



**One Hundred and Twenty-Eighth Legislature  
First Regular Session**

**Advance Journal and Calendar**

**10th Legislative Day**

In Senate Chamber, Tuesday, January 31, 2017.

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

Prayer by Reverend Harold Churchill, First United Pentecostal Church in Lewiston.

Pledge of Allegiance led by Senator Paul T. Davis, Sr. of Piscataquis County.

Reading of the Journal of Thursday, January 26, 2017.

Doctor of the day, Jeffrey Thurlow, M.D. of York.

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**Michael D. Thibodeau**  
*Senate President*

**Heather J.R. Priest**  
*Secretary of the Senate*

*<http://legislature.maine.gov/senate>*

**PAPERS FROM THE HOUSE**

**Non-Concurrent Matter**

(1-1) Bill "An Act To Require National Banks To Cooperate in the Administration of the General Assistance Program"

S.P. 85 L.D. 239

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

In Senate, January 26, 2017, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Comes from the House, **REFERRED** to the Committee on **INSURANCE AND FINANCIAL SERVICES** in **NON-CONCURRENCE**.

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**House Papers**

(1-2) Bill "An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic In-migration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund"

H.P. 98 L.D. 140

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

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(1-3) Bill "An Act To Prohibit the Mining of Massive Sulfide Ore Deposits on State Lands"  
H.P. 117 L.D. 159

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

Comes from the House, **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**.

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(1-4) Bill "An Act To Require Tamper-evident Packaging for Recreational Marijuana Products"  
H.P. 122 L.D. 164

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** suggested and ordered printed.

Comes from the House, **REFERRED** to the Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION**.

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(1-5) Bill "An Act To Require a State Automobile Inspection Biannually"  
H.P. 167 L.D. 211

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

Comes from the House, with the Bill and accompanying papers **INDEFINITELY POSTPONED**.

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**Joint Resolutions**

Joint Resolutions in Memoriam:

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-6) Barbara Ann Frost, of Otis. Mrs. Frost loved hosting holiday gatherings, celebrations and parties and dancing, traveling and boating. She will be long remembered and sadly missed by her family and friends;

HLS 32

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-7) David R. Hazen, of Dedham. Mr. Hazen was employed in retail management and enjoyed cruising on his motorcycle, working on his property and boating, among other pursuits. He will be long remembered and sadly missed by his family, friends and colleagues;

HLS 33

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-8) Jason Anthony Lambert, of Dedham. Mr. Lambert was a professional painter, working with his father. He enjoyed hunting, music, gardening and being with friends, and was always willing to help those in need. He will be sadly missed by his loving family and many friends;

HLS 34

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-9) Lloyd E. Turner, of East Orland, a veteran of the United States Navy. During World War II, Mr. Turner worked as a welder for South Portland Shipyard until he graduated from Portland High School. He then served in the United States Navy Combat Aircrew in San Juan, Puerto Rico. He was later employed at the Bucksport Paper Mill, where he worked for 46 years. He was a member of the Verona Island American Legion and the Masons. Mr. Turner will be long remembered and sadly missed by his wife of 67 years, Gloria, and his family and friends;

HLS 35

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-10) Milton "Butch" DeBarge, of Orland. Mr. DeBarge joined the United States Navy and served on the U.S.S. Vulcan during the Vietnam War. After his service, he became a mechanic and held memberships in many civic organizations, including the American Legion, the Elks Club and the Italian Club of Massachusetts. Mr. DeBarge will be sadly missed by his loving family and many friends;

HLS 36

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-11) Ruth A. Saunders, of Orland. Ms. Saunders worked at and retired from the Department of Transportation garage in Ellsworth. She was a member of the North Orland Victory Grange, and she traveled extensively throughout the United States. Ms. Saunders will be sadly missed by her loving family and many friends;

HLS 37

WHEREAS, the Legislature has learned with deep regret of the death of:

(1-12) Barbara Anne Ferden, of Penobscot. Ms. Ferden worked for Southern New Hampshire University and the University of Florida. For many years, she provided customer service at Downeast Graphics. Ms. Ferden will be long remembered and sadly missed by her family, friends and colleagues;

HLS 38

Come from the House **READ** and **ADOPTED**.

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COMMUNICATIONS

(2-1) The Following Communication:

S.C. 80

STATE OF MAINE  
 ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
 COMMITTEE ON STATE AND LOCAL GOVERNMENT

January 30, 2017

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 State and Local Government has had under consideration the nomination of Joel C. Allumbaugh of Pittston, for reappointment to the Maine Governmental Facilities 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	Davis of Piscataquis, Deschambault of York
	Representatives	8	Martin of Sinclair, Beebe-Center of Rockland, Bryant of Windham, Harrington of Sanford, Madigan of Rumford, Ordway of Standish, Pickett of Dixfield, Spear of South Thomaston
NAYS		0	
ABSENT		3	Sen. Keim of Oxford, Rep. Grignon of Athens, Rep. Hogan of Old Orchard Beach

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Joel C. Allumbaugh of Pittston, for reappointment to the Maine Governmental Facilities Authority be confirmed.

Signed,

S/Paul T. Davis  
 Senate Chair

S/Danny Martin  
 House Chair

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(2-2) The Following Communication:

S.C. 82

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

January 30, 2017

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 State and Local Government has had under consideration the nomination of Rebecca A. Grant of Augusta, for reappointment to the State Civil Service Appeals Board.

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	Davis of Piscataquis, Deschambault of York
	Representatives	8	Martin of Sinclair, Beebe-Center of Rockland, Bryant of Windham, Harrington of Sanford, Madigan of Rumford, Ordway of Standish, Pickett of Dixfield, Spear of South Thomaston
NAYS		0	
ABSENT		3	Sen. Keim of Oxford, Rep. Grignon of Athens, Rep. Hogan of Old Orchard Beach

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Rebecca A. Grant of Augusta, for reappointment to the State Civil Service Appeals Board be confirmed.

Signed,

S/Paul T. Davis  
Senate Chair

S/Danny Martin  
House Chair



(2-3) The Following Communication:

S.C. 81

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

January 30, 2017

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 State and Local Government has had under consideration the nomination of Daniel G. Casavant of Waterville, for reappointment to the State Civil Service Appeals Board.

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	Davis of Piscataquis, Deschambault of York
	Representatives	8	Martin of Sinclair, Beebe-Center of Rockland, Bryant of Windham, Harrington of Sanford, Madigan of Rumford, Ordway of Standish, Pickett of Dixfield, Spear of South Thomaston
NAYS		0	
ABSENT		3	Sen. Keim of Oxford, Rep. Grignon of Athens, Rep. Hogan of Old Orchard Beach

Ten members of the Committee having voted in the affirmative and zero in the negative, it was the vote of the Committee that the nomination of Daniel G. Casavant of Waterville, for reappointment to the State Civil Service Appeals Board be confirmed.

Signed,

S/Paul T. Davis  
Senate Chair

S/Danny Martin  
House Chair

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(2-4) The Following Communication:

S.C. 61

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA, MAINE**

January 27, 2017

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

Dear President Thibodeau:

This is to inform you that, pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of The Hon. Michael J. Timmons of Cumberland for appointment as a member of the Land for Maine's Future Board.

This nomination is currently pending before the Joint Standing Committee on Agriculture, Conservation and Forestry.

Thank you for your assistance in this matter.

Sincerely

S/Paul R. LePage  
Governor

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(2-5) The Following Communication:

S.C. 62

**STATE OF MAINE  
128<sup>TH</sup> MAINE LEGISLATURE**

January 26, 2017

William J. Brennan, President  
Maine Maritime Academy  
Box C-03  
Castine, Maine 04420

Dear President Brennan:

We are pleased to invite you to address a Joint Session of the 128<sup>th</sup> Maine Legislature on Thursday, March 2, 2017, at 11 a.m., concerning the State of the Maine Maritime Academy and any other matters that you may care to bring to our attention.

On the same day following your address, James Page, Chancellor of the University of Maine System, and Derek Langhauser, President of the Maine Community College System, will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

S/Sara Gideon  
Speaker of the House

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(2-6) The Following Communication:

S.C. 63

**STATE OF MAINE  
128<sup>TH</sup> MAINE LEGISLATURE**

January 26, 2017

James H. Page, Chancellor  
University of Maine System  
16 Central Street  
Bangor, Maine 04401

Dear Chancellor Page:

We are pleased to invite you to address a Joint Session of the 128<sup>th</sup> Maine Legislature on Thursday, March 2, 2017, at 11:00 a.m., concerning the State of the University of Maine System and any other matters that you may care to bring to our attention. You will address the Joint Convention following William J. Brennan, President of the Maine Maritime Academy.

On the same day following your address, Derek P. Langhauser, President of the Maine Community College System, will be addressing the Joint Convention.

We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

S/Sara Gideon  
Speaker of the House

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(2-7) The Following Communication:

S.C. 64

**STATE OF MAINE  
128<sup>TH</sup> MAINE LEGISLATURE**

January 26, 2017

Derek P. Langhauser, President  
Maine Community College System  
131 State House Station  
Augusta, Maine 04333

Dear President Langhauser:

We are pleased to invite you to address a Joint Session of the 128<sup>th</sup> Maine Legislature on Thursday, March 2, 2017, at 11:00 a.m., concerning the State of the Maine Community College System and any other matters that you may care to bring to our attention.

You will address the Joint Convention following William J. Brennan, President of the Maine Maritime Academy, and James H. Page, Chancellor of the University of Maine System.

We look forward to seeing you then.

Sincerely,

S/Michael D. Thibodeau  
President of the Senate

S/Sara Gideon  
Speaker of the House

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(2-8) The Following Communication:

S.C. 65

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 26, 2017

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

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(2-9) The Following Communication:

S.C. 69

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

January 30, 2017

Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under Joint Order, HP 96, I am pleased to appoint the following members to the Joint Select Committee on Marijuana Legalization Implementation:

Teresa S. Pierce, Chair (D-Falmouth)  
Kimberly J. Monaghan (D-Cape Elizabeth)  
Scott M. Hamann (D-South Portland)  
Craig V. Hickman (D-Winthrop)  
Erik C. Jorgensen (D-Portland)  
Lydia C. Blume (D-York)  
Donald G. Marean (R-Hollis)†  
Bruce A. Bickford (R-Auburn)  
Lance Evans Harvell (R-Farmington)  
Patrick W. Corey (R-Windham)  
Michael D. Perkins (R-Oakland)  
Kent Ackley (C-Monmouth)

†Ranking Republican Member

If you have any questions regarding these appointments please do not hesitate to contact me.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-10) The Following Communication:

S.C. 73

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 3, MRSA, Ch. 10, §227, I am pleased to recommend the following legislators for appointment to the Maine-Canadian Legislative Advisory Commission:

Representative Kenneth Fredette of Newport for seat 3  
Representative Erik Jorgensen of Portland for seat 4

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-11) The Following Communication:

S.C. 74

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 7, MRSA, Part 1, Ch. 5, §125.2-G, I am pleased to appoint Representative Michelle Dunphy of Old Town to seat 15 on the Board of Agriculture.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-12) The Following Communication:

S.C. 75

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 10, MRSA, Part 1, Ch. 1-A, §11.4-A2, I am pleased to appoint the following legislators to the Citizen Trade Policy Commission:

Representative Craig Hickman of Winthrop to seat 4  
Representative Stephen Stanley of Medway to seat 5  
Representative Stacey Guerin of Glenburn to seat 6

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-13) The Following Communication:

S.C. 76

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 1, MRSA, Ch. 13, Subchapter 1, §411.2-B, I am pleased to appoint Representative Christopher Babbidge of Kennebunk to seat 2 on the Right to Know Advisory Committee.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-14) The Following Communication:

S.C. 77

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 5, MRSA, Part 30, Ch. 621, §24001.3-B, I am pleased to appoint the following legislators to the Maine Children's Growth Council:

Representative Richard Farnsworth of Portland to seat 3  
Representative Heather Sirocki of Scarborough to seat 4

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-15) The Following Communication:

S.C. 78

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 5, MRSA, Part 10-A, Ch. 319, §3371.2-B, I am pleased to appoint the following legislators to the Maine Fire Protection Services Commission:

Representative Catherine Nadeau of Winslow for seat 3  
Representative Thomas Longstaff of Waterville for seat 4  
Representative Timothy Theriault of China for seat 5

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-16) The Following Communication:

S.C. 79

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE**

January 30, 2017

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

Dear Secretary Priest,

Pursuant to my authority under Title 20-A, MRSA, Part 5, Ch. 426, §12304.2-A, I am pleased to appoint Representative Anne-Marie Mastraccio of Sanford to seat 6 on the Advisory Committee on Dental Education.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Sara Gideon  
Speaker of the House

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(2-17) The Following Communication:

S.C. 83

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
OFFICE OF THE PRESIDENT**

January 30, 2017

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 Order, HP0096, I have made the following appointments to the Joint Select Committee on Marijuana Legalization Implementation:

Senator Roger J. Katz of Kennebec, Chair  
Senator Kimberly C. Rosen of Hancock  
Senator Joyce A. Maker of Washington  
Senator Mark N. Dion of Cumberland  
Senator Susan A. Deschambault of York

If you have any questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,

S/Michael Thibodeau  
President of the Senate

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(2-18) The Following Communication:

S.C. 84

**STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
OFFICE OF THE PRESIDENT**

January 30, 2017

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 Title 7, MRSA, Chapter 5, Section 125, I am pleased to appoint Senator Paul T. Davis, Sr. to the Board of Agriculture, representing a Senator serving on the Joint Standing Committee on Agriculture, Conservation and Forestry.

Please let me know if you have any questions regarding this appointment.

Sincerely,

S/Michael Thibodeau  
President of the Senate

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(2-19) The Following Communication:

S.C. 38

**STATE OF MAINE  
WORKERS' COMPENSATION BOARD  
OFFICE OF EXECUTIVE DIRECTOR/CHAIR  
27 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0027**

January 11, 2017

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

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

RE: Annual Report of the Workers' Compensation Board Pursuant to 5 M.R.S.A.  
§12023(2)

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 M.R.S.A., §12023, please consider this the transmittal letter for the required report from the Workers' Compensation Board due by February 1, 2017.

Please contact me if you have any questions or need additional information.

Very truly yours,

S/Paul H. Sighinolfi, Esq.  
Executive Director/Chair

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(2-20) The Following Communication:

S.C. 66

**FINANCE AUTHORITY OF MAINE  
94 STATE HOUSE STATION  
AUGUSTA, MAINE 04332**

January 26, 2017

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

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

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 M.R.S.A. §12023, please consider this the letter of transmittal for the required report from the Finance Authority of Maine due February 1, 2017.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Bruce Wagner  
Chief Executive Officer

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(2-21) The Following Communication:

S.C. 67

**MAINE VENTURE FUND  
NEWPORT, MAINE**

January 25, 2017

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

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

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 MRSA, §12023, please consider this the letter of transmittal for the attached "Report to Legislature for 2015" on behalf of the quasi-independent state entity, Small Enterprise Growth Board, due February 1, 2017.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Terri Wark  
Office Operations Manager  
Small Enterprise Growth Board  
d/b/a Maine Venture Fund

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(2-22) The Following Communication:

S.C. 68

**STATE OF MAINE  
LORING DEVELOPMENT AUTHORITY OF MAINE  
LIMESTONE, MAINE**

January 25, 2017

Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

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

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Loring Development Authority of Maine due by February 1, 2017.

Please contact me if you have any questions or need additional information.

Thank you.

Very truly yours,

S/Carl W. Flora  
President & CEO

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(2-23) The Following Communication:

S.C. 70

**WASHINGTON COUNTY  
DEVELOPMENT AUTHORITY**

January 18, 2017

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

Dear President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Washington County Development Authority due by February 1, 2017.

The WCDA was incorporated in 2003 with the purpose of redeveloping the former Navy Base in Cutler. Several private developers have attempted to redevelop the commercial side of the base but were unsuccessful. In 2015, Cutler North, LLC gifted the commercial side to the WCDA. The Authority is working to bring the facility back into productive use.

Please contact me with any questions or concerns. Thank you.

S/Betsy Fitzgerald  
WCDACHair

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(2-24) The Following Communication:

S.C. 71

**MAINE TURNPIKE AUTHORITY  
PORTLAND, MAINE**

January 26, 2017

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

Re: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear President Thibodeau:

Enclosed are the reports required under 5 M.R.S.A. §12023, due February 1, 2017. The reports include: a list of all procurements in 2016 exceeding \$10,000 for which competitive procurement was waived; a list of contributions made in 2016 that exceed \$1,000; the revised policy on contributions that was updated in December 2016, and a resolution adopted by the Board on March 24, 2011 that discontinued making donations, restricted memberships and adopted a budget for contributions to approved organizations.

In 2016, the Maine Turnpike Authority made \$86 million in payments to approximately 680 vendors. The vast majority of these payments, approximately \$77.5 million, were for competitively bid products or services or were legally or legislatively required. The Authority sole-sourced approximately \$8 million in 2016. Most of these products or services were either proprietary in nature or were procured under long-term contracts. As these long-term contracts expire, the Authority will seek competitive bids.

Respectfully,

S/Peter Mills  
Executive Director

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(2-25) The Following Communication:

S.C. 72

**MAINE PORT AUTHORITY  
AUGUSTA MAINE**

January 30, 2017

The Honorable Sara Gideon  
Speaker of the House  
2 State House Station  
Augusta, ME 04333-0002

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

Dear Speaker Gideon and President Thibodeau:

Pursuant to 5 M.R.S.A., Section 12023, the Maine Port Authority is pleased to submit the following report to the Legislature, due by February 1, 2017.

Please contact me if you have any questions or need additional information.

Sincerely,

S/John H. Henshaw  
Executive Director

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**SENATE PAPERS**

(3-1) Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2017" (EMERGENCY)

S.P. 88 L.D. 302

Presented by Senator HAMPER of Oxford. (GOVERNOR'S BILL)

Cosponsored by Representative GATTINE of Westbrook and Senator: BREEN of Cumberland, Representative: WINSOR of Norway.

(3-2) Bill "An Act To Authorize a General Fund Bond Issue for Railways"

S.P. 104 L.D. 316

Presented by Senator MIRAMANT of Knox.

Cosponsored by Representative SPEAR of South Thomaston and Senators: BELLOWS of Kennebec, CARPENTER of Aroostook, CHIPMAN of Cumberland, GRATWICK of Penobscot, JACKSON of Aroostook, Representative: DEVIN of Newcastle.

(3-3) Bill "An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities"

S.P. 105 L.D. 317

Presented by Senator MIRAMANT of Knox.

Cosponsored by Representative KUMIEGA of Deer Isle and Senators: BELLOWS of Kennebec, CHIPMAN of Cumberland, JACKSON of Aroostook, WHITTEMORE of Somerset, Representatives: AUSTIN of Skowhegan, DOORE of Augusta, GILLWAY of Searsport, SPEAR of South Thomaston.

(3-4) Bill "An Act To Authorize a General Fund Bond Issue to Support Economic Development with High-Resolution Geospatial Data"

S.P. 106 L.D. 318

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Representative BLACK of Wilton and Senator: BREEN of Cumberland, Representatives: COOPER of Yarmouth, NADEAU of Winslow, TUELL of East Machias, WADSWORTH of Hiram.

(3-5) Bill "An Act To Authorize a General Fund Bond Issue for Riverfront Community Development"

S.P. 107 L.D. 319

Presented by Senator DESCHAMBAULT of York.

Cosponsored by Representative FECTION of Biddeford and Senators: BREEN of Cumberland, CHENETTE of York, HILL of York, JACKSON of Aroostook, LIBBY of Androscoggin, VITELLI of Sagadahoc, Representatives: GROHMAN of Biddeford, RYKERSON of Kittery.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

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(3-6) Bill "An Act To Support Workforce Development by Increasing Engineering Capacity"

S.P. 100 L.D. 312

Presented by Senator VOLK of Cumberland.

Cosponsored by Representative FECTION of Biddeford and Senators: HILL of York, KATZ of Kennebec, MILLETT of Cumberland, Representatives: AUSTIN of Gray, ESPLING of New Gloucester, GATTINE of Westbrook, JORGENSEN of Portland, McLEAN of Gorham.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

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(3-7) Bill "An Act To Facilitate the Implementation of Mobile Narcotic Treatment Programs in Rural Counties in the State"

S.P. 93 L.D. 307

Presented by Senator GRATWICK of Penobscot.

Cosponsored by Representative KORNFIELD of Bangor and Senators: BELLOWS of Kennebec, BREEN of Cumberland, CHIPMAN of Cumberland, JACKSON of Aroostook, MILLETT of Cumberland, Representatives: ACKLEY of Monmouth, GATTINE of Westbrook.

(3-8) Bill "An Act To Provide MaineCare Coverage for Chiropractic Treatment"

S.P. 94 L.D. 320

Presented by Senator LIBBY of Androscoggin.

Cosponsored by Representative MARTIN of Eagle Lake and Senators: BREEN of Cumberland, CHIPMAN of Cumberland, CYRWAY of Kennebec, DIAMOND of Cumberland, DILL of Penobscot, JACKSON of Aroostook, KATZ of Kennebec, Representative: CAMPBELL of Orrington.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

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(3-9) Bill "An Act To Require Permits for Wildlife in Captivity and Notification of the Escape of Exotic Wildlife in Captivity"

S.P. 91 L.D. 305

Presented by Senator CYRWAY of Kennebec.

Cosponsored by Representative HANINGTON of Lincoln and Senators: COLLINS of York, DAVIS of Piscataquis, DOW of Lincoln, Representatives: COREY of Windham, GERRISH of Lebanon, LONGSTAFF of Waterville, MAREAN of Hollis, NADEAU of Winslow.

Committee on **INLAND FISHERIES AND WILDLIFE** suggested and ordered printed.

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(3-10) Bill "An Act To Prohibit Charging Maine Seniors Higher Automobile Insurance Premiums Based Solely on Their Age"

S.P. 96 L.D. 308

Presented by Senator DIAMOND of Cumberland.

Cosponsored by Representative PARRY of Arundel and Senators: DESCHAMBAULT of York, DOW of Lincoln, Representatives: BRYANT of Windham, CAMPBELL of Orrington, COREY of Windham, FAY of Raymond, MARTIN of Eagle Lake, ORDDWAY of Standish.

Committee on **INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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(3-11) Bill "An Act To Require State Compliance with Federal REAL ID Guidelines"  
S.P. 92 L.D. 306

Presented by Senator DIAMOND of Cumberland.  
Cosponsored by Senators: COLLINS of York, DESCHAMBAULT of York, DILL of Penobscot,  
HILL of York, KATZ of Kennebec, Representatives: CEBRA of Naples, GILLWAY of  
Searsport.

(3-12) Bill "An Act To Restore Judicial Discretion"

S.P. 97 L.D. 309

Presented by Senator VOLK of Cumberland.  
Cosponsored by Representative RECKITT of South Portland and Senators: CHENETTE of  
York, DESCHAMBAULT of York, HILL of York, KATZ of Kennebec, KEIM of Oxford,  
ROSEN of Hancock, Representatives: GUERIN of Glenburn, NADEAU of Winslow.

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

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(3-13) Bill "An Act To Amend the Laws Governing Prior Employees of the Workers'  
Compensation Board"

S.P. 101 L.D. 313

Presented by Senator CUSHING of Penobscot.  
Cosponsored by Representative FECTION of Biddeford, Representative STEWART of Presque  
Isle and Senators: KATZ of Kennebec, MASON of Androscoggin, President THIBODEAU of  
Waldo, VOLK of Cumberland, Representatives: VACHON of Scarborough, WADSWORTH of  
Hiram, WARD of Dedham.

Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**  
suggested and ordered printed.

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(3-14) Bill "An Act To Responsibly Implement an Adult Use Cannabis Program"  
S.P. 98 L.D. 310

Presented by Senator BRAKEY of Androscoggin.

Joint Select Committee on **MARIJUANA LEGALIZATION IMPLEMENTATION**  
suggested and ordered printed.

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(3-15) Bill "An Act To Change the Name of Captain Ambrose Bear Stream"  
S.P. 89 L.D. 303

Presented by Senator CARPENTER of Aroostook.  
Cosponsored by Representative SHERMAN of Hodgdon.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

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(3-16) Bill "An Act To Eliminate Corporate Welfare and Provide Tax Relief"  
S.P. 99 L.D. 311

Presented by Senator BRAKEY of Androscoggin.

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

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(3-17) Bill "An Act Concerning Emergency Lights on Police Vehicles"  
S.P. 102 L.D. 314

Presented by Senator VOLK of Cumberland.  
Cosponsored by Representative McLEAN of Gorham and Senator: COLLINS of York,  
Representatives: BRYANT of Windham, CEBRA of Naples, PARRY of Arundel,  
WADSWORTH of Hiram.

(3-18) Resolve, Directing the Department of Transportation To Apply for Funds for Rail Improvements

S.P. 103 L.D. 315

Presented by Senator LIBBY of Androscoggin.

Cosponsored by Representative SHEATS of Auburn and Senator: ROSEN of Hancock, Representatives: BROOKS of Lewiston, BRYANT of Windham, FULLER of Lewiston, GOLDEN of Lewiston, GRANT of Gardiner, HANDY of Lewiston, PARRY of Arundel.

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

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(3-19) Bill "An Act To Authorize Auxiliary Licenses at Disc Golf Courses"

S.P. 90 L.D. 304

Presented by Senator MASON of Androscoggin.

Cosponsored by Representative WOOD of Greene and Representatives: LUCHINI of Ellsworth, MASON of Lisbon, TIMBERLAKE of Turner.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

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## ORDERS

### Joint Orders

(4-1) On motion by Senator **KATZ** of Kennebec, the following Joint Order:

S.P. 95

## STATE OF MAINE 128<sup>TH</sup> MAINE LEGISLATURE

**ORDERED**, the House concurring, that the Joint Rules be amended by adding Joint Rule 301-A to read:

**Rule 301-A. Procedure for Committee To Issue Subpoenas.**

In addition to, and distinct from, their powers as investigating committees under the Maine Revised Statutes, Title 3, section 165, legislative committees have the following additional powers. The Legislature has the inherent power and right to compel from governmental officials

the production of information that the Legislature needs to conduct its business, including the business of reviewing pending and proposed legislation and the preparation of budget and tax policies. A joint standing committee or joint select committee, or a subcommittee of a joint standing committee or joint select committee, is granted the power to administer oaths, issue subpoenas and compel the testimony of witnesses and the production of any papers, books, documents and testimony pursuant to the following procedure. The exercise by a joint standing committee of powers in accordance with this rule is not governed by Title 3, section 165.

**1. Request to Presiding Officers.** When the duties assigned to a joint standing committee or joint select committee or any subcommittee thereof so require, the Senate chair of the committee or subcommittee may submit to the presiding officers a request for that committee or subcommittee to administer oaths, issue subpoenas for the attendance of Maine state government officials and compel the testimony of witnesses and the production of papers, books, documents and testimony. Any request from the Senate chair must clearly state, and thereby limit, the subject matter and scope of the study or inquiry.

**2. Presiding Officers May Authorize.** Upon receipt of a request submitted in accordance with subsection 1, the presiding officers may jointly authorize the Senate chair of the committee or subcommittee, in the sole discretion of the chair, to issue such subpoenas on behalf of the committee or subcommittee.

**3. Requirements of Subpoena.** The subpoena must specify the subject matter on which information is being sought, the type of information requested, the date and place for which the initial appearance is requested and the amount of time estimated for the testimony requested. The subpoena must provide a reasonable amount of time for a person to locate relevant documents and to prepare information and testimony sought.

In the alternative, the subpoena may be directed to the head of a particular department or agency and may direct the person to designate a person with knowledge of the indicated subject matter to respond and comply with the subpoena and provide all appropriate documents.

The subpoena continues to be in effect if a hearing is recessed, but not for a period to exceed 30 days.

**4. Testimony.** Testimony by subpoenaed officials may not be taken under oath unless there is a 3/4 vote of committee or subcommittee members present to do so. An oath must be administered by the Senate chair of the committee or subcommittee.

**5. Appeal.** If a person who has been subpoenaed asserts that the subpoena is frivolous, unreasonable or unrelated to the legitimate work of the committee or subcommittee or seeks information that is privileged or otherwise protected from public disclosure, the person may appeal the issuance of the subpoena to the Legislative Council and the Legislative Council may quash the subpoena upon the affirmative vote of 6 members.

**6. Protective Order.** If a person who has been subpoenaed asserts that information sought is privileged or otherwise protected from public disclosure in the committee, the subcommittee or the Legislature and the Legislative Council does not afford the person the relief the person requests, that person may petition for a protective order from the Superior Court for Kennebec County in the same manner as provided in Rule 26(c) of the Maine Rules of Civil Procedure.

**7. Enforcement.** The presiding officers may seek to enforce a subpoena by application to the Superior Court for Kennebec County pursuant to the procedures set out in the Maine Revised Statutes, Title 3, section 162, subsection 4 and Title 3, section 165, subsection 7.

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Expressions of Legislative Sentiment recognizing:

(4-2) Eleanor Vadenais, of Kennebunk, who has been named a 2016 Mover & Shaker in Wells by the Wells Chamber of Commerce. Ms. Vadenais has served as the chamber's president since July 2007. We extend to her our congratulations and best wishes;

SLS 42

Sponsored by Senator COLLINS of York.

Cosponsored by Representatives: BABBIDGE of Kennebunk, SEAVEY of Kennebunkport.

(4-3) Cornelius Russell, of Rockport, who has been named Community Person of the Year by the Penobscot Bay Regional Chamber of Commerce. Mr. Russell is the general manager of the Samoset Resort. We congratulate him on his receiving this award;

SLS 43

Sponsored by Senator MIRAMANT of Knox.

Cosponsored by Representative: CASÁS of Rockport.

(4-4) Kolleen Bouchard, of Houlton, a junior at Houlton High School and a player on the girls basketball team, who recently scored her 1,000th career point. We extend to Kolleen our congratulations and best wishes;

SLS 44

Sponsored by Senator CARPENTER of Aroostook.

Cosponsored by Representative: SHERMAN of Hodgdon.

(4-5) Bryan Litchfield, of Saco, who has received the Great Person Award from the *Biddeford-Saco-OOB Courier*. We congratulate Mr. Litchfield on his receiving this award;

SLS 45

Sponsored by Senator CHENETTE of York.

Cosponsored by Senator: DESCHAMBAULT of York, Representatives: BAILEY of Saco, GROHMAN of Biddeford, MAREAN of Hollis, O'NEIL of Saco.

(4-6) Michael Laverriere, of Saco, a student at Thornton Academy, who has been awarded the James J. Fitzpatrick Trophy. The Fitzpatrick Trophy is given to the top senior high school football player in the State based on voting by the State's coaches and the media. We congratulate Michael on his receiving this well-deserved honor;

SLS 46

Sponsored by Senator CHENETTE of York.

Cosponsored by Representatives: BAILEY of Saco, MAREAN of Hollis, O'NEIL of Saco.

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**ORDERS OF THE DAY**

**Unfinished Business**

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

**1.**

**Tabled and Later Assigned**

JOINT ORDER - Expression of Legislative Sentiment Recognizing the Portland Public Library, of Portland, on its 150th anniversary.

SLS 18

Tabled - January 5, 2017, by Senator **CHIPMAN** of Cumberland

Pending - **PASSAGE**

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**2.**

**Tabled and Later Assigned**

Bill "An Act To Amend the Maine Medical Use of Marijuana Act"

S.P. 84 L.D. 238

Tabled - January 26, 2017, by Senator **MASON** of Androscoggin

Pending - **REFERENCE**

(Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.)

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3.

**Tabled and Later Assigned**

JOINT ORDER - Expression of Legislative Sentiment Recognizing Emery's Meat and Produce,  
of Gardiner

SLS 35

Tabled - January 26, 2017, by Senator **BELLOWS** of Kennebec

Pending - **PASSAGE**

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4.

**Tabled and Later Assigned**

JOINT ORDER - Expression of Legislative Sentiment Recognizing Aaron Jones, of Gorham

SLS 41

Tabled - January 26, 2017, by Senator **VOLK** of Cumberland

Pending - **PASSAGE**

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