

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature

State of Maine

Daily Edition

Second Special Session
beginning June 19, 2018

beginning at Page 2046

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

In Senate Chamber
Monday
June 25, 2018

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

Prayer by Senator Susan A. Deschambault of York County.

SENATOR DESCHAMBAULT: Good morning. I have to say the prayer and I am story teller, so bear with me while I tell you the backstory of why I'm going to say what I'm saying today. In 1971 I graduated from college. My Mom and Dad were there. My Mom handed me an envelope and I thought, 'Okay, a card. Hopefully money in there.' Dad gave me a wink and a smile. Dad was a car salesman and he knew what I wanted. Not long after that Dad helped me get the car I always wanted, an American Motors fire engine red Gremlin. I loved it. It's what I wanted. I took that car and brought it to Augusta when I had my first job. I kept telling Dad, 'Something's wrong with the car.' Dad would take it out and would bring it to the shop and it would be okay. But when I lived up here by myself I thought, 'There's something wrong with this car. I made a mistake.' Gremlins, you don't see many of those now. Come to find out, I called Dad and said, 'Take the car back. I don't like it.' He says the one question I'll never forget, 'So when's the last time you changed the oil?' Oil? What oil? I didn't know. Dad didn't give me any advice when he gave me the gift that he wanted to give me and who reads the manual anyways. Now that envelope Mom gave me didn't have a card, didn't have any money. Mom, being Mom, gave me a book of inspirational poems and basically said, 'Okay, smarty pants, you've got your college degree, you've got your career ahead of you. You think you know everything. But you have to read these poems.' See the car died after two years. It's what I wanted. Mom gave me what I needed and I've had this for 47 years. So I will read to you what has inspired me. Mom said I needed a foundation. I said, 'For crying out loud, Mom, I just finished 16 years of Catholic schooling.' But she felt that wasn't enough. This has held me, so let us pray.

Often your tasks will be many in life and more than you think you can do. Often the road will be rugged and the hills insurmountable too. But always remember the hills ahead are never as steep as they seem, and with faith in your heart start upwards and climb until you reach your dream. For nothing in life that is worthy is ever too hard to achieve if you have the courage to try it and you have the faith to believe. For faith is a force that is greater than knowledge or power or skill and many defeats turn to triumph if you trust in God's wisdom and will, for faith is a mover of mountains. There's nothing that God cannot do, so start out today with faith in your heart and climb until your dream comes true. Amen.

Pledge of Allegiance led by Senator Roger J. Katz of Kennebec County.

Reading of the Journal of Thursday, June 21, 2018.

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

Off Record Remarks

PAPERS FROM THE HOUSE

Joint Orders

The following Joint Order:

H.P. 1359

ORDERED, the Senate concurring, that Bill, "An Act To Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites," H.P. 1357, L.D. 1915, and all its accompanying papers, be recalled from the legislative files to the House.

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

READ. Pursuant to Joint Rule 404 a Division was had. 29 Members having voted in the affirmative and no Member having voted in the negative, with 29 being more than two-thirds of the members present and voting, the Joint Order was **PASSED**, in concurrence.

The following Joint Order:

H.P. 1360

ORDERED, the Senate concurring, that Bill, "An Act To Establish 2 Comprehensive Licenses for Hunting and for Hunting and Fishing," H.P. 548, L.D. 768, and all its accompanying papers, be recalled from the Governor's desk to the House.

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

READ and **PASSED**, in concurrence.

COMMUNICATIONS

The Following Communication: S.C. 1049

**STATE OF MAINE
128TH LEGISLATURE
PRESIDENT OF THE SENATE
AND SPEAKER OF THE HOUSE**

June 22, 2018

To the Honorable Members of the 128th Maine Legislature:

Pursuant to the Joint Order (S.P. 750) passed on June 21, 2018, the Senate and House of Representatives will convene on Monday, June 25, 2018, at 10:00 a.m.

Sincerely,

S/Michael D. Thibodeau S/Sara Gideon
President of the Senate Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: S.C. 1048

**STATE OF MAINE
128TH LEGISLATURE
PRESIDENT OF THE SENATE
AND SPEAKER OF THE HOUSE**

June 21, 2018

Honorable Roger J. Katz, Senate Chair
Honorable Teresa S. Pierce, House Chair
Joint Select Committee on Marijuana Legalization Implementation
Augusta, Maine 04333

Dear Senator Katz and Pierce:

Pursuant to Joint Rule 309, we have taken L.D. 667, "An Act to Repeal the Legalization of Recreational Marijuana" from your Committee. As you know, we established Friday, March 23rd as the deadline for reporting bills out. Since this deadline has now passed, this bill will appear on the Senate Calendar without a committee report.

Please see us if you have any questions.

Sincerely,

S/Michael D. Thibodeau S/Sara Gideon
President of the Senate Speaker of the House

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.

Off Record Remarks

Senate at Ease.

The Senate was called to order by the President.

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

RECESSED until 12:30 in the afternoon.

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

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

The Committee on **TAXATION** on Bill "An Act To Protect the Elderly from Tax Lien Foreclosures"
H.P. 1124 L.D. 1629

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-771).**

Comes from the House with the Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-771).**

Report **READ.**

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

Senate

Pursuant to Joint Rule 309

From the Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION** on Bill "An Act To Repeal the Legalization of Recreational Marijuana"
S.P. 229 L.D. 667

Received by the Secretary of the Senate on June 21, 2018, pursuant to Joint Rule 309.

READ.

On motion by Senator **MASON** of Androscoggin, **TABLED** until Later in Today's Session, pending **CONSIDERATION**.

ORDERS OF THE DAY

Unfinished Business

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

The Chair laid before the Senate the following Tabled and Later Assigned (4/18/18) matter:

Bill "An Act To Fund Enhanced Data Sharing between the Department of Public Safety, Bureau of State Police and the Maine Judicial Branch"

S.P. 740 L.D. 1910

Tabled - April 18, 2018 by Senator **ROSEN** of Hancock

Pending - **REFERENCE**

(Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.)

Under suspension of the Rules, Bill **READ TWICE** and **PASSED TO BE ENGROSSED** without reference to a Committee.

Ordered 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

Non-Concurrent Matter

Bill "An Act Regarding Energy Costs"

H.P. 1328 L.D. 1895

In Senate, June 21, 2018, on motion by Senator **VOLK** of Cumberland, Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

On motion by Senator **MASON** of Androscoggin, the Senate **INSISTED**.

Senate at Ease.

The Senate was called to order by the President.

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

PAPERS FROM THE HOUSE

House Paper

Resolve, To Name a Bridge over the Saco River in the Town of Fryeburg the Nathan Desjardins Memorial Bridge

H.P. 1361 L.D. 1916

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

Comes from the House, under suspension of the Rules, **READ TWICE** and **PASSED TO BE ENGROSSED** without reference to a Committee.

Under suspension of the Rules, Bill **READ TWICE** and **PASSED TO BE ENGROSSED** without reference to a Committee, in concurrence.

Ordered sent forthwith to the Engrossing Division.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Fund Wastewater Infrastructure Projects for Ratification by Voters in the June 2017 Election"

H.P. 1034 L.D. 1510

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-800)**.

Signed:

Senators:

HAMPER of Oxford
BREEN of Cumberland
KATZ of Kennebec

Representatives:

GATTINE of Westbrook
FREY of Bangor
HUBBELL of Bar Harbor
JORGENSEN of Portland
MARTIN of Eagle Lake
SEAVEY of Kennebunkport
TEPLER of Topsham
TIMBERLAKE of Turner
WINSOR of Norway

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

Signed:

Representative:

SIROCKI of Scarborough

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-800)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-800) **READ** and **ADOPTED**, in concurrence.

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

REPORTS OF COMMITTEES

House

Divided Report

The Majority of the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** on Bill "An Act To Authorize a General Fund Bond Issue To Build Maine's Workforce Development Capacity by Modernizing and Improving the Facilities and Infrastructure of Maine's Public Universities"

H.P. 585 L.D. 836

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-802)**.

Signed:

Senators:

HAMPER of Oxford
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:

Representatives:

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

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-802)**.

Reports **READ**.

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

Bill **READ ONCE**.

Committee Amendment "A" (H-802) **READ** and **ADOPTED**, in concurrence.

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

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

Senate at Ease.

The Senate was called to order by the President.

Senator **DAVIS** of Piscataquis requested and received leave of the Senate to withdraw his motion to **INSIST**.

On motion by same Senator, the Senate **RECEDED** and **CONCURRED**.

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:

ENACTORS

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

Acts

An Act To Promote Social and Emotional Learning and Development in Early Childhood

S.P. 450 L.D. 1321
(S "B" S-533 to C "A" S-128)

An Act To Stabilize Funding for the County Jails

S.P. 519 L.D. 1490
(S "A" S-535 to C "A" S-268)

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.

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

PAPERS FROM THE HOUSE

Non-Concurrent Matter

Bill "An Act To Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites" (EMERGENCY)

H.P. 1357 L.D. 1915

In Senate, June 21, 2018, on motion by Senator **DAVIS** of Piscataquis, Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

In House, **RECALLED** from the Legislative Files, pursuant to Joint Order H.P. 1359.

Comes from the House, **PASSED TO BE ENGROSSED** in **NON-CONCURRENCE**.

Senator **DAVIS** of Piscataquis moved the Senate **INSIST**.

Senate at Ease.

The Senate was called to order by the President.

Off Record Remarks

Senator **CARPENTER** of Aroostook was granted unanimous consent to address the Senate on the Record.

Senator **CARPENTER**: Mr. President, last week we addressed the death of the First Lady Barbara Bush and also my dear friend Gerry Conley. Two people with very prominent Maine connections. I just happened to notice in the paper this morning the death of Dorothy Collins, the widow of the late Sam Collins. Sam Collins sat down here in the Knox County seat to my far right in the Maine Senate, and I'm not going to say that he was necessarily the most respected member of the Senate that I ever served with but he was probably the person of all the years that I've served here that drew the most attention when he rose to speak. He didn't speak often but when Sam Collins spoke people listened and, more often than not, his bride would be sitting in the back of the Chamber. She traveled here with him many, many times and was a bit of a fixture here, and I just happened to notice that this morning she had passed away in the obituary of the paper. So I would request that when the Senate adjourns today it adjourn in the memory of Mrs. Samuel Collins - Dorothy Collins. Thank you.

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

On motion by Senator **CARPENTER** of Aroostook, **ADJOURNED** until Tuesday, June 26, 2018 at 12:30 in the afternoon in memory of and lasting tribute to Dorothy Collins of Rockland.