

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
March 6, 2018

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

Prayer by Pastor Kirk Winters, The Rock Church in Bangor.

PASTOR WINTERS: Thank you, Mr. President. I would like to take a moment to personally thank each one of you for your sacrifice and service to the State of Maine. Would you all please join me in a word of prayer? Our Heavenly Father, we come before You at the start of today's legislative session with a heartfelt prayer. In a world of confused and uncertain values, show us what is honorable and true. Help this Body of public servants to be wise in all of its choices and decisions today. Guide these men and women to look beyond partisan or personal differences so that the common good might be served and upheld. Lord, guide the members of this Senate to serve one another and our State in a spirit of humility and instill in them a just and compassionate vision of what should be so that, by their efforts and Your grace, the good people of the State of Maine may know a future blessed with equity, prosperity, and peace. Father, meet the needs of each Senator, and their families and the trials of life, and please grant them good health and strength, and when this day is over and their job is done, Lord, assure them of Your blessing and our thanks. I pray this in Jesus' name. Amen.

National Anthem Performed by Evelyn LaCroix of Skowhegan.

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

Reading of the Journal of Thursday, March 1, 2018.

Doctor of the day, Robert Aranson, M.D., of Freeport.

Off Record Remarks

PAPERS FROM THE HOUSE

Non-Concurrent Matter

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

In Senate, February 27, 2018, on motion by Senator **SAVIELLO** of Franklin, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

Comes from the House, that Body having **ADHERED** to its former action whereby the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

On motion by Senator **WOODSOME** of York, the Senate **RECEDED** and **CONCURRED**.

House Papers

Bill "An Act To Reorganize the Bureau of General Services in the Department of Administrative and Financial Services"
H.P. 1287 L.D. 1850

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

On motion by Senator **DAVIS** of Piscataquis, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1288 L.D. 1851

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

**Pursuant to Statute
Department of Education**

The **Department of Education**, pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council asked leave to report that the accompanying Resolve, Regarding Legislative Review of Portions of Chapter 115: the Credentialing of Educational Personnel, a Late-filed Major Substantive Rule of the Department of Education (EMERGENCY)

H.P. 1289 L.D. 1852

Be **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218.

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed pursuant to Joint Rule 218, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 873

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

March 1, 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 John G. Gallagher of Brunswick, for appointment as a Commissioner of the Maine State Housing 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 2 Volk of Cumberland, Bellows of Kennebec

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

NAYS 0

ABSENT 2 Sen. Langley of Hancock, Rep. Handy of Lewiston

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 John G. Gallagher of Brunswick, for appointment of the Commissioner of the Maine State Housing Authority be confirmed.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and **ORDERED PLACED ON FILE.**

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

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 (#525)

YEAS: Senators: None

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

EXCUSED: Senator: DION

No Senator having voted in the affirmative and 34 Senators having voted in the negative, with 1 Senator 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 **John G. Gallagher** of Brunswick for appointment as a Commissioner of the Maine State Housing Authority was **CONFIRMED**.

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

The Following Communication: S.C. 874

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

March 1, 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 George C. Gervais of North Yarmouth, for appointment as the Director, Maine State Housing 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 denied. The Committee Clerk called the roll with the following result:

YEAS Senators	2	Volk of Cumberland, Langley of Hancock
Representatives	4	Austin of Gray, Lockman of Amherst, Stetkis of Canaan, Vachon of Scarborough

NAYS Senators	1	Bellows of Kennebec
Representatives	6	Fecteau of Biddeford, Bates of Westbrook, Doore of Augusta, Handy of Lewiston, Mastraccio of Sanford, Sylvester of Portland

ABSENT 0

Six members of the Committee having voted in the affirmative and seven in the negative, it was the vote of the Committee that the nomination of George C. Gervais of North Yarmouth, for appointment as the Director, Maine State Housing Authority be denied.

Signed,

S/Amy F. Volk
Senate Chair

S/Ryan M. Fecteau
House Chair

READ and ORDERED PLACED ON FILE.

On motion by Senator **VOLK** of Cumberland, Nomination **TABLED** until Later in Today's Session pending **CONSIDERATION**.

The Following Communication: S.C. 871

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

March 1, 2018

The Honorable Michael D. Thibodeau
President of the Senate
The Honorable Sara Gideon
Speaker of the House of Representatives
State House
Augusta, ME 04333

Dear President Thibodeau and Speaker Gideon,

Please accept this letter as the report of the findings of the Joint Standing Committee on Transportation from its review and evaluation of the Department of the Transportation under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the Joint Standing Committee on Transportation notified the Department of Transportation by letter of its intent to review the bureau on May 23, 2017. The Department of Transportation submitted its program evaluation report by November 1, 2017 and presented the report to the committee on January 23, 2018. The committee held a work session on February 22, 2018.

The committee unanimously finds that the Department of Transportation is operating within its statutory authority.

Sincerely,

S/Senator Ronald F. Collins
Senate Chair

S/Representative Andrew J. McLean
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 872

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

March 1, 2018

The Honorable Michael D. Thibodeau
President of the Senate
The Honorable Sara Gideon
Speaker of the House of Representatives
State House
Augusta, ME 04333

Dear President Thibodeau and Speaker Gideon,

Please accept this letter as the report of the findings of the Joint Standing Committee on Transportation from its review and evaluation of Maine Pilotage Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the Joint Standing Committee on Transportation notified the Maine Pilotage Commission by letter of its intent to review the bureau on May 23, 2017. The Maine Pilotage Commission submitted its program evaluation report by November 1, 2017 and presented the report to the committee on February 1, 2018. The committee held a work session on February 27, 2018.

The committee unanimously finds that the Maine Pilotage Commission is operating within its statutory authority.

Sincerely,

S/Senator Ronald F. Collins
Senate Chair

S/Representative Andrew J. McLean
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 875

**STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES**

February 27, 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 Health and Human Services has voted unanimously to report the following bill(s) out "Ought Not to Pass":

- L.D. 566 An Act To Improve Access to High-quality Child Care by Increasing Child Care Rates
- L.D. 765 An Act To Allow In-home Child Care Providers To Care for up to 5 Children without State Certification
- L.D. 999 An Act To Provide a Healthy Learning Environment in Early Care Settings by Requiring Rules Concerning Nutrition and Physical Activity
- L.D. 1374 Resolve, Directing the Department of Health and Human Services To Assess and Improve the Availability of Child Care Services

This is notification of the Committee's action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Patricia Hymanson
House Chair

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: S.C. 876

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

March 1, 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:

Senate at Ease.

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":

The Senate was called to order by the President.

L.D. 1792 An Act To Improve Market Stability for Maine Residents Purchasing Individual Health Insurance Coverage

ORDERS

Joint Orders

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 Town of Falmouth, which is celebrating its 300th Anniversary. In 1632, Arthur Mackworth was the first European settler in the area. Falmouth was founded in 1718 and included what is now Portland, Westbrook, South Portland and Cape Elizabeth. In 1775, the town was burned by the British in retaliation for its boycott of British goods and, in return, sent a group of soldiers south to fight in the War of Independence. In the 1700s, the town's economy had been based on fishing and lumber for shipbuilding but by the early 1800s had transitioned to fishing and farming. In the early 1900s, trolley service to and from Portland allowed Falmouth to flourish as a tourist destination, with travelers enjoying the town's beaches and shops. The town's economy boomed during the Second World War, when the United States Navy's destroyer fleet was stationed in Falmouth's large anchorage. Since the 1950s, Falmouth has grown due to the automobile and the town's proximity to Portland and has increased its commitment to high-quality public education, land conservation and excellence in town governance. We extend to citizens of the Town of Falmouth our congratulations on their Tercentennial Celebration;

SLS 740

The Following Communication: S.C. 877

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

February 27, 2018

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

Sponsored by Senator BREEN of Cumberland.
Cosponsored by Representatives: PIERCE of Falmouth,
SANBORN of Portland.

Dear President Thibodeau and Speaker Gideon:

The Joint Order was **READ.**

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

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

L.D. 1599 An Act To Improve the Maine Tree Growth Tax Law

Senator **BREEN:** Thank you, Mr. President. Thank you, Madame Secretary, for reading the sentiment. It's not every day, Mr. President, men and women of the Senate, we get to celebrate a 300th birthday, so I wanted to take a few minutes to celebrate that milestone for my adopted home of Falmouth. The primary reason I requested today's sentiment is to honor the volunteers, staff, and community partners who have worked for two years, since 2015, putting together an entire year's worth of events celebrating this important community milestone. A few highlights include: *The Story of Falmouth*, a traveling exhibit that recounts the rich history of the town; *Changing Landscapes, Shifting Tides*, the speaker series on how humans and the landscape have influenced each other over time; *The Move 300 Challenge*, an exercise program where folks log 300 miles of movement over the course of the year; *My Favorite Falmouth*, a multi-media collection of local memories that will inform generations to come. Local businesses are collecting 300 items each month to donate to regional charities. While the volunteer community spearheaded this effort, their vision could not have been realized without the countless generous community partners like local

This is notification of the Committee's action.

Sincerely,

S/Sen. Dana L. Dow S/Rep. Ryan Tipping
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.

businesses, retailers, banks, realtors, medical practices, restaurants and more- civic organizations, clubs, retirement communities, and all manner of town boosters. Together they have packed 2018 with a remarkable variety of ways to honor the past, celebrate the present, and invest in the future. Mr. President, I hope that you and the rest of the Senate will join me in thanking the volunteer committee and staff who are with us today who have worked so hard and so effectively in marking this rare and historic occasion.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is please to recognize in the rear of the Chamber today Falmouth's 300 Volunteer Committee. Members are Erin Cadigan, Marge Devine, Jeannie Madden, Carol Kauffman, Sandy Couch-Kelly, Joel Glass, and Lucky D'Ascanio. Nathan Poore is the Town Manager and Melissa Tryon is the Executive Assistant. Would they please all rise and accept the greetings of the Senate.

Kenneth Davis, of East Machias, who has received a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We send our congratulations to Mr. Davis on his receiving this award;

SLS 743

Sponsored by Senator MAKER of Washington.
Cosponsored by Representative: TUELL of East Machias.

Richard Stanhope, of Machiasport, who has received a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We send our congratulations to Mr. Stanhope on his receiving this award;

SLS 744

Sponsored by Senator MAKER of Washington.
Cosponsored by Representative: TUELL of East Machias.

The Friends of the Whitneyville Library, of Whitneyville, who have received a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We send our congratulations to the Friends of the Whitneyville Library on their receiving this award;

SLS 745

Sponsored by Senator MAKER of Washington.
Cosponsored by Representative: ALLEY of Beals.

The Joint Orders were **READ**.

THE PRESIDENT: The Chair recognizes the Senator from Washington, Senator Maker.

Senator **MAKER:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I am honored to rise this morning to recognize Kenneth Davis, Richard Stanhope, and the Friends of the Whitneyville Library on receiving the Spirit of America Award for 2017. The Spirit of America Award was first presented in 1991 to honor volunteerism across the State of Maine. This award is presented to individuals for their commendable community service. The Spirit of America Foundation is a 501(c)(3) public charity established in Augusta, Maine in 1990 to honor volunteerism. The Spirit of America Foundation Tribute is presented in the name of Maine municipalities to local individuals, organizations and projects for commendable community service. Kenneth Davis, or 'Bucket' as we all call him, is known in his home of East Machias, has served as an East Machias Selectman for over 20 years. Bucket cares deeply about his town, and can often be found here at the State House advocating for his community. Bucket is especially beloved by the many middle school children who he has taught to fish over the years. The pages in the House and Senate today have made a special trip from Elm Street School to be here to see him honored. I used Mr. Davis as an example when I was on the City Council in Calais. You know we sometimes expect our Maine Municipal to take up our fights. But sometimes that is not effective. Sometimes being in the Hall as a Town Official is more effective and I really applaud his service and I applaud him for this honor. Though he was unable to attend today, I want to recognize Richard Stanhope. At eighty-four, Richard volunteers his time making the Machiasport Town Office look its best and Richard has spent countless hours working to ensure that the Machiasport Veterans' Memorial is in prime condition. Richard's dedication to making sure that veterans of Machiasport are properly honored is an example to us all. The Friends of the Whitneyville Library are dedicated to raising money for new construction at the library. The Whitneyville Library provides an excellent resource for Whitneyville and the neighboring towns with their free membership and substantial collection of books. The Friends rose over \$300,000 to go towards the new library building being constructed. The new space will provide more room for the collection to grow and to house the Whatnot Craft Shop, and for community events. I am so proud to honor these individuals today as they truly embody volunteerism and are fine examples on how to be good citizens. Congratulations to them on this terrific achievement.

The Joint Orders were **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber Kenneth 'Bucket' Davis, and any of his guests. Would they please rise and accept the greetings of the State Senate.

Normand Melancon, of Biddeford, on his retirement as a captain of the Biddeford Fire Department. Mr. Melancon joined the department on January 25, 1975 and was promoted to lieutenant on June 9, 1983 and to captain on October 1, 1988. He retired on July 16, 2017. During his career, he received many recognitions for his heroism. We extend to Mr. Melancon our appreciation for his long service and offer him our congratulations on his retirement;

SLS 746

Sponsored by Senator DESCHAMBAULT of York.
Cosponsored by Representatives: FECTEAU of Biddeford,
GROHMAN of Biddeford, SEAVEY of Kennebunkport.

The Joint Order was **READ**.

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

Senator **DESCHAMBAULT:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I am very honored and pleased today to talk about someone in my department in Biddeford that has done exemplary work throughout his career. Captain Melancon started in 1975 under the government program CETA at the Biddeford Fire Department and this was a civil service job. He was hired as a medic and became an EMT within six months of being hired. He moved to the rank of Lieutenant eight years later, and was promoted to Captain in 1988. He has retired recently after 42 years of service. I would like to mention a few things. First of all, this came to my attention by the employees, the people that he worked with, that really wanted to show what kind of man he is. He earned the Silver Star for Bravery from the American Police Hall of Fame. Now I want to tell you, some of you might remember, I remember, I am old enough to remember, that you didn't call 9-1-1. You had a street box and you pulled the box and that's when the firefighters knew there was a fire somewhere. Well that happened, and he shows up and so does everybody else thinking there's going to be a fire. Instead they respond with all of their gear for firefighting but when they arrive they found that four children had fallen through the ice. The responders didn't have an ice rescue gear and so they used their ladders to crawl over the ice. Captain Melancon broke through the ice and he himself at that moment thought he will not make it either. But he managed to keep on going and Captain Melancon and his crew rescued two children. However, two others died. He had a commendation for saving a child from a fire. Captain Melancon and Lieutenant Thorpe entered a home in Saco and found that there was a child trapped on the second floor. They made their way to the second floor under extreme heat and smoke conditions and began a systematic search and located the lifeless body. They removed the victim to the waiting ambulance, worked on him and the child was resuscitated successfully and fully recovered. This one happened five years ago, I recall very visibly, an act of heroism. Captain Melancon and his crew responded to a report of multiple people being shot in their apartment building during blizzard conditions. It was quite of a hectic night. It was the landlord who had entered the home and had shot some victims. No one knew how serious that was and I well imagine fire trucks, police cars what have you. Captain Melancon put himself in the line of fire to help remove the female gunshot victim, the mother, into the waiting ambulance. She was transported to the trauma center in Portland. Unfortunately two

people in the home were killed. Over the years Captain Melancon has received numerous citations and successful rescues in complicated emergencies that were challenging the normal call of duty. You know you read about these things in the paper. Those are the headlines. You don't hear of what happens to the officers or the firefighters, our first responders. You just know what happened and you don't know about these acts of bravery. They go home and the spouses are heroes also. He has been married for forty years. His wife is an RN at Southern Maine Medical Center so she probably sees people that he has helped save himself. They have two children: a son who graduated from UNE and is going for a Master's in Business, and a daughter from USM who is a fourth grade teacher married to a firefighter. I would like all of you to join me in welcoming them and thanking them for their service. Both for Captain Melancon and his family. Thank you.

The Joint Order was **PASSED**.

Sent down for concurrence.

THE PRESIDENT: The Chair is pleased to recognize in the rear of the Chamber today Captain Norman Melancon, Scott Gagne, Kevin Duross, Paul LaBrecque, Justin Cooper, Robert Lang, Donna Melancon, John Melancon, and Ken Thorpe. Would they please all rise and accept the greetings of the State Senate.

Off Record Remarks

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

SENATE PAPERS

Bill "An Act Regarding Permits for Burial of Cremated Remains" (EMERGENCY)

S.P. 701 L.D. 1856

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

On motion by Senator **VOLK** of Cumberland, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

Sent down for concurrence.

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

ORDERS

Joint Order

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

S.P. 702

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

READ and PASSED.

Sent down for concurrence.

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

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

PAPERS FROM THE HOUSE

House Paper

Bill "An Act To Fund the Reorganization of the Department of Public Safety, State Bureau of Identification" (EMERGENCY)
H.P. 1293 L.D. 1855

Comes from the House, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

On motion by Senator **ROSEN** of Hancock, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed, in concurrence.

REPORTS OF COMMITTEES

House

Ought to Pass

The Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act Regarding the Repeal of a Provision of Law Allowing Certain Nonresidents To Hunt Deer before the Open Season on Deer"

H.P. 1265 L.D. 1823

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.

The Committee on **VETERANS AND LEGAL AFFAIRS** on Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices (EMERGENCY)

H.P. 1247 L.D. 1802

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

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

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

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

Ought to Pass As Amended

The Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Resolve, Directing the Bureau of Parks and Lands To Transfer Land in the Town of Pittston

H.P. 1222 L.D. 1773

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-620).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-620).**

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

Resolve **READ ONCE.**

Committee Amendment "A" (H-620) **READ** and **ADOPTED**, in concurrence.

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

The Committee on **ENVIRONMENT AND NATURAL RESOURCES** on Bill "An Act To Revise Maine's Environmental Laws"

H.P. 290 L.D. 399

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-613).**

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-613).**

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

Bill **READ ONCE**.

Committee Amendment "A" (H-613) **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 **MARINE RESOURCES** on Bill "An Act To Amend the Law Regarding Temporary Medical Allowances for Lobster and Crab Fishing License Holders"

H.P. 1200 L.D. 1720

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-616)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-616)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-616) **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 **VETERANS AND LEGAL AFFAIRS** on Bill "An Act Regarding Maine's Liquor Laws"

H.P. 1231 L.D. 1786

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-619)**.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-619)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-619) **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 **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Appropriate Funds To Provide Sea Protection and Public Access to the Historic Whaleback Lighthouse in Kittery"

H.P. 1090 L.D. 1586

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

Signed:

Senators:

HAMPER of Oxford
BREEN of Cumberland
KATZ of Kennebec

Representatives:

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-614)**.

Signed:

Representatives:

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

Comes from the House with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-614)**.

Reports **READ**.

On motion by Senator **HAMPER** of Oxford, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Sent down for concurrence.

Divided Report

The Majority of the Committee on **INLAND FISHERIES AND WILDLIFE** on Bill "An Act To Establish 2 Comprehensive Licenses for Hunting and for Hunting and Fishing"

H.P. 548 L.D. 768

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-615)**.

Signed:

Senators:

CYRWAY of Kennebec
CARPENTER of Aroostook
WOODSOME of York

Representatives:

DUCHESNE of Hudson
ALLEY of Beals
HARLOW of Portland
MASON of Lisbon
NADEAU of Winslow
STEARNS of Guilford
WOOD of Greene

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

Signed:

Representatives:

LYFORD of Eddington
REED of Carmel
THERIAULT of China

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-615)**.

Reports **READ**.

On motion by Senator **CYRWAY** of Kennebec, the Majority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-615) **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 **MARINE RESOURCES** on Bill "An Act To Address Marine Debris Resulting from Commercial Activities"

H.P. 494 L.D. 703

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

Signed:

Senators:

MAKER of Washington
BRAKEY of Androscoggin

Representatives:

ALLEY of Beals
HAGGAN of Hampden
HAWKE of Boothbay Harbor
SUTTON of Warren
TUELL of East Machias

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-617)**.

Signed:

Senator:

VITELLI of Sagadahoc

Representatives:

KUMIEGA of Deer Isle
BLUME of York
DEVIN of Newcastle

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

Reports **READ**.

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

Divided Report

The Majority of the Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Change Certain Gender-specific Terminology in the Laws Regarding Municipalities and Counties"

H.P. 1154 L.D. 1668

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

Signed:

Senators:

DAVIS of Piscataquis
DESCHAMBAULT of York

Representatives:

GRIGNON of Athens
HARRINGTON of Sanford
MADIGAN of Rumford
PICKETT of Dixfield

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

Signed:

Representatives:

MARTIN of Sinclair
BEEBE-CENTER of Rockland
BRYANT of Windham
HOGAN of Old Orchard Beach

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

Reports **READ**.

Senator **DAVIS** of Piscataquis moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

On further motion by same Senator, **TABLED** until Later in Today's Session, pending the motion by same Senator to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in **NON-CONCURRENCE**.

Senate

Ought to Pass As Amended

Senator **LANGLEY** for the Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Recognize the Accreditation of Certain Private Schools"
S.P. 630 L.D. 1731

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-371)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-371) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator **BRAKEY** for the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act To Address Maine's Opiate Addiction Crisis"

S.P. 183 L.D. 565

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-372)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-372) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senator **VOLK** for the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Provide for the 2018 and 2019 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY)

S.P. 666 L.D. 1787

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-375)**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-375) **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 **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry (EMERGENCY)
S.P. 640 L.D. 1741

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-373)**.

Signed:

Senators:

WOODSOME of York
CUSHING of Penobscot
DION of Cumberland

Representatives:

BERRY of Bowdoinham
COOPER of Yarmouth
DeCHANT of Bath
HARVELL of Farmington
RILEY of Jay
RYKERSON of Kittery
SANBORN of Portland

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

Signed:

Representatives:

HANLEY of Pittston
O'CONNOR of Berwick
WADSWORTH of Hiram

Reports **READ**.

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

Resolve **READ ONCE**.

Committee Amendment "A" (S-373) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Divided Report

The Majority of the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Establish a Study Commission To Examine the Implied Warranty Laws and the Arbitration Process for Those Laws" S.P. 659 L.D. 1772

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (S-374)**.

Signed:

Senators:

VOLK of Cumberland
BELLOWS of Kennebec
LANGLEY of Hancock

Representatives:

FECTEAU of Biddeford
AUSTIN of Gray
BATES of Westbrook
DOORE of Augusta
HANDY of Lewiston
MASTRACCIO of Sanford
STETKIS of Canaan
SYLVESTER of Portland
VACHON of Scarborough

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

Signed:

Representative:

LOCKMAN of Amherst

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (S-374) **READ** and **ADOPTED**.

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

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:

Acts

An Act To Create an Access to Justice Income Tax Credit
H.P. 1168 L.D. 1680
(C "A" H-601)

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

An Act To Improve the Effectiveness of the New Markets Capital Investment Credit
H.P. 1240 L.D. 1796

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
(C "A" H-600)

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

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

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

REPORTS OF COMMITTEES

House

Pursuant to Resolve

The Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Implement the Recommendations of the Commission To Streamline Veterans' Licensing and Certification Regarding Licensed Practical Nurses" H.P. 1294 L.D. 1857

Reported that the same be **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, pursuant to Resolve, chapter 27.

Comes from the House with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**.

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

Bill and accompanying papers **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**, in concurrence.

Ordered sent forthwith.

ORDERS OF THE DAY

Unfinished Business

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

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

SENATE REPORTS - from the Committee on **INSURANCE AND FINANCIAL SERVICES** on Resolve, Regarding Insurance Coverage for Alternative Therapies for Addiction and Recovery S.P. 155 L.D. 453

Majority - **Ought Not to Pass** (7 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (S-353)** (6 members)

Tabled - February 15, 2018 by Senator **WHITTEMORE** of Somerset

Pending - **ACCEPTANCE OF EITHER REPORT**

On motion by Senator **WHITTEMORE** of Somerset, the Majority **OUGHT NOT TO PASS** Report **ACCEPTED**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (2/22/18) matter:

HOUSE REPORTS - from the Committee on **INLAND FISHERIES AND WILDLIFE** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Right To Hunt and Fish

H.P. 12 L.D. 11

Majority - **Ought Not to Pass** (9 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-589)** (4 members)

Tabled - February 22, 2018 by Senator **CYRWAY** of Kennebec

Pending - **ACCEPTANCE OF EITHER REPORT**

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

On motion by Senator **CYRWAY** of Kennebec, the Minority **OUGHT TO PASS AS AMENDED** Report **ACCEPTED**, in **NON-CONCURRENCE**.

Bill **READ ONCE**.

Committee Amendment "A" (H-589) **READ** and **ADOPTED**.

Under suspension of the Rules, Bill **READ A SECOND TIME**.

Senate at Ease.

The Senate was called to order by the President.

On motion by Senator **DAVIS** of Piscataquis, 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 (#526)

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

NAYS: Senators: BELLOWS, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, GRATWICK, HILL, KATZ, LIBBY, MILLETT, MIRAMANT, VITELLI

EXCUSED: Senator: DION

21 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 1 Senator being excused, the Bill was **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-589)**, in **NON-CONCURRENCE**.

Sent down for concurrence.

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

SENATE REPORTS - from the Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Support Vulnerable Seniors by Funding Assisted Living Programs

S.P. 641 L.D. 1742

Majority - **Ought to Pass as Amended by Committee Amendment "A" (S-364)** (7 members)

Minority - **Ought Not to Pass** (6 members)

Tabled - February 27, 2018 by Senator **BRAKEY** of Androscoggin

Pending - **ACCEPTANCE OF EITHER REPORT**

Senator **BRAKEY** of Androscoggin moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

On motion by Senator **DILL** of Penobscot, 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 Penobscot, Senator Dill.

Senator **DILL:** Thank you, Mr. President. Ladies and gentlemen of the Senate, I want to speak briefly on LD 1747 which enjoys a broad support and will provide necessary assistance and peace of mind for the residences in seven assisted living facilities across the State. These seven facilities provide support and services to seniors who are able to live independently but still require some assistance such as medication management. They provide less intensive support than private non-medical institutions, PNMI's, and much less the nursing homes. They are also significantly less expensive than these options. The state funds these services located in Augusta, Bangor, Camden, Millinocket, Portland, Saco and Sanford through individual contracts with the provider agencies. Because the State separately negotiates each of the contracts, some facilities are able to make ends meet while others are steadily losing money. At least four facilities are operating at a significant loss: Bangor, Millinocket, Camden and Sanford. For Penquis, which oversees the first three of these

facilities, these losses are unsustainable. In the event that Penquis discontinues assisted living services, housings for eighty-seven individuals will be in jeopardy. Penquis has operated a loss since 2009, requiring Penquis to subsidize the flat state funding with approximately \$600,000 over the last ten year period. Even after a one time emergency additional funding of \$200,000 during the current two year period which ends in June. Clearly this is an unsustainable investment for Penquis. Penquis has spent the last year working with staff members reviewing fiscal and operational practices to discover efficiencies that would allow delivery of services within a contracted, budgeted amount. The Department's review concluded that Penquis is as efficient as possible. A current review of the residents show that we have four private pay, or that there are four private pay residents, twenty-one who receive MaineCare, and fifty-six who are not eligible for MaineCare. Thank you, Mr. President. Please follow my light.

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

Senator **BRAKEY:** Thank you, Mr. President. I rise in opposition to my own motion since we are debating on having a roll call. You know this is every now and again you get a bill that comes before you that has a wonderful title, yet you hate to vote against the bill just on the bases of the title alone. But you delve into the bill and you recognize that there are some problems with it. Some of the problems with this bill that I just like to highlight is some unanswered questions, questions that I never felt and many of us in the Committee never felt that we got sufficient answers on. One of those questions is where does the number \$500,000 come from. There is a \$500,000 ask for these facilities. That didn't seem to be based on any objective measure of why half a million dollars, it just was the number of the ask. Other questions were, you know, these aren't the only facilities that qualify for this. Why these particular facilities? Why are they singled out for these funds when other facilities that fall under the same criteria wouldn't be receiving any of this? I think we all share the goal. I think everyone in this Chamber shares the goal: wanting to protect our long term continuum of care for our seniors and we have many bills that come through this chamber readily seeking to do that. Many of those bills often see unanimous reports out of Committee. I don't think that this bill, I think there are a lot of arbitrary decisions that are made in this bill and I think that there will be other opportunities that we should be taking to makes sure we are protecting our long term continuum of care. Thank you very much.

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

Senator **GRATWICK:** Thank you very much, Mr. President. Ladies and gentlemen, I hadn't intended to speak on this but I have been through the facility in Bangor. It's very well run, but right now they are not making ends meet. They are running, they are working on spending down their endowment. This is a group that has been supporting this facility for a very long time. They'll have very little money left. I think that the questions raised by the good Senator are reasonable. Why \$500,000? Because we have to start someplace. We have to be able to have a better accounting for this. I think it will come forward next year, but I want to be sure that these people have some place to go. And

second, why these particular ones? I think that the group that has been working on this chose those as being the ones most in danger at this time. I feel that this is absolutely essential. This is a pennywise and pound foolish. We can most assuredly vote for this. On the other hand, we are going to be spending a lot more money in the future. It is our obligation to be caring for our seniors. Thank you, Mr. President. Ladies and gentlemen, I urge you to follow Senator Dill's and my light. Thank you.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#527)

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

NAYS: Senators: BRAKEY, KEIM, MASON

EXCUSED: Senator: DION

31 Senators having voted in the affirmative and 3 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **BRAKEY** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report **PREVAILED**.

Resolve **READ ONCE**.

Committee Amendment "A" (S-364) **READ** and **ADOPTED**.

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

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/1/18) matter:

HOUSE REPORTS - from 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

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (H-606)** (9 members)

Report "B" - **Ought Not to Pass** (3 members)

Report "C" - **Ought to Pass as Amended by Committee Amendment "B" (H-607)** (1 member)

Tabled - March 1, 2018 by Senator **LANGLEY** of Hancock

Pending - **ACCEPTANCE OF ANY REPORT**

(In House, 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)**.)

Senator **LANGLEY** of Hancock moved the Senate **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-606)**, in concurrence.

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

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#528)

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

NAYS: Senators: None

EXCUSED: Senator: DION

34 Senators having voted in the affirmative and No Senator having voted in the negative, with 1 Senator being excused, the motion by Senator **LANGLEY** of Hancock to **ACCEPT** Report "A" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-606)**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-606) **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-606)**, in concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (3/1/18) matter:

SENATE REPORT - from 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

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-369)**

Tabled - March 1, 2018 by Senator **MASON** of Androscoggin

Pending - **ACCEPTANCE OF REPORT**

Report **ACCEPTED**.

Bill **READ ONCE**.

Committee Amendment "A" (S-369) **READ** and **ADOPTED**.

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

Sent down for concurrence.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

RECESSED until the sound of the bell.

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

Off Record Remarks

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

On motion by Senator **MASON** of Androscoggin, **ADJOURNED** until Thursday, March 8, 2018 at 10:00 in the morning in memory of and lasting tribute to Marissa Kennedy of Stockton Springs.