One Hundred and Twenty-Eighth Legislature
First Regular Session

Advance Journal and Calendar

2nd Legislative Day

In Senate Chamber, Wednesday, January 4, 2017.

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

Prayer by Pastor Ed Hatch, Palermo Christian Church.

Pledge of Allegiance led by Senator Justin M. Chenette of York County.

Reading of the Journal of Wednesday, December 7, 2016.

Doctor of the day, Taunia Rifai, M.D. of Augusta.

_________________________________
Michael D. Thibodeau  
Senate President

Heather J.R. Priest  
Secretary of the Senate

http://legislature.maine.gov/senate

Printed on recycled paper
December 14, 2016

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

Dear President Thibodeau:

This is to inform you that I am today nominating Joseph M. Jabar of Waterville for reappointment as an Associate Justice to the Maine Supreme Judicial Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage  
Governor
December 23, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Senate Rule 201.3, I have made the following appointments to various Joint Standing Committees.

**Agriculture, Conservation and Forestry**
Paul T. Davis, Sr. Chair (R-Piscataquis)
Thomas B. Saviello (R-Franklin)
James F. Dill (D-Penobscot)

**Appropriations and Financial Affairs**
James M. Hamper, Chair (R-Oxford)
Roger J. Katz (R-Kennebec)
Catherine Breen (D-Cumberland)

**Criminal Justice and Public Safety**
Kimberley C. Rosen, Chair (R-Hancock)
Scott W. Cyrway (R-Kennebec)
G. William Diamond (D-Cumberland)

**Education and Cultural Affairs**
Brian D. Langley, Chair (R-Hancock)
Joyce A. Maker (R-Washington)
Rebecca J. Millett (D-Cumberland)

**Energy, Utilities and Technology**
David Woodsome, Chair (R-York)
Andre E. Cushing III (R-Penobscot)
Mark N. Dion (D-Cumberland)

**Environment and Natural Resources**
Thomas B. Saviello, Chair (R-Franklin)
Amy F. Volk (R-Cumberland)
Geoffrey M. Gratwick (D-Penobscot)

**Health and Human Services**
Eric L. Brakey, Chair (R-Androscoggin)
Roger J. Katz (R-Kennebec)
Benjamin M. Chipman (D-Cumberland)
Inland Fisheries and Wildlife
Scott W. Cyrway, Chair (R-Kennebec)
David C. Woodsome (R-York)
Michael E. Carpenter (D-Aroostook)

Insurance and Financial Services
Rodney L. Whittemore, Chair (R-Somerset)
Dana L. Dow (R-Lincoln)
Brownie Carson (D-Cumberland)

Judiciary
Lisa Keim, Chair (R-Oxford)
Rodney L. Whittemore (R-Somerset)
Dawn Hill (D-York)

Labor, Commerce, Research and Economic Development
Amy F. Volk, Chair (R-Cumberland)
Brian D. Langley (R-Hancock)
Shenna L. Bellows (D-Kennebec)

Marine Resources
Joyce A. Maker, Chair (R-Washington)
Eric L. Brakey (R-Androscoggin)
Eloise A. Vitelli (D-Sagadahoc)

State and Local Government
Paul T. Davis, Sr. Chair (R-Piscataquis)
Lisa Keim (R-Oxford)
Susan A. Deschambault (D-York)

Taxation
Dana L. Dow, Chair (R-Lincoln)
Andre E. Cushing III, (R-Penobscot)
Justin M. Chenette (D-York)

Transportation
Ronald F. Collins, Chair (R-York)
Kimberley C. Rosen (R-Hancock)
David R. Miramant (D-Knox)

Veterans and Legal Affairs
Garrett P. Mason, Chair (R-Androscoggin)
Ronald F. Collins (R-York)
Michael E. Carpenter (D-Aroostook)

Sincerely,

S/Michael D. Thibodeau
President of the Senate
STATE OF MAINE
128TH LEGISLATURE
OFFICE OF THE PRESIDENT

December 23, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Joint Rule 371, I have made the following appointments to the Government Oversight Committee:

Roger J. Katz, Chair (R-Kennebec)
Paul T. Davis, Sr. (R-Piscataquis)
Thomas B. Saviello (R-Franklin)
Nathan L. Libby (D-Androscoggin)
G. William Diamond (D-Cumberland)
Geoffrey M. Gratwick (D-Penobscot)

Sincerely,

S/Michael D. Thibodeau
President of the Senate
December 16, 2016

Honorable Heather Priest
Secretary of the Senate
3 State House Station
Augusta, ME 04333-0002

Dear Secretary Priest,

Pursuant to my authority under Title 38, Chapter 3, Subchapter 2-B, §568-B, 1, F, of the Maine Revised Statutes, I have appointed Peter Sarnacki of Castine to the Clean-up and Response Fund Review Board, effective immediately.

Please contact my office if you have any questions regarding this appointment.

Sincerely,

S/Sara Gideon
Speaker of the House
S.C. 7

STATE OF MAINE
128TH LEGISLATURE
HOUSE OF REPRESENTATIVES
SPEAKER’S OFFICE

TO: The Honorable Heather J.R. Priest
Secretary of the Senate

FROM: S/Sara Gideon
Speaker of the House

DATE: December 23, 2016

RE: Committee Appointments
128th Legislature

Pursuant to my authority under House Rule 201.1(I)(a), I have made the following appointments to the various Joint Standing Committees:

Agriculture, Conservation and Forestry
Michelle Dunphy, Chair (D-Old Town)
Ralph Chapman (D-Brooksville)
Roland Danny Martin (D-Sinclair)
Margaret M. O’Neil (D-Saco)
Russell J. Black (R-Wilton)†
Carol A. McElwee (R-Caribou)
MaryAnne Kinney (R-Knox)
Norman E. Higgins (R-Dover-Foxcroft)
Thomas H. Skolfield (R-Weld)
Kent Ackley (C-Monmouth)

Appropriations and Financial Affairs
Drew Gattine, Chair (D-Westbrook)
John L. Martin (D-Eagle Lake)
Aaron M. Frey (D-Bangor)
Erik C. Jorgensen (D-Portland)
Brian L. Hubbell (D-Bar Harbor)
Denise A. Tepler (D-Topsham)
Tom J. Winsor (R-Norway)†
Heather W. Sirocki (R-Scarborough)
Jeffrey L. Timberlake (R-Turner)
H. Stedman Seavey (R-Kennebunkport)
Criminal Justice and Public Safety
Charlotte Warren, Chair (D-Hallowell)
Catherine M. Nadeau (D-Winslow)
Thomas R. W. Longstaff (D-Waterville)
Martin J. Grohman (D-Biddeford)
Lois Galgay Reckitt (D-South Portland)
Rachel Talbot Ross (D-Portland)
Karen A. Gerrish (R-Lebanon)†
Donald G. Marean (R-Hollis)
Patrick W. Corey (R-Windham)
Lloyd C. Herrick (R-Paris)

Education and Cultural Affairs
Victoria P. Kornfield, Chair (D-Bangor)
Matthea Lisabeth Larsen Daughtry (D-Brunswick)
Richard R. Farnsworth (D-Portland)
Teresa S. Pierce (D-Falmouth)
Roger Jason Fuller (D-Lewiston)
David Harold McCrea (D-Fort Fairfield)
Phyllis A. Ginzler (R-Bridgton)†
Beth Peloquin Turner (R-Burlington)
Heidi H. Sampson (R-Alfred)
Harold L. Stewart III (R-Presque Isle)

Energy, Utilities and Technology
Seth A. Berry, Chair (D-Bowdoinham)
Deane Rykerson (D-Kittery)
Jennifer L. DeChant (D-Bath)
Janice E. Cooper (D-Yarmouth)
Christina Riley (D-Jay)
Heather B. Sanborn (D-Portland)
Nathan J. Wadsworth (R-Hiram)†
Lance Evans Harvell (R-Farmington)
Beth A. O'Connor (R-Berwick)
Jeffery P. Hanley (R-Pittston)

Environment and Natural Resources
Ralph L. Tucker, Chair (D-Brunswick)
Robert S. Duchesne (D-Hudson)
John L. Martin (D-Eagle Lake)
Denise Patricia Harlow (D-Portland)
Jessica L. Fay (D-Raymond)
Stanley Paige Zeigler, Jr. (D-Montville)
Jonathan L. Kinney (R-Limington)†
Richard H. Campbell (R-Orrington)
Jeffrey K. Pierce (R-Dresden)
Scott Walter Strom (R-Pittsfield)
Health and Human Services
Patricia Hymanson, Chair (D-York)
Anne C. Perry (D-Calais)
Scott M. Hamann (D-South Portland)
Colleen M. Madigan (D-Waterville)
Dale J. Denno (D-Cumberland)
Jennifer Ellen Parker (D-South Berwick)
Deborah J. Sanderson (R-Chelsea)†
Richard S. Malaby (R-Hancock)
Frances M. Head (R-Bethel)
Paul B. Chace (R-Durham)

Inland Fisheries and Wildlife
Robert S. Duchesne, Chair (D-Hudson)
Robert W. Alley, Sr. (D-Beals)
Denise Patricia Harlow (D-Portland)
Catherine M. Nadeau (D-Winslow)
Paul A. Stearns (R-Guilford)†
Stephen J. Wood (R-Greene)
Roger E. Reed (R-Carmel)
Peter A. Lyford (R-Eddington)
Timothy S. Theriault (R-China)
Gina M. Mason (R-Lisbon)

Insurance and Financial Services
Mark W. Lawrence, Chair (D-South Berwick)
Heidi E. Brooks (D-Lewiston)
Gina M. Melaragno (D-Auburn)
Benjamin T. Collings (D-Portland)
Heather B. Sanborn (D-Portland)
Raymond A. Wallace (R-Dexter)†
John Joseph Picchiotti (R-Fairfield)
Robert A. Foley (R-Wells)
Dwayne W. Prescott (R-Waterboro)
Garrel Robert Craig (R-Brewer)

Judiciary
Matthew W. Moonen, Chair (D-Portland)
Joyce McCreight (D-Harpswell)
Christopher W. Babbidge (D-Kennebunk)
Donna Bailey (D-Saco)
Barbara A. Cardone (D-Bangor)
Lois Galgay Reckitt (D-South Portland)
Stacey K. Guerin (R-Glenburn)†
Roger L. Sherman (R-Hodgdon)
Richard T. Bradstreet (R-Vassalboro)
Chris A. Johansen (R-Monticello)
Labor, Commerce, Research and Economic Development
Ryan M. Fecteau, Chair (D-Biddeford)
Anne-Marie Mastraccio (D-Sanford)
Dillon F. Bates (D-Westbrook)
James R. Handy (D-Lewiston)
Donna R. Doore (D-Augusta)
Michael A. Sylvester (D-Portland)
Susan M. W. Austin (R-Gray)†
Lawrence E. Lockman (R-Amherst)
Joel R. Stetkis (R-Canaan)
Karen R. Vachon (R-Scarborough)

Marine Resources
Walter A. Kumiega III, Chair (D-Deer Isle)
Michael G. Devin (D-Newcastle)
Robert W. Alley, Sr. (D-Beals)
Lydia C. Blume (D-York)
Stephanie Hawke (R-Boothbay Harbor)†
Kevin J. Battle (R-South Portland)
William R. Tuell (R-East Machias)
David G. Haggan (R-Hampden)
Abden S. Simmons (R-Waldoboro)
Paula G. Sutton (R-Warren)

State and Local Government
Roland Danny Martin, Chair (D-Sinclair)
Mark E. Bryant (D-Windham)
Pinny Beebe-Center (D-Rockland)
George W. Hogan (D-Old Orchard Beach)
John E. Madigan, Jr. (D-Rumford)
John Alden Spear (D-South Thomaston)
Richard A. Pickett (R-Dixfield)†
Matthew A. Harrington (R-Sanford)
Lester S. Ordway (R-Standish)
Chad Wayne Grignon (R-Athens)

Taxation
Ryan Tipping, Chair (D-Orono)
Stephen S. Stanley (D-Medway)
Janice E. Cooper (D-Yarmouth)
Gay M. Grant (D-Gardiner)
Joyce McCreight (D-Harpswell)
Maureen Fitzgerald Terry (D-Gorham)
Gary L. Hilliard (R-Belgrade)†
Bruce A. Bickford (R-Auburn)
Matthew G. Pouliot (R-Augusta)
Karleton S. Ward (R-Dedham)
Transportation
Andrew J. McLean, Chair (D-Gorham)
Walter A. Kumiega III (D-Deer Isle)
Gay M. Grant (D-Gardiner)
John C. Schneck (D-Bangor)
Betty A. Austin (D-Skowhegan)
Bettyann W. Sheats (D-Auburn)
Wayne R. Parry (R-Arundel)†
Richard M. Cebra (R-Naples)
James S. Gillway (R-Searsport)
Michael D. Perkins (R-Oakland)

Veterans and Legal Affairs
Louis J. Luchini, Chair (D-Ellsworth)
Thomas R. W. Longstaff (D-Waterville)
John C. Schneck (D-Bangor)
Kimberly J. Monaghan (D-Cape Elizabeth)
Craig V. Hickman (D-Winthrop)
Bradlee Thomas Farrin (R-Norridgewock)†
Kathleen R. J. Dillingham (R-Oxford)
Sheldon Mark Hanington (R-Lincoln)
Dustin Michael White (R-Washburn)
Owen D. Casás (I-Rockport)

†Ranking Republican Member
December 23, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Joint Rule 354, I have appointed the following members to the Joint Select Committee on Joint Rules:

Jared F. Golden, Chair (D-Lewiston)
John L. Martin (D-Eagle Lake)
Seth A. Berry (D-Bowdoinham)
Roger L. Sherman (R-Hodgdon)†
Donald G. Marean (R-Hollis)

†Ranking Republican Member

Sincerely,

S/Sara Gideon
Speaker of the House
December 23, 2016

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

Dear Secretary Priest:

Pursuant to my authority under Joint Rule 371, I have appointed the following members to the Government Oversight Committee:

Anne-Marie Mastraccio, Chair (D-Sanford)
Jennifer L. DeChant (D-Bath)
Deane Rykerson (D-Kittery)
Jeffrey K. Pierce (R-Dresden)†
Matthew A. Harrington (R-Sanford)
Paula G. Sutton (R-Warren)

†Ranking Republican Member

Sincerely,

S/Sara Gideon
Speaker of the House
The Following Communication:

S.C. 12

STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

December 7, 2016

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

Dear President Thibodeau:

I am pleased to inform the Senate that the House is duly organized by the election of Honorable Sara Gideon of Freeport as Speaker of the House; Honorable Robert B. Hunt as Clerk of the House and Honorable Jennifer E. McGowan as Assistant Clerk of the House of the 128th Legislature and ready to transact such business as might come before it.

Sincerely,

S/Robert B. Hunt
Speaker of the House
December 28, 2016

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

Dear Senator Thibodeau,

I am pleased to present the fourteenth annual report of the Maine Child Welfare Ombudsman. Our office reports to the Governor, the Department, and the Legislature each year pursuant to 22 M.R.S.A. §4087-A. This report reflects the Fiscal Year from October 1, 2015 through September 30, 2016. I respectfully request that you distribute this report to the members of the Maine Senate.

The Child Welfare Services Ombudsman provides information to callers about Child Welfare Services and referrals to other resources and sources of information. For approximately one fifth of callers, the Ombudsman will open a case for review. The Ombudsman is pleased to report that the Office of Child and Family Services and the Ombudsman continue to have an excellent working relationship as we strive for the common goal of keeping Maine's most vulnerable children safe and helping reunite families involved with Child Welfare.

Please let me know if you have any questions about the report or our program and I would be happy to meet and discuss those or any other issues with you.

Respectfully submitted,

S/Christine Alberi  
Ombudsman

________________________________________________________________
December 30, 2016

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

Dear President Thibodeau,

Pursuant to 5 MRSA §12009, I am submitting to you the report of Board and Commission appointments or reappointments for calendar year 2017. Additionally, I am providing a report that lists appointments or reappointments that have not been made from previous years through December 31, 2016, and where vacancies actually exist on a board or commission that need a new appointment. If you need a breakdown by your appointments only, we can provide this for you as well.

If you have any question concerning these reports or need additional information, please contact me or Cathy Beaudoin in the Bureau of Corporations, Elections and Commissions at 624-7748.

Sincerely,

S/Matthew Dunlap
Secretary of State
ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Mildred Marston, of Fort Kent, who will be celebrating her 100th Birthday on December 30, 2016. Mrs. Marston and her late husband, Robert, were married for 65 years and raised 4 children. She has given many volunteer hours to local organizations. We congratulate Mrs. Marston on this occasion and send her our best wishes;

Sponsored by Senator JACKSON of Aroostook.
Cosponsored by Representative: MARTIN of Eagle Lake.

(4-2) Michael Michaud, of Frenchville, Chief of the Frenchville Fire Department, who is retiring after more than 31 years of service with the department. Chief Michaud has served as chief for 14 years. We extend to him our congratulations and best wishes;

Sponsored by Senator JACKSON of Aroostook.
Cosponsored by Representatives: MARTIN of Eagle Lake, MARTIN of Sinclair.

(4-3) Suzanne Patenaude, of Sidney, who is retiring after 28 years of service with Preti Flaherty. We extend to Ms. Patenaude our congratulations on her retirement and offer her our best wishes;

Sponsored by Senator JACKSON of Aroostook.
Cosponsored by Senator: KATZ of Kennebec, Representative: PERKINS of Oakland.

(4-4) Wayne Tuell, of East Machias, who is retiring after working for 27 years at the University of Maine at Machias. Mr. Tuell worked nights and weekends during much of that time, serving as custodian and snow plow operator, as well as operating a custom sawmill business in his spare time. We congratulate Mr. Tuell on his retirement and send him our best wishes;

Sponsored by Senator MAKER of Washington.
Cosponsored by Representative: TUELL of East Machias.
(4-5) Kathryn Hopkins, of Norridgewock, a University of Maine Cooperative Extension educator, who has received the 2016 Distinguished Service Award from the North American Maple Syrup Council. The award is presented to research professionals or maple research alliance partners for their contributions to the North American maple syrup industry and for their exhibited excellence in the field of research or extension education. Ms. Hopkins is co-creator of the International Maple Syrup Institute Maple Grading School. We congratulate her on her receiving this award;

Sponsored by Senator WHITTEMORE of Somerset.
Cosponsored by Representative: FARRIN of Norridgewock.

(4-6) Deb Mooney, of Peru, who was inducted into the Maine Field Hockey Association's Hall of Fame. Ms. Mooney played field hockey for 4 years at Dirigo High School and 3 years at the University of Southern Maine. She then served as a game official for many years. We congratulate Ms. Mooney on her receiving this honor;

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: PICKETT of Dixfield.

(4-7) Harold Souther, of Livermore Falls, a cooperative weather observer for the National Weather Service, who was presented with the service's Dick Hagemeyer Award for his 45 years of accurate and consistent weather observations. We extend to Mr. Souther our congratulations and best wishes;

Sponsored by Senator KEIM of Oxford.
Cosponsored by Representative: RILEY of Jay.

(4-8) Susan Myers, of Waterville, who is retiring after 31 years of service as a Forest Ranger with the Maine Forest Service. We congratulate her on this occasion and send her our best wishes;

Sponsored by Senator CYRWAY of Kennebec.
Cosponsored by Representatives: LONGSTAFF of Waterville, MADIGAN of Waterville.
(4-9) Pam Whalen-Roy, of York, who was given the Henry R. Scipione Award by the York Education Foundation for her efforts to promote and advance excellence in education for students in the York Public Schools. We extend to Ms. Whalen-Roy our congratulations and best wishes;

SLS 9

Sponsored by Senator HILL of York.

(4-10) the Ogunquit Chamber of Commerce, of Ogunquit, which celebrated its 50th Anniversary in November 2016. We extend to everyone involved with the Ogunquit Chamber of Commerce our congratulations and best wishes;

SLS 10

Sponsored by Senator HILL of York.
Cosponsored by Representative: HYMANSON of York.

(4-11) Richard Perkins, of Ogunquit, who was named the Outstanding Citizen for 2016 by the Ogunquit Chamber of Commerce. We extend to Mr. Perkins our congratulations and best wishes;

SLS 11

Sponsored by Senator HILL of York.
Cosponsored by Representative: HYMANSON of York.

(4-12) Governor's Restaurant and Bakery, of Presque Isle, which has been named the 2016 Business of the Year by the Central Aroostook Chamber of Commerce. We send Governor's Restaurant and Bakery our congratulations for this award;

SLS 12

Sponsored by Senator CARPENTER of Aroostook.

(4-13) Deborah Gray, of Presque Isle, who has been named the 2016 Citizen of the Year by the Central Aroostook Chamber of Commerce. We congratulate Ms. Gray on her receiving this award;

SLS 13

Sponsored by Senator CARPENTER of Aroostook.
(4-14) Richard Hallett, of Mars Hill, who has been awarded the 2016 Lifetime Achievement Award from the Central Aroostook Chamber of Commerce. We congratulate Mr. Hallett on his receiving this honor;  

SLS 14

Sponsored by Senator CARPENTER of Aroostook.

(4-15) David Badger, of Lake View Plantation, who is retiring from the Board of Assessors. Mr. Badger served on the board from 1991 to 2016, including as chair from 2004 to 2016, and he also served as Tax Assessor. We extend to Mr. Badger our congratulations and best wishes;  

SLS 15

Sponsored by Senator DAVIS of Piscataquis.
Cosponsored by Representative: HIGGINS of Dover-Foxcroft.