One Hundred and Twenty-Eighth Legislature
Second Regular Session

Advance Journal and Calendar

15th Legislative Day

In Senate Chamber, Thursday, February 22, 2018.

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

Prayer by Reverend Stephen Bascom, The United Methodist Church in Auburn.

Pledge of Allegiance led by Senator Lisa M. Keim of Oxford County.

Reading of the Journal of Tuesday, February 20, 2018.

Doctor of the day, Ronald Blum, M.D. of Patten.

_________________________________
Michael D. Thibodeau
Senate President

Heather J.R. Priest
Secretary of the Senate

http://legislature.maine.gov/senate

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Out of order and under suspension of the Rules, on motion by Senator MASON of Androscoggin, the following Joint Order:

S.P. 697

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 27, 2018 at 10:00 in the morning.

PAPERS FROM THE HOUSE

Joint Orders

Expressions of Legislative Sentiment recognizing:

(1-1) Scott Graffam, of Norway, a teacher at Oxford Hills Comprehensive High School and the coach of the boys basketball team, who has been named the Class AA North Coach of the Year. We extend to Mr. Graffam our congratulations and best wishes; HLS 901

(1-2) Donna Allen, of Rockland, who recently retired after many years of service with the Knox County Emergency Management Agency. Ms. Allen began work with the agency on January 11, 1999 after working at Mid Coast Mental Health Center. We extend to Ms. Allen our congratulations on her retirement and offer her our best wishes; HLS 903

(1-3) Jeff Hart, of Rockport, coach of the Camden Hills Regional High School Boys Basketball Team, who has been inducted into the Maine Basketball Hall of Fame as part of the Class of 2018 and who recently achieved his 500th career coaching victory. We extend to Mr. Hart our congratulations and best wishes; HLS 905

(1-4) Katahdin Trust Company, in Patten, which is celebrating its 100th Anniversary of doing business. Beginning as an independent, community-minded bank in Patten, the Katahdin Trust Company has expanded its presence and services over the years, growing to 16 branches throughout the State, but has remained responsive to the needs of its communities. We extend to everyone at Katahdin Trust Company our congratulations and best wishes; HLS 909

Come from the House, READ and PASSED.
Joint Resolutions in Memoriam:

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

(1-5) Evan A. Thurlow, of Oxford. Mr. Thurlow was a dairy farmer and owned his own milk truck, hauling milk to Oakhurst Dairy in Portland. He also drove a school bus for the Town of Oxford and later School Administrative District No. 17. He was active in the community, serving on the Board of Selectmen for 39 years and as a director for the Oxford County Soil and Water Conservation District. He was a lifetime member of the Rock-O-Dundee Riders snowmobile club. Mr. Thurlow will be long remembered and sadly missed by his family and friends;

HLS 900

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

(1-6) Robert D. McCartney, of West Bethel, a veteran of the United States Navy. Mr. McCartney will be long remembered and sadly missed by his family and friends;

HLS 902

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

(1-7) Carroll B. Leone, of Lebanon. An avid outdoorsman who loved to garden, hunt and enjoy nature, Mr. Leone resided in the Lebanon area his entire life. He was a member of the State Grange and associated local chapters, as well as the Independent Order of Odd Fellows. Mr. Leone will be long remembered and sadly missed by his wife of 61 years, Grace, his family and his many friends;

HLS 906

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

(1-8) Richard Arthur Lincoln, of Wayne, a veteran of the United States Army. Mr. Lincoln served during the Second World War as a First Scout in the 88th Division of the Fifth Army, known as the Blue Devils. He fought in the Battle of Anzio in the Italian Campaign and was awarded the Bronze Star for his heroic service. For many years, he worked as a manufacturers' representative for the General Cigar and Culbro Corporations, covering the entire State, and he was active in community life, serving with the Wayne Fire Department, attending the Wayne Community Church and serving on the church's board of trustees. Mr. Lincoln will be long remembered and sadly missed by his wife of 58 years, Nan, and by his family and friends;

HLS 907

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

(1-9) Bernard Wilbur Kinney, of Milo. Mr. Kinney was a World War II veteran serving in the United States Army Air Corps. He had a distinguished career as an environmental testing engineer and participated in the early development of satellites. Mr. Kinney will be long remembered and sadly missed by his family and friends;

HLS 908

Come from the House READ and ADOPTED.
COMMUNICATIONS

(2-1) The Following Communication:

S.C. 855

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

February 16, 2018

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

Dear President Thibodeau and Speaker Gideon:

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

L.D. 1698 An Act To Promote Innovation and Growth in Maine's Traditional Industries

This is notification of the Committee’s action.

Sincerely,

Senate Chair House Chair

_________________________________
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. 1481  Resolve, To Establish a Pilot Project To Provide Travel Vouchers to Persons with Disabilities in Rural Communities

This is notification of the Committee’s action.

Sincerely,

S/Sen. Eric L. Brakey  
Senate Chair

S/Rep. Patricia Hymanson  
House Chair
February 14, 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. 386       An Act To Establish Universal Health Care for Maine
L.D. 691       An Act To Prevent Lead Poisoning in Children (EMERGENCY)

This is notification of the Committee’s action.

Sincerely,

S/Sen. Eric L. Brakey
Senate Chair

S/Rep. Patricia Hymanson
House Chair
February 12, 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 Transportation has voted unanimously to report the following bill(s) out "Ought Not to Pass":

L.D. 1779 An Act To Increase Safety, Ensure Efficient Operation and Improve Traffic Flow on the Maine Turnpike by Requiring All-electronic Toll Collection at New and Reconstructed Toll Facilities (EMERGENCY)

This is notification of the Committee’s action.

Sincerely,

S/Sen. Ronald F. Collins
Senate Chair

S/Rep. Andrew J. McLean
House Chair
(3-1) Bill "An Act To Amend Career and Technical Education Statutes"

S.P. 696  L.D. 1843

Presented by Senator LANGLEY of Hancock.
Cosponsored by Representative TUELL of East Machias and Senators: DAVIS of Piscataquis, DIAMOND of Cumberland, DOW of Lincoln, KATZ of Kennebec, MAKER of Washington, Representatives: LOCKMAN of Amherst, MASTRACCIO of Sanford, SIROCKI of Scarborough.
Submitted by the Department of Education pursuant to Joint Rule 203.

Committee on EDUCATION AND CULTURAL AFFAIRS suggested and ordered printed.

ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Jennifer Pincus, of Cumberland, who has been named the 2017 CARE Volunteer of the Year. CARE, or Credit Abuse Resistance Education, is a nonprofit organization helping young adults, high school students and their families learn to make better financial decisions; Ms. Pincus, an attorney, worked with Judge Michael Fagone and the local bankruptcy bar to build one of the nation's most robust and active chapters. We extend to Ms. Pincus our congratulations and best wishes;

SLS 719
Sponsored by Senator BREEN of Cumberland.
Cosponsored by Representative: DENNO of Cumberland.

(4-2) Cathy Bishop, of Windham, who is celebrating her 95th Birthday on March 4, 2018. We extend to Mrs. Bishop our congratulations and best wishes;

SLS 720
Sponsored by Senator DIAMOND of Cumberland.
Cosponsored by Representatives: BRYANT of Windham, COREY of Windham.
(4-3) Franz-Peter Jerosch, of Falmouth, who, with Jade Hom, of Massachusetts, won the Gold Medal in Novice Pairs at the United States Figure Skating Championships in San Jose, California. With this victory, the pair has earned entry-level berths on the national team. We extend to Franz-Peter and Jade our congratulations and best wishes;

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

(4-4) Thomas College, of Waterville, which has been named the President's Choice Winner by the Kennebec Valley Chamber of Commerce. We extend to Thomas College President Laurie Lachance our congratulations and best wishes;

Sponsored by Senator KATZ of Kennebec.
Cosponsored by Senator: CYRWAY of Kennebec, Representatives: LONGSTAFF of Waterville, MADIGAN of Waterville.

(4-5) Erika Bush, of Augusta, who has been named the Cynergy Young Professional by the Kennebec Valley Chamber of Commerce. We extend to Ms. Bush our congratulations and best wishes;

Sponsored by Senator KATZ of Kennebec.
Cosponsored by Representatives: BRADSTREET of Vassalboro, DOORE of Augusta, POULIOT of Augusta.

(4-6) Cecil Munson, of Augusta, who has received the Community Service Award from the Kennebec Valley Chamber of Commerce. We extend to Mr. Munson our congratulations and best wishes;

Sponsored by Senator KATZ of Kennebec.
Cosponsored by Representatives: BRADSTREET of Vassalboro, DOORE of Augusta, POULIOT of Augusta.
Joint Resolutions in Memoriam:

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

(4-7) Riley Henry Boulay, of Liberty, who passed away unexpectedly at 16 years of age. Riley loved to help all those in need: his family, his friends and even strangers. He was a junior at Mount View High School and a student in the electrical trades program at Waldo County Technical Center. He won first place in the Augusta ABC Electrical Competition this year. He had recently started working at O'Reilly Auto Parts in Belfast. Riley will be long remembered and sadly missed by his parents, Luke and Jackie, and by his family, his friends and all those whose lives he touched;

SLS 718

Sponsored by President THIBODEAU of Waldo.
Cosponsored by Representative: ZEIGLER of Montville.

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

(4-8) Clarence Pinette, of Cape Elizabeth and Ocala, Florida, a veteran of the United States Air Force and an educator who inspired his students. He began his teaching career as a chemistry and physics teacher at Limestone High School, where he taught for 11 years before accepting a position at Cape Elizabeth High School as a chemistry teacher and head of its science department. He taught in Cape Elizabeth for about 20 years before retiring in 1989. Mr. Pinette will be long remembered and sadly missed by his wife of 67 years, Greta, and by his family, friends and former students;

SLS 726

Sponsored by Senator MILLETT of Cumberland.
Cosponsored by Representatives: HAMANN of South Portland, MONAGHAN of Cape Elizabeth.

REPORTS OF COMMITTEES

House

Ought to Pass As Amended

(5-1) The Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Ensure Continued Coverage for Essential Health Care"

H.P. 1015  L.D. 1476

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-595).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-595).
(5-2) The Committee on JUDICIARY on Bill "An Act To Revise the Grandparents Visitation Act"

H.P. 1157  L.D. 1670

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-597).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-597).

(5-3) The Committee on JUDICIARY on Bill "An Act To Clarify the Authority of the Chief Medical Examiner To Properly Dispose of Abandoned Human Remains"

H.P. 1197  L.D. 1717

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-596).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-596).

(5-4) The Committee on STATE AND LOCAL GOVERNMENT on Bill "An Act To Authorize the Oxford County Commissioners To Close the Western District Registry of Deeds"

H.P. 1167  L.D. 1679

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-598).

Comes from the House with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-598).
(5-5) The Majority of the Committee on AGRICULTURE, CONSERVATION AND FORESTRY on Bill "An Act To Allow Hemp Growers To Grow Hemp from Clones and To Grow Hemp Indoors" (EMERGENCY) H.P. 522 L.D. 742

Reported that the same Ought Not to Pass.

Signed:

Senators:  
DAVIS of Piscataquis  
DILL of Penobscot

Representatives:  
DUNPHY of Old Town  
ACKLEY of Monmouth  
BLACK of Wilton  
HIGGINS of Dover-Foxcroft  
KINNEY of Knox  
MARTIN of Sinclair  
McELWEE of Caribou  
SKOLFIELD of Weld

The Minority of the same Committee on the same subject reported that the same Ought To Pass as Amended by Committee Amendment "A" (H-594).

Signed:

Representative:  
CHAPMAN of Brooksville

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

(5-6) The Majority of 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

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

Signed:

Senators:

    CYRWAY of Kennebec
    CARPENTER of Aroostook

Representatives:

    DUCHESNE of Hudson
    ALLEY of Beals
    HARLOW of Portland
    LYFORD of Eddington
    NADEAU of Winslow
    REED of Carmel
    STEARN of Guilford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-589).**

Signed:

Senator:

    WOODSON of York

Representatives:

    MASON of Lisbon
    THERIAULT of China
    WOOD of Greene

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

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

Acts

(7-1) An Act To Create the Bar Harbor Port Authority
S.P. 478  L.D. 1400
(C "A" S-347)

(7-2) An Act To Clarify Definitions in the Laws Regarding the Licensing of Eating Establishments and Lodging Places
H.P. 1163  L.D. 1675

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 - Capital Area Staffing Solutions, Inc., of Augusta
SLS 673

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

Pending - PASSAGE

2.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Norman Elvin, of Palermo
SLS 674

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

Pending - PASSAGE
3.

Tabled and Later Assigned

**Emergency**

Bill "An Act To Amend the Laws Governing Expedited Permitting for Wind Energy Development" (EMERGENCY)

H.P. 1255  L.D. 1810

Tabled - February 8, 2018, by Senator **WOODSOME** of York

Pending - **REFERENCE**

(In House, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.)

4.

Tabled and Later Assigned

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

H.P. 1276  L.D. 1834

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

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

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

5.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing John Falla, of St. George.

SLS 707

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

Pending - **PASSAGE**
6.

Tabled and Later Assigned

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

S.P. 499  L.D. 1444

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

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

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

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

7.

Tabled and Later Assigned

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 - motion by same Senator to ACCEPT EITHER REPORT
8.

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on JUDICIARY on Bill "An Act To Increase the Jurisdictional Limits for Small Claims"

H.P. 216  L.D. 283

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

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

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

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

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

9.

Tabled and Later Assigned

SENATE REPORTS - from the Committee on INSURANCE AND FINANCIAL SERVICES on Bill "An Act To Promote Access to Financial Institutions by Entities That Are Authorized under State Law"

S.P. 130  L.D. 389

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

**Minority - Ought to Pass as Amended by Committee Amendment "A" (S-362)** (4 members)

Tabled - February 20, 2018, by Senator LIBBY of Androscoggin

Pending - motion by Senator WHITTEMORE of Somerset to ACCEPT the Majority OUGHT NOT TO PASS Report
10.

**Tabled and Later Assigned**

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

H.P. 1279

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

Pending - **ADOPTION** in concurrence

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

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**SPECIAL STUDY TABLE**

1.

**Emergency**

Resolve, To Establish the Study Committee To Develop a Disposition Plan for Future Surplus State Property in York County

H.P. 723  L.D. 1021

(C "A" H-67)

Tabled - May 9, 2017, by Senator **CUSHING** of Penobscot

Pending - **FINAL PASSAGE**
## SPECIAL APPROPRIATIONS TABLE

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## SPECIAL HIGHWAY TABLE

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