Committee on **APPROPRIATIONS AND
FINANCIAL AFFAIRS** and ordered printed, in concurrence.

The Chair laid before the Senate the following Tabled and Later
Assigned (2/15/18) matter:

SENATE REPORTS - from the Committee on **ENERGY,
UTILITIES AND TECHNOLOGY** on Bill "An Act Regarding Large-
scale Community Solar Procurement"

S.P. 499 L.D. 1444

Majority - **Ought to Pass as Amended by Committee
Amendment "A" (S-359)** (9 members)

Minority - **Ought to Pass as Amended by Committee
Amendment "B" (S-360)** (3 members)

Tabled - February 15, 2018 by Senator **WOODSOME** of York

Pending - motion by same Senator to **ACCEPT** the Majority
**OUGHT TO PASS AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-359)** Report

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 Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#523)

YEAS: Senators: BELLOWS, BREEN, CARPENTER,
CARSON, CHENETTE, CHIPMAN,
COLLINS, CUSHING, DAVIS, DIAMOND,
DILL, DION, DOW, GRATWICK,
JACKSON, KATZ, KEIM, LANGLEY,
LIBBY, MAKER, MILLETT, MIRAMANT,
ROSEN, SAVIELLO, VITELLI, VOLK,
WHITEMORE, WOODSOME

NAYS: Senators: BRAKEY, CYRWAY, HAMPER, MASON,
PRESIDENT THIBODEAU

EXCUSED: Senators: DESCHAMBAULT, HILL

28 Senators having voted in the affirmative and 5 Senators
having voted in the negative, with 2 Senators being excused, the
motion by Senator **WOODSOME** of York to **ACCEPT** the Majority
**OUGHT TO PASS AS AMENDED BY COMMITTEE
AMENDMENT "A" (S-359)** Report **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-359) **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-359)**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later
Assigned (2/20/18) matter:

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill
"An Act To Increase the Jurisdictional Limits for Small Claims"
H.P. 216 L.D. 283

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

Minority - **Ought to Pass as Amended by Committee
Amendment "A" (H-590)** (5 members)

Tabled - February 20, 2018 by Senator **KEIM** of Oxford

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report in **NON-CONCURRENCE**

(In House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

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

Senator **CARPENTER:** Thank you, Mr. President. Mr. President, I rise to question the necessity of this bill. This bill would raise the limit from \$6,000 to \$15,000. Small claims court is a court where folks go to collect small bills, small debts. Your hometown fuel oil dealer or whatever. Six thousand dollars is a significant amount of money. Fifteen thousand dollars is a very significant amount of money and so I really question - and I think the reason I think that's important, there are pretty significant rules of court, but in small claims court the rules are much more relaxed. Hearsay is accepted. There are special rules just for small claims court. So we're potentially putting consumers into a situation where evidence can be used against them that wouldn't be used in a regular court proceeding and that troubles me. So I guess I would like to ask somebody who's in favor of this bill to explain to me what the necessity of this bill is and I would request when the vote be taken, Mr. President, it be taken by the yeas and nays.

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

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. Mr. President, I'm in favor of the Minority Report, which is Ought to Pass as Amended by Committee Amendment "A". Small claims court is a place that - it's available for regular Mainers because a lot of the rules, technical rules that are hard even for lawyers to follow, are not followed there. So the limit of \$6,000 hasn't been changed since 2009 and \$15,000 is still a fairly - it's a significant amount of money, but it's not significant enough to hire a lawyer to do this for you. So this really helps regular Mainers who very often are pro se litigants. They're there, they're defending themselves, and this is a great place for, I think, regular Mainers to have access to justice in an amount of \$15,000, up to an amount of \$15,000, but if they choose a lawyer they can still have it. I think this just increases options for regular Mainers. Thank you, Mr. President.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Minority Ought to Pass as Amended Report. A roll call has been ordered. 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 (#524)

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

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

EXCUSED: Senators: DESCHAMBAULT, HILL

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being excused, the motion by Senator **KEIM** of Oxford to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-590) **READ** and **ADOPTED**, in **NON-CONCURRENCE**.

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

Ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/20/18) matter:

JOINT RESOLUTION - MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO EXCLUDE THE STATE OF MAINE FROM OFFSHORE OIL AND GAS DRILLING AND EXPLORATION ACTIVITIES
H.P. 1279

Tabled - February 20, 2018 by Senator **JACKSON** of Aroostook

Pending - **ADOPTION** in concurrence

(In House, **READ** and **ADOPTED**.)

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

Senator **MILLETT:** Thank you, Mr. President. Mr. President, ladies and gentlemen of the Senate, in Maine we are so fortunate to have an abundance of natural resources from our scenic coastline and working waterfront to our forests and farmland. These resources are an integral part of both our economy and the character of our state. It would be foolish to take any action that would threaten the vitality of these resources. The negative consequences of offshore drilling are endless, from the pollutants

and toxic chemicals released during the drilling process to the risk of spills. It would be detrimental to our coastal marine life that drives Maine's fishing and lobster industries and ruin our beaches for tourists and residents alike. Last year an estimated 36 million tourists visited Maine, pouring more than \$6 billion into our state. This is not just an environmental issue, it is an economic issue. I understand that we need to reduce energy costs for Mainers and I firmly believe there are a number of other options we can explore that don't adversely affect our way of life and the livelihoods of Mainers who work in our tourists, fishing, and lobstering industries. Protecting Maine's miles of beaches and working waterfront is essential for the future of our state and our economy and I hope the Body adopts this Joint Resolution. Thank you, Mr. President.

The Joint Resolution was **ADOPTED**, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/27/18) matter:

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

Tabled - February 27, 2018 by Senator **JACKSON** of Aroostook

Pending - **REFERENCE**

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

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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, March 6, 2018 at 10:00 in the morning.