One Hundred and Twenty-Eighth Legislature  
Second Regular Session  

Advance Journal and Calendar  

35th Legislative Day  

In Senate Chamber, Friday, April 13, 2018.  

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

Prayer by Pastor Steve Smith, Orono United Methodist Church.  

Pledge of Allegiance led by Senator Ronald F. Collins of York County.  

Reading of the Journal of Thursday, April 12, 2018.  

Doctor of the day, Marguerite (Peggy) Pennoyer, M.D., of Scarborough.  

______________________________  
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. 734

Ordered, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 17, 2018 at 10:00 in the morning.

COMMUNICATIONS

(2-1) The Following Communication:

S.C. 984

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

April 11, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Stephen D. Nelson, Esq. of Houlton, for appointment as a District Court Judge.

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:

<table>
<thead>
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<th>YEAS</th>
<th>Senators</th>
<th>1</th>
<th>Keim of Oxford</th>
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<td></td>
<td>Representatives</td>
<td>8</td>
<td>Moonen of Portland, Babbidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Johansen of Monticello, McCreight of Harpswell, Reckitt of South Portland</td>
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<tr>
<td>NAYS</td>
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Nine 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 Stephen D. Nelson, Esq. of Houlton, for appointment as a District Court Judge be confirmed.

Signed,

S/Lisa Keim                      S/Matthew W. Moonen
Senate Chair                    House Chair
April 11, 2018

The Honorable Michael D. Thibodeau
President of the Senate of Maine
128th Maine State Legislature
State House
Augusta, Maine 04333-0003

Dear Mr. President:

In accordance with 3 M.R.S.A., Section 157, and with Joint Rule 505 of the Maine Legislature, the Joint Standing Committee on Judiciary has had under consideration the nomination of Lea-Anne Sutton, Esq. of Gorham, for appointment as a District Court Judge.

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 1 Keim of Oxford
Representatives 8 Moonen of Portland, Babidge of Kennebunk, Bailey of Saco, Bradstreet of Vassalboro, Cardone of Bangor, Johansen of Monticello, McCreight of Harpswell, Reckitt of South Portland

NAYS 0


Nine 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 Lea-Anne Sutton, Esq. of Gorham, for appointment as a District Court Judge be confirmed.

Signed,

S/Lisa Keim
Senate Chair

S/Matthew W. Moonen
House Chair
April 11, 2018

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 Judge Gregory A. Campbell of Hampden for reappointment as a District Court Judge.

Pursuant to Title 4 MRSA §157, this reappointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage  
Governor
April 11, 2018

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 Judge Christine Foster of Portland for appointment to Active Retired Status of the Maine District Court.

Pursuant to Title 4, MRSA §157-B, this appointment is contingent on the Maine Senate confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Paul R. LePage
Governor
ORDERS

Joint Orders

Expressions of Legislative Sentiment recognizing:

(4-1) Colin Aponte, of Blue Hill, a 13-year-old home-schooled student, who won the 2018 Maine State Spelling Bee and the 2018 Maine National State Geography Bee. We extend to Colin our congratulations and best wishes;  

SLS 823

Sponsored by Senator LANGLEY of Hancock.

Cosponsored by Representative: CHAPMAN of Brooksville.

(4-2) Don Oakes, Chief Executive Officer of Sea Bags, and Beth Shissler, Chief Operations Officer of Sea Bags, of Falmouth and Scarborough, respectively, who have been selected as the Maine Small Business Person of the Year by the United States Small Business Administration for the growth of the business and its contributions to the community. We extend to them our congratulations and best wishes;  

SLS 824

Sponsored by Senator CHIPMAN of Cumberland.

(4-3) On motion by Senator VOLK of Cumberland (Cosponsored by Senators: BRAKEY of Androscoggin, KATZ of Kennebec, LANGLEY of Hancock, ROSEN of Hancock, SAVIELLO of Franklin, Representatives: POULIOT of Augusta, TALBOT ROSS of Portland, WARREN of Hallowell), the following Joint Resolution:

S.P. 735

STATE OF MAINE

_____

IN THE YEAR OF OUR LORD

TWO THOUSAND AND EIGHTEEN

_____

JOINT RESOLUTION DESIGNATING APRIL 2018 AS SECOND CHANCE MONTH

WHEREAS, every person is endowed with human dignity and value; and
WHEREAS, redemption and second chances are American values; and
WHEREAS, an estimated 65,000,000 American citizens have a criminal record; and
WHEREAS, individuals returning from prison and those who have paid their debts after committing a crime face a "second prison" of stigma and obstacles, also known as collateral consequences; and
WHEREAS, individuals with criminal histories encounter significant barriers such as an inability to find housing, employment or education, regain voting rights, volunteer in their communities, secure identification documentation and pay off substantial financial debt accrued as a result of conviction and incarceration; and
WHEREAS, these barriers can contribute to recidivism, which increases victimization, decreases public safety and results in lost human capital and economic output for communities; and
WHEREAS, the designation of April as Second Chance Month can contribute to increased public awareness about the "second prison," the need for closure for those who have paid their debts and opportunities for individuals, employers, congregations and communities to extend second chances; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize April 2018 as Second Chance Month and we urge citizens to observe this month through actions and programs that promote awareness of the "second prison" and provide closure for those who have paid their debts.
Joint Resolution in Memoriam:

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

(4-4) Irving Isaacson, of Auburn, a lawyer, soldier, entrepreneur, philanthropist and spy. Mr. Isaacson enlisted as a private in the National Guard as World War II loomed and entered Officer Candidate School. He was trained as a communications officer and posted to England, where he was ordered to report to the English headquarters of the Office of Strategic Services, the wartime predecessor of the Central Intelligence Agency. He was further trained, promoted to captain and sent to Holland, where he helped to support the Dutch resistance. After the war, he moved to Eastern Germany and spied on the Russians, the first Cold War spy. In destroyed Leipzig, he met Jutka Magyar, a survivor of the Auschwitz concentration camp and the slave labor camp in Hessich-Lichtenau, and married her in Nuremberg City Hall. They were married for 70 years and had 3 children. He left the service as a major and returned to his hometown of Lewiston, where he joined his father in the law firm of Brann and Isaacson. He went on to practice corporate and commercial law for 65 years. He was counsel to the emerging Maine chicken and egg industry and eventually organized the United Egg Producers, a national egg association. He also was counsel for many years to L.L. Bean. He wrote *Manual for the Arresting Officer, Manual for the Conservation Officer, Legal Driving* and *Memoirs of an Amateur Spy*, and he was a metalworker and blacksmith for most of his adult life, stopping only when he was 95. Mr. Isaacson will be long remembered and sadly missed by his family and friends;

Sponsored by Senator BREEN of Cumberland.
(5-1) The Majority of the Committee on EDUCATION AND CULTURAL AFFAIRS on Bill "An Act To Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years of Age"

S.P. 713  L.D. 1870

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-457).

Signed:

Senators:
    LANGLEY of Hancock
    MAKER of Washington
    MILLETT of Cumberland

Representatives:
    KORNFIELD of Bangor
    DAUGHERTY of Brunswick
    FARNSWORTH of Portland
    FULLER of Lewiston
    McCREA of Fort Fairfield
    PIERCE of Falmouth
    SAMPSON of Alfred

The Minority of the same Committee on the same subject reported that the same Ought To Pass as Amended by Committee Amendment "B" (S-458).

Signed:

Representatives:
    GINZLER of Bridgton
    STEWART of Presque Isle
    TURNER of Burlington
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 Jon James, of China
SLS 779

Tabled - March 28, 2018 by Senator KATZ of Kennebec

Pending – PASSAGE

2.

Tabled and Later Assigned

An Act To Require Education and Training Regarding Harassment for Legislators, Legislative Staff and Lobbyists
S.P. 695  L.D. 1842
(C "A" S-387)

Tabled - March 28, 2018 by Senator LIBBY of Androscoggin

Pending - ENACTMENT

(In House, PASSED TO BE ENACTED.)
3.

Tabled and Later Assigned

JOINT ORDER - Expression of Legislative Sentiment Recognizing Julius Eugene Ciembroniewicz, of Winthrop

Tabled - March 29, 2018 by Senator KATZ of Kennebec

Pending - ADOPTION

(In House, READ and ADOPTED.)

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4.

Tabled and Later Assigned

Bill "An Act Regarding Energy Costs"

Tabled - April 3, 2018 by Senator WOODSOME of York

Pending - REFERENCE

(In House, REFERRED to the Committee on ENERGY, UTILITIES AND TECHNOLOGY and ordered printed.)
5.

**Tabled and Later Assigned**

SENATE REPORTS - from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**

on Bill "An Act To Control Electricity Transmission Costs through the Development of Nontransmission Alternatives"

S.P. 516  L.D. 1487  
(C "A" S-435)

**Majority - Ought to Pass as Amended by Committee Amendment "A" (S-435) (7 members)**

**Minority - Ought Not to Pass (3 members)**

Tabled - April 4, 2018 by Senator **WOODSOME** of York

Pending - **ACCEPTANCE OF EITHER REPORT**

6.

**Tabled and Later Assigned**

Bill "An Act To Establish Universal Home Care for Seniors and Persons with Disabilities"

I.B. 3  L.D. 1864

Tabled - April 9, 2018 by Senator **COLLINS** of York

Pending - **FURTHER CONSIDERATION**

(In Senate, April 2, 2018, **REFERRED** to the Committee on **TAXATION** in **NON-CONCURRENCE.**)

(In House, House **INSISTED** on its former action whereby the Bill and accompanying papers were **INDEFINITELY POSTPONED.**)
7.

Tabled and Later Assigned

HOUSE REPORT - from the Committee on TAXATION on Bill "An Act To Replace the Educational Opportunity Tax Credit with the Student Loan Repayment Credit for Maine Residents"

H.P. 1057  L.D. 1537

Report - **Ought to Pass as Amended by Committee Amendment "A" (H-710)**

Tabled - April 9, 2018 by Senator VOLK of Cumberland

Pending - **ACCEPTANCE OF REPORT**

(In House, Report **READ** and **ACCEPTED** and Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-710) AND HOUSE AMENDMENT "A" (H-721).)**

_________________________________

8.

Tabled and Later Assigned

SENATE REPORT - from the Committee on HEALTH AND HUMAN SERVICES on Bill "An Act To Amend the Maine Medical Use of Marijuana Act"

S.P. 84  L.D. 238

Report - **Ought to Pass as Amended by Committee Amendment "A" (S-443)**

Tabled - April 9, 2018 by Senator VOLK of Cumberland

Pending - **ACCEPTANCE OF REPORT**

_________________________________
9.

Tabled and Later Assigned

HOUSE REPORTS - from the Committee on JUDICIARY on Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

H.P. 1275  L.D. 1833
(C "A" H-723)

Majority - Ought Not to Pass (7 members)

Minority - Ought to Pass as Amended by Committee Amendment "A" (H-723) (6 members)

Tabled - April 10, 2018 by Senator KEIM of Oxford

Pending - ACCEPTANCE OF EITHER REPORT

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

10.

Tabled and Later Assigned

JOINT RESOLUTION - memorializing Merton G. Henry, of Scarborough

HLS 1120

Tabled - April 12, 2018 by Senator MASON of Androscoggin

Pending - ADOPTION
## 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**

### 2. Joint Order

JOINT ORDER - Establishing the Task Force To Study Rising Transmission and Distribution Costs

H.P. 1320

Tabled - March 29, 2018 by Senator **JACKSON** of Aroostook

Pending - **PASSENGE**

### 3. Resolve

Resolve, Establishing the Commission To Study the Economic, Environmental and Energy Benefits of Energy Storage to the Maine Electricity Industry

S.P. 640  L.D. 1741  
(C "A" S-373; S "A" S-402)

Tabled - March 29, 2018 by Senator **VOLK** of Cumberland

Pending - **FINAL PASSAGE**

### 4. Bill

Bill "An Act To Establish Alternative Pathways to the Completion of Secondary School Mathematics Requirements"

H.P. 1177  L.D. 1697  
(C "A" H-731)

Tabled - April 11, 2018 by Senator **VOLK** of Cumberland

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

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